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 2:23pm.

Meeting Minutes:  Board member Dr. R. Skarperud made a motion to approve the April 10, 2017 minutes, board member Dr. T. Erfling seconded the motion, motion approved unanimously.

Complaint/Investigation/Discipline Recommendations/Case Resolution Update: Continue ongoing investigation in cases N16-02-04, N16-10-30, N16-11-34, N16-12-35, N17-02-07, N17-02-08, N17-03-10, N17-05-11, N17-03-12, N17-04-13, N17-04-14, N17-05-15, N17-05-16, N17-05-17, N17-05-18, N17-05-19 and N17-05-20, board member K. Jinnah made a motion to continue investigation, board member C. Wiggins seconded the motion, motion approved unanimously.  Propose to issue a notice of discipline in cases N16-10-31, N16-10-32 and N16-12-35, board member Dr. T. Erfling made a motion to propose issue of discipline, board member Dr. R. Skarperud seconded the motion, motion approved unanimously.

Continuing Education Credits: Executive director MB. Baptista reminded the Board that Dr. Brian Buttler had attended the board meeting back in February and April 2017 to express his opinion that the amount of Continuing Education (CE) credits required by the Board was excessive and asked whether the Board would consider reducing the annual CE requirements for licensure renewal. The Board reviewed a letter from Dr. Buttler’s attorney discussing the difference between the current requirement of 50 hours, per the Oregon Administrative rule and the Oregon Revised Statute minimum requirement of 25 CE credits. The Board discussed whether to engage in rulemaking to reduce the number of hours required. The Board agreed to have the Director send an email soliciting comment from ND’s and identified stake holders to receive input on whether to reduce the number of hours and if yes, what is the appropriate reduction in the number of hours. The Board will review the stake holders input at the August 2017 meeting and discuss / determine next steps.

Telemedicine:  Board member Dr. L. McNiel introduced the proposal for guidelines on telemedicine. Executive director MB. Baptista provided background after on the past discussions of developing a telemedicine guideline. After researching past Board minutes and other publications, Baptista explained that in a previous newsletter there was a record that the Board discussed telemedicine approximately 3 years ago at a Board meeting. The brief mention of those discussions centered around a rule or policy in place that an ND had an in person examination / contact with the patient before engaging in telemedicine. After researching, Baptista determined that this requirement is neither a policy nor rule. Board member Dr. L. McNiel gave information on her research on telemedicine in Oregon and other states. There was discussion on Medicare and Medicaid and how to determine what is the originating site for purposes of telemedicine and that based on the research, other states have determined that the originating state is the location of the patient at the time of treatment. Board member Dr. K. Jinnah discussed whether the Board should accept defining an originating site as the location of the patient, rather than the location of the ND engaging in the practice of telemedicine. Board member Dr. L.
McNiel discussed research stating the originating site in the US is where the patient is located and not where the doctor has their practice. Per the Federation of Medical Boards telemedicine pact also defines the originating site as the location of the patient at the time of medical care. Board chair Dr. J. Gibbons took a preliminary vote to see who would be ready to accept the telemedicine policy as written and presented by Dr. McNiel and there were 4 yes and 2 no. The 2 no’s would like to do more research. Board chair Dr. J. Gibbons stated that more time will be given and this item will be tabled until the August board meeting and will take an official vote.

**Proposed Rule Changes OAR 855-043-0505:** Board chair Dr. J. Gibbons opened the discussion on the Pharmacy Board’s proposed rule change 855-043-0505 regarding dispensing regulations. From the Board’s review of the public comment submitted and the drafts of the administrative rule changes, it appeared to the Board that Naturopathic doctors concerns have been addressed and resolved by the Pharmacy Board’s subsequent drafts of the rule. The Board also discussed Dr. Marzell’s previous public comment that OBNM should be the regulating body not the Pharmacy Board. Board member Dr. T. Erfling initiated a discussion regarding the difficulties for OBNM to regulate dispensing by ND’s and that believes that responsibility should remain with the Pharmacy Board because they are better prepared and equipped. She added that although she believes the products ND’s are dispensing to patients are generally being stored and labeled safely and correctly, this new rule may be a learning tool for ND’s, and may result in more precise labeling.

Board chair Dr. J. Gibbons acknowledged that it was important to Dr. Marzell to be involved in the Pharmacy Board rule making process and engage in discussions with the Board regarding the potential impact of the rule changes. Board chair Dr. J. Gibbons stated on the Board’s and the profession’s behalf their appreciation to Dr. Marzell. Board member Dr. T. Erfling also wanted on the record that Dr. Marzell was available for the discussion at the June meeting, but had to leave due to executive session going two hours over the scheduled time. Board chair Dr. J. Gibbons will write Dr. Marzell a letter summarizing the discussion.

**NPLEX Elective Pharmacology Examination:** The Board reviewed the NPLEX Pharmacology draft exam and agreed to require the NPLEX Pharmacology exam and discontinue administering the state formulary exam. Board member C. Wiggins made a motion to adopt the NPLEX elective pharmacology exam, board member Dr. K. Jinnah seconded the motion, motion approved unanimously.

**Legislative Update:**
SB 217-ND Concussion Assessment Certification “Return to Play” – Executive director MB. Baptista explained to the Board that this bill had issues that could not be resolved and is no longer under consideration.
HB 3400 – Limits requirements and standards insurer may establish for credentialing Naturopathic Physicians. Laura Farr, executive director of the Oregon Association of Naturopathic Physicians (OANP), and Executive director MD. Baptista will communicate as the bill progresses through the legislature.

**Rule Making Update:** Proposed Rule 850-060-0226 (Formulary changes) has been posted to the OBNM website and has been filed with the Secretary of State. At this time it doesn’t appear that there will be any opposition or need for a public hearing. The Director is communicating with AHFS regarding posting their formulary list on the OBNM website.
Proposed Rule 850-050-0010 & 850-050-0190 (Ethical Standards Clarification) was posted in December 2016, the public comment period has ended with no public comment. The rule change was approved unanimously at the February 2017 board meeting.
**Directors Report:**

**Jurisprudence/Formulary Exam:** The board discussed making the jurisprudence exam 50-75 questions when Oregon examinees begin taking the NPLEX pharmacology exam in February 2018. Tabled discussion to the August 2017 board meeting.

**OBNM Newsletter:** Articles for the Fall 2017 newsletter need to be submitted at the August 28, 2017 board meeting. Board member C. Wiggins will look and see if he can do an article on cannabis and opioids. Executive director MB. Baptista will work on the rules update article and an article on statues verses rules and what the difference is (side bar).

**Board Vacancy:** Public member open recruitment announcement will be sent out, more discussion on the board vacancy at the August 28, 2017 board meeting.

**New Licensee’s:** Board member C. Wiggins made a motion to ratify the new licensee’s, board member K. Jinnah, seconded the motion, motion approved unanimously.

**Public Comment:** No public comment

Board adjourned at approximately 4:03pm.