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

The Board went into Public Session at 12:34pm.

Meeting Minutes:
June 12, 2017 Public Meeting Minutes: Board member Dr. L. McNiel had a correction to the June 12, 2017 minutes, the Federation of Medical Boards does not include naturopathic doctors and this needs to be struck out of the minutes, this was for reference only. Board member C. Wiggins made a motion to approve the June 12, 2017 minutes, Board member K. Jinnah seconded the motion, motion approved unanimously.

August 28, 2017 Public Meeting Minutes: Board member Dr. L. McNiel recommended a changes to correct the telemedicine portion of the minutes. Dr. McNeil also recommended a change to the public comment section of the minutes regarding CBD, clarifying that ND’s can give CBD products to patients if it is not prescription strength. Board member Dr. L. McNiel also recommended a further clarification to the minutes that the formulary list has increased, not doubled. Board member Dr. L. McNiel made a motion to approve the August 28, 2017 minutes with changes, Board member Dr. R. Skarperud seconded the motion, motion approved unanimously.


Continuing Education Credits/Licensure:
Suicide Prevention CE requirements: At the present time there is not a state mandate to complete suicide prevention or cultural competency CE, but a requirement that agencies report the number of CE hours licensees complete in those areas. The state is in the process of rulemaking on the reporting requirements. Based on previous public comment by Dr. Laura Marzel, Executive director MB. Baptista researched whether ND’s were required by statute to complete two (2) hours of CE in ethics CE. Executive director MB Baptista determined that there is no statutory requirements to complete CE hours in ethics, and that requirement is imposed by Board rule. The Board has statutory authority to impose annual CE requirements for licensees.
Board member Dr. K. Jinnah discussed keeping the required two credit hours of ethics, suggested a change giving licensees the option to either complete either two hours ethics or two hours cultural competency or two hours of suicide prevention CE. Board agreed with not completely eliminating ethics, but providing the ND options. Board member Dr. L. McNiel wanted to know if there was any way to compare ethics violations across Boards. Executive director MB. Baptista stated that we don’t have the data to compare that information to other boards and not sure if other boards have that data available either.

The board agreed to amend the proposed rule regarding CE requirements to thirty hours annually with an additional 2 hours being ethics, cultural competence or suicide prevention. Board member Dr. T. Erfling suggested stating the total number of CE hours required upfront, and then breakdown the thirty-two CE hours into categories, twenty general, ten pharmacy and two ethics, cultural competency or suicide prevention.

Board member C. Wiggins suggested tracking CE hours related to opioid prescription. The Board thought this would be difficult to keep track of this information.

CE requirements for Inactive License: Discussion regarding amending the number of CE requirements for inactive in the context of the proposed rules regarding reducing the overall number of CE requirements for licensees. Proposed change of rule for inactive to active status – annually require 10 hours of CE, of the 10, two pharmacy required. Reinstatement fees remain the same.

**Reinstatement of Lapsed License / OAR 850-030-0195:** Proposing to clarify the rule regarding reinstating a lapsed license. Proposed rule states that if a license is lapsed one calendar year or less, licensee must submit the total number of CE hours required for annual renewal. Reinstatement and renewal fees remain the same. If a license is lapsed for more than 1-5 years, licensee would complete all CE’s for all five years and pay restoration and renewal fees. If you are lapsed for more than 5 years licensee would be required to retake and pass NPLEX / Pharmacy and Jurisprudence exams. A licensee that has lapsed for more than 5 years, but has been practicing in another state, licensee must submit proof of licensure and record of continuing education since lapsed and retake the Oregon Jurisprudence Exam.

Renewal Deadline: ED and Board discussed that the annual expiration and renewal deadline should not be changed to January 15 and needs to remain December 31 annually. Dr. Laurie Marzell pointed out that the Administrative rule proposal to change the date that licentiates must have their renewal information in must be the end of the year, not December 15, nor January 15 as noted in the statute 685.102. Licenses must be renewed by the end of the year for ND’s who take Medicaid patients, or they will have their rights to do so discontinued.

Public Hearing: Public Hearing notice has been sent and posted to the OBNM website. Public hearing scheduled for October 19, 2017.

Next Steps: Public Hearing and all public comments received since the rule was posted will be provided to the Board for discussion at the Board meeting December 11, 2017. After review of the public comment the Board will decide during the December Board meeting, members will decide whether to amend the rule further and/or adopt the rule as proposed.

Oregon Assn. of Naturopathic Physicians (OANP/Association) and National University of Naturopathic Medicine (NUNM/University): Board chair Dr. J. Gibbons and executive director MB. Baptista met with representatives of the Association and University in September 27, 2017. One of the topics of discussion was feedback to the Association that ND’s do not feeling supported or understood by the Board regarding opioid prescription practices. Baptista explained that the Board was working on data
collection regarding complaints and cases involving opioid prescribing and will report back to the Association and University in the spring to discuss education in this area of prescribing. The Association was supportive of the Telemedicine Guideline released by the Board and would like more information on this and any other area of policy / guidelines the Board is working on.

Board member Dr. L. McNiel discussed whether the Association could work with ND’s to help manage prescribing practices to people within Medicaid and Legacy patients. Board chair Dr. J. Gibbons stated it is up to the ND to receive the training, the Board’s role is to determine the CE required. Board member Dr. K. Jinnah asked how the Board felt the Association could help ND’s have safer prescribing practices. Board chair Dr. J. Gibbons believes that the Association and the University would help by providing more with education regarding safe prescribing practices.

At the meeting the parties also discussed the Peer Review Committee. Baptista explained to group that the peer review committee was written about 30 years ago and that it is outdated and other boards are not using peer review committees. Baptista will introduce bill to remove it from the statute next regular legislative session.

Baptista also discussed changes to the investigation procedure and moving toward greater transparency. ND’s will be informed what the allegations are prior to their interview and what discipline is proposed prior to them appearing before the board.

Rule Making Public Comment Period / Rulemaking Hearings:
Public hearing set for changes on OAR 850-040-0210, 850-030-0035, 850-030-0090 and 850-030-0195 Thursday, October 19 from 10am-12pm at the Portland State Office Building. Public comment period ends October 27, 2017 at 5pm.

Directors Report:
Newsletter: The newsletter will be going out November 1, with the announcement that annual renewal has opened.
Board Vacancy: There has been one applicant that has applied who was recommended by the Oregon Physical Therapy Board. No update at this time, the application is with the governor’s office. Executive director MB. Baptista will keep the Board informed. Senate confirmation hearing is in November for the new board member.
Formulary Council: John Bloch has resigned after serving 11 years. The position will be posted on the website in January.
Ketamine: Board member Dr. L. McNiel reported to the board regarding what was discussed in the formulary council meeting. This will be tabled until the March 2018 formulary council meeting, safety was a big part of the discussion and the formulary council wanted more background information on safety before making a decision.

Public Comment: No public comment

Board adjourned at approximately 1:55pm.