Present: Board Chair: Jennifer Gibbons, ND, Board Members: Robert Skarperud, ND; Lissa McNiel, ND; Tracy Erfling, ND; Keivan Jinnah, ND, Charles Wiggins, Public Member, Mary-Beth Baptista, Executive Director

Absent: Board member: Dwight Adkins (excused)

The Board went into Public Session at 12:17pm.

Meeting Minutes: Board member C. Wiggins made a motion to approve the February 13, 2017 minutes, board member R. Skarperud seconded the motion, motion approved unanimously.

Public Comment: Dr. Laurie Marzel reminded the board of her statement she made at the February 10, 2017 board meeting, that she has been working with the pharmacy board regarding in-office pharmaceuticals and that any compound has to be an FDA approved drug, homeopathic is exempted from the new pharmacy rule. Dr. Laurie Marzel wanted to know if the board is going to participate in the pharmacy board hearing administration. Board chair J. Gibbons stated that there are no formal plans at the present time to be at a pharmacy hearing and at a future board meeting the information would be on the agenda for the board to discuss.

Complaint/Investigation/Discipline Recommendations/Case Resolution Update: In case N13-02-02 the update is to modify the consent order, in case N13-03-07, the board is waiving any and all remaining fees, in case N15-09-16/N16-03-06 approve consent order dated April 10, 2017. In case N16-10-31, Dr. Gibbons recused herself and left the room during the discussion the case is ongoing. In cases N17-01-01, N17-01-05n and N17-01-06n they are dismissed. Ongoing investigation/no updates in cases N16-10-30, N16-10-32, N16-11-34, N16-12-35, N17-01-04a, N17-02-07, N17-02-08, 17-03-09a, N17-03-10, 17-05-11 and N17-03-12. Board member C. Wiggins made a motion, board member R. Skarperud seconded the motion, motion approved unanimously.

Formulary Council Update: Board member L. McNiel reported that the formulary council is moving to adopt to clarify our formulary by making formulary compendium classifications that we are not able to prescribe as exclusions. It would be clearer for members that practice in Oregon easier to prescribe. We also made a motion to adopt the classifications, we will be using a more through compendium. Board member L McNiel made a motion to proceed with rules 850-060-0223 and 850-060-0226 being amended, board member K. Jinnah seconded the motion, motion approved unanimously.

Legislative Update: ORS 685.105(SB 22 / LC 0642) Peer Review – This bill has been withdrawn. Board member T. Erfling made a motion to not resubmit SB 22 for consideration, board member R. Skarperud seconded the motion, motion approved unanimously. ORS 685.010 (3) (SB 23 / LC 0647) Minor Surgery – This bill has been withdrawn. Board member R. Skarperud made a motion to not resubmit SB 23, board member C. Wiggins seconded the motion, motion approved unanimously. SB 217-ND Concussion Assessment Certification “Return to Play” – what has been proposed is that OHSU would have a class regarding concussions and after the class each state agency would keep track of the certification or maybe the Oregon Health Authority would keep track for state agencies. We have not been asked to endorse or not endorse SB 217 at this time.
HB 3400 – Limits requirements and standards insurer may establish for credentialing Naturopathic Physicians. Board member K. Jinnah made a motion to oppose HB 3400, board member L. McNiel seconded the motion, motion approved unanimously.

Directors Report: OAR 850-030-0031 previously a letter & license application has been mailed out to all exam applicants with completed files stating that they have two years to apply for licensure, per OAR 850-030-0031 that is not the case and the letter will be updated with the current rule.

The board is working on a type of a referral for Scope of Practice inquiries and guidelines and as soon as we have the referral information it will be available. As a regulatory board we can address rules and regulation questions.

NPLEX Elective Pharmacology Examination – there is a survey that NABNE would like the board to complete and return to see how useful the new exam would be or if we would still hold our exam or maybe have both exams. The board completed the survey adding that the board would like to see the new pharmacology exam.

Board member Dwight Adkins will be officially done with his term at the June 2017 board meeting which means his spot as public member will need to be filled.

Executive Director, Mary-Beth Baptista requested that the board would approve continuing education and license renewal fees for her attorney license. The Board approved unanimously.

Telemedicine: Board member L. McNiel informed the board that Arizona and District of Columbia Naturopaths already have telemedicine regulation under someone else’s umbrella. One of the issues with telemedicine is working across state lines and what that means, the board will be working on language for new administrative rule. Board member L. McNiel Drafted a statement for the board to review: The Oregon Board of Naturopathic Medicine acknowledges telemedicine also referred to as telehealth, a delivery mechanism for providing health care not a treatment modality. Naturopathic doctors participating in telemedicine are required to comply with the Oregon Board of Naturopathic Medicine laws and rules the same as if delivering health care by in person assessment and treatment. The board could add a second part: an ND practitioner wishing to provide care to an Oregon patient must be licensed in Oregon. Two items to think about – everybody is doing it and we want to promote a standard.

Public Comment: Dr. Brian Butler wrote a letter to the Board back in January 2017 stating his concerns of the number of CE hours required each year. Dr. Brian Butler asked the board if they would think about reducing the 50 CE hours annually to 30 CE hours annually. The board thanked Dr. Brian Butler for taking the time to come and make a public comment and the CE annual requirements will be an agenda item at a later date.

Dr. Laurie Marzel stated that she doesn’t think that the executive director has the background, knowledge and information to give answers of scope of practice but said she thinks that scope of practice questions should be directed to the board. Board chair J. Gibbons told Dr. Marzel that this is a regulatory board that addresses rules and regulation questions not insurance and mal-practice questions.

Board member R. Skarperud nominated Dr. Lissa McNiel for the vice chair position and board member C. Wiggins seconded the nomination, motion approved unanimously.

Board adjourned at approximately 1:47pm.

Board members worked on CE after the close of the meeting.