

Agenda Item 6
Naturopathic Medicine Committee Meeting
September 26, 2011

Licenses:

- ◆ The Bureau/Committee licensed 482 naturopathic doctors since January 2005.
- ◆ There are 63 lapsed and 13 inactive licensees.
- ◆ There are 7 pending applications.
- ◆ The Committee recently received 51 transcripts from Bastyr University.

Licensing statistics per calendar year:

2005	2006	2007	2008	2009	2010	2011
149	71	65	58	52	47	43 (as of 9-14)

Licensing Performance Measures:

DCA has been collecting licensing statistics from each board/bureau/committee in order to develop performance measures and to track job growth in California. DCA suspended collection of those statistics until BreEZe is implemented, at which time that information will be extracted from the system.

Enforcement:

The Committee began citing and fining persons who illegally use the title of “ND” or “NMD” instead of sending a warning letter. The citation and fine process requires four times the amount of time of warning letters. As a result, there is a five-month backlog on citations and fines for unlicensed persons.

Complaint statistics per calendar year:

Complaints statistics per calendar year:

2005	2006	2007	2008	2009	2010	2011
9	48	46	61	52	58	58 (as of 8-30)

Complaints Against NDs						
2	2	4	4	3	6	11
<ul style="list-style-type: none"> 1 Illegal use of title of Physician 1 Outside scope of practice 	<ul style="list-style-type: none"> 1 Using title of LAc w/o license 1 Arrest Spousal Abuse 	<ul style="list-style-type: none"> 1 DUI 1 Illegal use of title of Physician 1 Employing RNs/LVNs 1 Using title of LAc w/o license 	<ul style="list-style-type: none"> 2 DUIs 1 Negligence 1 Veh Vandal 	<ul style="list-style-type: none"> 2 Aid & Abet Unlic Practice 1 Illegal use of title of Physician 	<ul style="list-style-type: none"> 3 Fail to identify as ND 1 Aid & Abet Unlic Practice 1 Sexual Misconduct 1 Reselling Opened & Expired Supplements 	<ul style="list-style-type: none"> 3 Employing RNs/LVNs 2 Mislead Adver 1 Arrest Aid & Abet Unlic Phys. 1 Reported to have O/S DUI 1 Illegal use of title of Physician 1 Aid & Abet Unlic Practice 1 Writing Prescr w/o oversight 1 Direct Nat Asst to admin IVs w/o supervision and fail to provide HIPPA

Annual Report:

A copy of the statistics is attached to this report.

Office of Statewide Healthcare Planning (OSHPD):

The Committee began collecting practice information for the Healthcare Workforce Clearinghouse with the July 2011 renewals. The information is being keyed into a spreadsheet which will be e-mailed to OSHPD at their request. Once we convert to BreZE, that information will be electronically transmitted.

BrEZe Project:

See the attached BreZE Document for the latest information from DCA.

Implementation costs will be \$XXXXX. Since we are not on the DCA legacy system, there is no database from which to convert data. Therefore, I will be keying each licensee's info into the system to build the database. Brian Stiger has promised that he will find some to assist me in that task.

Budget Update:

At the end of fiscal year 2010-2011, the Committee had 17 months in reserve (copy of Fund Condition and Year End Financial Report attached). It is projected that the reserve fund will grow to approximately 26 months by the end of 2011-2012.

Beginning January 1, 2011, a new law allows boards/bureaus to spend up to \$450,000 per year in excess of their enforcement budget and allows them to pay for those processes out of their reserve fund. This means the Committee does not need to fear becoming fiscally insolvent from carrying out enforcement actions required by the Naturopathic Doctors Act.

A Budget Change Proposal (BCP) was submitted to the Governor for FY 2012-2013 in order that the Committee be allowed to hire an additional staff person. Major program growth factors for the Committee include:

- The profession of Naturopathic Medicine has grown steadily in California as the need for primary care continues to increase; this brings with it a continuous increase in the flow of licensing (18% per annum) and enforcement cases (6% per annum); renewal processing function (14% increase per annum) was added in 2007 and grows at an even higher rate each year as the license population climbs.
- Adding the new EO administrative functions to the workload of the single employee has created a situation where the EO can no longer perform all the required functions timely. As a result, there are 24 enforcement cases more than 30 days old that have not been worked.
- A new naturopathic medical school is being established in California which requires implementation of a statutory requirement for an instructor certification process; this is a new, unknown workload that will require

applications, issuance of certificates, and renewal processing. Certification will begin late 2011-2012.

- In order to comply with the requirements of legislation pertaining to enforcement activities, the Committee also needs to promulgate regulations.
- As Sunset Review will be in 2012, the EO's time will increasingly be diverted from daily tasks, creating an even larger backlog in enforcement, and increasing the time to perform licensing, renewal, and certification functions. California needs timely licensing of primary care providers and naturopathic doctors are being recruited to re-locate to California to practice family medicine.

The good news: State and Consumer Services Agency Secretary Anna Cabballero approved the Committee's Budget Change Proposal for a fully funded analyst to staff the Committee beginning July 1, 2011. The BCP was sent to the Governor's Office on September 13th for final approval. Interpretation: The Committee will have the authority to hire and pay a full-time analyst next fiscal year, which coincides with the implementation of BreEZe.