



Oregon

Tina Kotek, Governor

Board of Naturopathic Medicine
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Oregon Board of Naturopathic Medicine –Bi-Monthly Board Public Meeting Minutes August 11, 2025

DATE / TIME: August 11, 2025 @ 1:23pm – 2:05pm

LOCATION: 800 NE Oregon Street, Room 445, on the fourth floor Portland, OR.

Zoom Meeting.

<https://us02web.zoom.us/j/89135156775?pwd=9RNpWbv7kDYr7rNvnJsAKN5H6RzdIU.1>

1. **Roll Call** Members Present: Board Co-Chair Meghan Larivee, ND, Board Members: Ryan Martin, ND, Zia Robles-Hernandez, ND and Shehab El-Hashemy, ND, BSc, HBSc, MBChB, MEd; Public member Kate Watkinson Wright, Josh Luper, DAC, LAc, BCSI; Mary-Beth Baptista, Executive Director. No members of the media were present.
2. **Excused Absence:** Board Chair Ryan Minarik, ND & Kate Watkinson Wright, public member
3. Welcome new member Dr. Shehab El-Hashemy, ND, BSc, HBSc, MBChB, MEd
4. Case Resolution Update / Discipline Recommendations

(24-02-02) Alleges negligent prescribing. Board motion to find violation impose discipline (Larivee – Martin 2nd) Discussion: Finding Negligent Treatment / Negligent Prescribing / Negligent Charting. Probation / CE / Civil Penalty / withdraw DEA license / PDMP pulls. Board vote 5-0 to find violation and impose discipline.

(24-05-12) Alleges practicing outside of scope. Board motion to close case without finding violation / no discipline. (Larivee – Martin 2nd) No discussion. Board vote 5-0 to dismiss/no discipline.

(24-10-30) Alleges negligent prescribing. Board motion to close case without finding a violation / no discipline. (Larivee – Luper 2nd) No discussion. Board vote 5-0 to dismiss/no violation/ no discipline.

(25-01-03) Alleges negligent treatment. Board motion to close case without finding a violation / no discipline. (Larivee – Luper 2nd) No discussion. Board vote 5-0 to dismiss / no violation / no discipline.

(24-11-31) Alleges violation of ethics / privacy. Board motion to close case without finding a violation / no discipline. (Larivee – Martin 2nd) No discussion. Board vote 5-0 to dismiss/no violation / no discipline.

(25-03-08) Alleges person claims to be a licensed ND when she is not. Board motion to close case without finding a civil penalty. (Larivee – Martin 2nd) No discussion. Board vote 5-0 to dismiss/no civil penalty.

(24-12-39) Alleges negligent prescribing. Board motion to find violation for negligent prescribing. (Larivee – Martin 2nd) Discussion: Finding violation for negligent prescribing,

discipline - Probation, PDMP pulls, CE, Civil Penalty. Board vote 5-0 to find violation / impose discipline.

5. Continue Investigations over 120 days. Larivee motion to continue investigations over 120 days (Luper 2nd) No discussion. Board vote 5-0.
6. Approval of June 9, 2025, Executive & Public Meeting Minutes. Motion to approve (Larivee - Martin 2nd) Board vote 5-0 to approve.
7. Administrative Rule Making

a) **REPEAL: 850-010-0301** RULE TITLE: Mask, Face Covering, Face Shield Requirements

Please submit public comment to: naturopathic.medicine@obnm.oregon.gov

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 07/22/2025 1:00 PM

Motion to repeal (Larivee – Luper 2nd) Discussion: MBB states there was no public comment on repealing this rule. This is not a substantive issue, this is a housekeeping issue because the emergency declaration underlying this rule has been long rescinded. Board vote 5-0 to repeal.

b) **SB 1552 Section 44**

Discussion regarding whether to: **ADOPT: 850-030-0005**

RULE TITLE: Criminal Conviction Determination Process for Licensure

RULE SUMMARY: The rule implements SB 1552 (2024) section 44 allowing a person to petition a licensing board for a determination as to whether a criminal conviction would prevent the person from receiving a license. Section 44 and the rule become operative on July 1, 2025.

FILING CAPTION: Creates criminal conviction determination process to implement SB 1552 (2024)

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 07/21/2025 1:00 AM

ED MBB: Generally, this Bill / Statute passed in the legislative session says, in relevant part, prior to applying for / admission to relevant medical school, a person may ask the relevant Board to make a preliminary determination if their prior criminal history would prevent them from being licensed. There was some ambiguity in the Bill / Statute whether Boards were required to make a rule, or if Boards could refer to the statute. ED MBB reviewed statute and did not initially write a rule in response to the statute. Subsequently there has been a lot of discussion among other Board EDs and in the media, re: the need for Boards to write a Board specific rule. Due to recent discussions ED MBB submitted an OBNM draft rule using template language, which included a fee for the determination. It is a Board-by-Board policy decision whether to impose a fee for the determination. ED explained if OBNM were to impose fee, the rule will have to go to the legislature, b/c it involves raising fees. ED MBB suggested she strike the line in the rule re: fee for determination and wait until the next session to impose a fee, rather than go through E-Board to raise fees. Board discussion, public member Luper understands the time frame and the legislative process mid-session, but believes that eventually / next session the Board should consider imposing a fee, opining that the public or applicant should demonstrate their serious/investment in committing to go to Nat. School medical school. ED MBB agreed. No opposition from the Board.

c) **850-035-0230** Requirements for Certification to Practice Natural Childbirth. Minimal responses received related to revisions of the rule, discussion regarding next steps. Discussion: ED MBB sent out a query to a select group of Midwife NDs – did not get a lot of responses related to specific changes to the rule, although the overwhelming response was that it needed to

be changed. ED is concerned that if she couldn't get involvement / response to the email, that she will not get a lot of involvement / participation if she launched a subcommittee. Midwife NDs email responses state they are willing to advise on a draft rule. ED suggested she would write/ and revise rule based on the input received. ED heard/knows where the main problems lie in the rule, e.g. allow an "inactive" status, credential/certifying is to insular regarding testing and qualifications for certification. ED believes she has enough to get started drafting a revised rule, once written, she send it out to all ND midwives. Depending on the response, ED may set up a public meeting after the draft rule was written for feedback.

d) Discipline HB 3042 – Discussion re: establishing a Rules Advisory Committee (RAC) for amendments to DISCIPLINE – Division 50. ED Baptista really wants Board members “to pound the pavement and speak with your colleagues” regarding OAR re: discipline. The discipline rules are outdated, lack transparency and generally problematic. The new language in the statute needs to be incorporated into the discipline rules and incorporate the AANP ethics standards into the Board OARs. Messaging example for Board member outreach “Board just revised the discipline statute for the first time in 35 yrs – we need to make rules that are clear and transparent and in line with the new statute. We want to have NDs from all over the State and practice areas to provide their input on shaping the new Oregon Administrative Rules related to discipline”

7. Director's Report

a) Formulary Council Members

- i. Needed: Two additional members appointed by the Formulary Council who hold an advanced degree in either pharmacology or pharmacognosy. Board discussion that **pharmacognosy** is not a “real” degree/advanced degree. ED MBB asked for help to spread the word needing members through the Board member networks.
- ii. Board of Pharmacy Appointed: John Meyers, PharmD
- iii. Pending OMB Appointment

b) Discipline Guidelines: Board staff putting together document / guidelines, should be available for Board review in Oct, goal to finalize by December meeting. Write a guideline that shows a range of discipline for similarly situated licensees / violations.

c) Discussion re: Board inquiry to Executive Branch / Board and Commission re: setting requirements / expectation for posting public discipline is now become a statewide conversation, and a survey sent out to EDs of Boards to determine best practice in publishing public discipline.

d) Review of OBNM Expenditure Documents. No questions / discussion.

e) Conference Room 447, the Board has held Board meetings in conference room 447 since / prior to ED hire in 2017. Due to cost cutting measures, the HRLBs turned the conference room over / back to DAS. DAS rented out the conference room to a new tenant, who will be turning the conference room into office space. Board meetings will be held in a conference room on the first floor of PSOB going forward. ED Baptista will send the conference room furniture to recapture some of the cost spent.

8. Board Comment – ED Baptista acknowledges the website is not clear on the discipline process, and a better explanation on what the standard of proof is and how the Board finds discipline needs to be clarified and updated. Larivee stressed the need for communication to licensees

under investigation regarding the length of time the investigation takes. Baptista agrees that more information / communication is an area we can control and improve. El-Hashemy sees the value in setting a goal – and working toward improving that timeline and communication. ED MBB to post the KPMs as part of the revamp of the website to show the timeline of cases and the outliers and why they are outliers. Difficult b/c we have only one investigator – he must do all of it – all the administrative, review of medical records, interviewing, writing the investigations. All aspects of investigation are in the hands of Doug Cook – he is only one person. ED has moved all probation coordination to AS2 Robin Crumpler, so Doug only has investigations to focus on.

9. Public comment. No public or Board comment.

https://oregon.public.law/rules/oar_918-040-0040. The Board is not required, nor do the Board members anticipate engaging in discussion with participants providing comment.