Department of Consumer Affairs

Formulary Committee Meeting

Monday, February 3, 2014
1:15 p.m.

Location:

Naturopathic Medicine Committee
1300 National Drive, Suite 1300
Conference Room
Sacramento, CA 95834
Phone: (916) 928-4785

TABLE OF CONTENTS

TAB 1	Agenda
TAB 2	Draft Minutes – Formulary Committee Meeting, August 12, 2013
TAB 3	Formulary Committee Report
TAB 4	Establish Future Meeting Dates and Locations
TAB 5	Agenda Items for Future Meetings

TAB 1

Agenda

STATE OF CALIFORNIA
dca
DEPARTMENT OF CONSUMER AFFAIRS

BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GOVERNOR EDMUND G. BROWN JR.

Naturopathic Medicine Committee
1300 National Drive, Suite 150, Sacramento, CA 95834
P 916/928-4785 F 916/928-4787 www.naturopathic.ca.gov

Meeting Site:
Department of Consumer Affairs
1300 National Drive, Suite 150
Conference Room
Sacramento, CA 95834
(916) 928-4785

Teleconferencing Site
Michael Hirt, M.D.
Office of Dr. Michael Hirt, M.D.
5620 Wilbur Avenue, Suite 220
Tarzana, CA 91356
(818) 345-2828

Teleconferencing Site
Koren Barrett, N.D.
Newport Integrative Health
1831 Orange Avenue Ste. A
Costa Mesa, CA 92627
(949) 574-4978

Teleconferencing Site
Peter Koshland, PharmD
Koshland Pharmacy
301 Folsom St., Ste. C
San Francisco, CA 94105
(415) 344-0600

Naturopathic Medicine Committee
1300 National Drive, Suite 150
Sacramento, CA 95834

Rebecca Mitchell
Executive Officer

(916) 928-4785
(916) 928-4787 – Fax
(916) 322-1700 – TDD
www.naturopathic.ca.gov

Formulary Committee Members:

Koren Barrett, ND - Chair

Michael Hirt, MD

Peter Koshland, PharmD

FORMULARY COMMITTEE

February 3, 2014

1:15 PM

AGENDA

NOTE: The order of business is subject to change.

1. Welcome & Call to Order
2. Establishment of Quorum
3. Approval of August 12, 2013 Minutes
4. Discussion: Report to Legislature vs. Report to Naturopathic Committee
5. Discussion / Action: Formulary Report to Naturopathic Committee
6. Discussion / Action: Update Recommendations in the "Prescribing and Furnishing Authority of a Naturopathic Doctor" Report to the Legislature.
5. Public Comment
6. Establish Future Meeting Dates & Locations

7. Agenda Items for Future Meetings

8. Adjournment

Notice: Action may be taken on any agenda item. Items may be taken out of order. One or more Committee Members may participate in this meeting via teleconference in order to convene a quorum of the Committee. The public may attend any of the teleconference site(s) noticed in this agenda. The meeting is accessible to the physically disabled. A person who needs disability-related accommodations or modifications in order to participate in the meeting may make a request by contacting the Naturopathic Medicine Committee at (916) 928-4785 or TDD (916) 322-1700; or, they may send a written request to Rebecca Mitchell at naturopathic@dca.ca.gov, 1300 National Drive, Suite 150, Sacramento, CA 95834. Providing your request at least 5 business days before the meeting will help ensure availability of the requested accommodation. Requests for further information should be directed to Rebecca Mitchell at the same address and telephone number.

TAB 2

Draft Minutes – Formulary Committee Meeting

August 12, 2013

STATE OF CALIFORNIA
dca
DEPARTMENT OF CONSUMER AFFAIRS

BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GOVERNOR EDMUND G. BROWN JR.
Naturopathic Medicine Committee
1300 National Drive, Suite 150, Sacramento, CA 95834
P 916/928-4785 F 916/928-4787 | www.naturopathic.ca.gov

DRAFT **AGENDA ITEM 3**

Naturopathic Medicine Committee
Formulary Sub-Committee

Meeting Minutes

August 12, 2013

COMMITTEE MEMBERS PRESENT:	Koren Barrett, ND Michael Hirt, MD Peter Koshland, Pharm D.
COMMITTEE MEMBERS ABSENT:	
STAFF PRESENT:	Spencer Walker, Legal Counsel Rebecca Mitchell, Interim Executive Officer

1. **Welcome & Call to Order**
   The meeting was called to order at 12:00 Noon.

2. **Establishment of a Quorum**
   Roll Call was taken and a quorum was declared.

3. **Introductions**
   The Sub-Committee Members introduced themselves, as did the Committee's legal; counsel, Spencer Walker, and Rebecca Mitchell, Interim Executive Officer.

4. **Approval of July 29, 2013 Minutes**
   Motion to approve minutes was made by Dr. Barrett; S – Koshland. Motion was passed unanimously to approve the minutes as submitted.

5. **Discussion: Update Recommendations in the "Prescribing and Furnishing Authority of a Naturopathic Doctor" Report to the Legislature**
   Dr. Barrett stated that states that have a formulary have one of two types: either inclusionary or exclusionary. Inclusionary formularies are a list developed by the jurisdiction (Oregon, for example) that must be reviewed, updated, and adopted by law or regulation on a regular basis. Exclusionary formularies, such as those adopted by

Washington and Arizona, exclude certain classes of drugs as well as individual drugs. California has a hybrid – exclusionary in that they cannot prescribe Schedule I & II drugs under any circumstances, and they can prescribe all other drugs under an MD/DO supervision agreement. Dr. Barrett stated that it makes more sense to allow NDs to prescribe and furnish certain medications, which are known as standard of practice within a family practice/primary care setting.

Dr. Barrett and Dr. Hirt each stated that an exclusionary formulary would work better for an ND practice than an inclusionary one.

Peter Koshland requested to know what the general training in pharmacy courses were and what the course curriculum covered within the naturopathic colleges. Dr. Barrett stated that she would get the information on the general training curriculum for comparison with other medical colleges. Prior NMC Interim Executive Officer, Francine Davies, stated that over the last five (5) years, naturopathic colleges increased the hours of Pharmacology to 50-60 hours from 45 hours.

Dr. Barrett requested to know the status of the California Naturopathic Doctors Association (CNDA), finding a lobbyist to carry new legislation regarding the practice of NDs. She also asked if there was a possibility of the association researching the language based on laws in other states on the Scope of Practice vs. training and prescribing.

6. **Public Comment**
   Dr. Minna Yoon, Chair - CNDA's legislative committee, stated that the association is currently researching other ND licensing states and their laws. She also stated that CNDA is considering carrying a new bill in 2014, and went on to state that the association relies heavily on the US Formulary Committee findings to report to the legislature.

7. **Establish Future Meetings and Locations**
   It was requested that the next meeting take place prior to the end of the year, possibly November 2013.

8. **Agenda Items for Future Meetings**
   Continue discussion of exclusionary formulary.

9. **Adjournment**
   The meeting was adjourned at 12:35 p.m.

TAB 3

Formulary Committee Report

Formulary Subcommittee Report to the Naturopathic Medicine Committee

There are three main points in the following update:

1) MD supervision should be eliminated;

2) The Formulary for licensed Naturopathic Doctors in California should be defined by an exclusionary list rather than an inclusionary list;

3) The Formulary should be "included and maintained in the California Code of Regulations, rather than in the statute."

The Naturopathic Formulary Sub-committee has unanimously agreed to support elimination of MD supervision. Since the original report we have had almost another 7 years of experience with the public receiving Naturopathic medical care in the state of California. The current scope does not put any restrictions on medications prescribed other than those listed in statute (exclusion of schedule 1 & 2) or those agreed upon between the MD/ND in their supervision agreement. We have seen in the last years an excellent safety record with no reports of patient harm or disciplinary action.

Elimination of the MD supervision would remove barriers to access to care for patients of NDs unable to secure a supervising MD. The previous formulary report discussed NDs who are having difficulty finding an MD supervisor and MDs experiencing difficulty in securing malpractice coverage to do the supervision. They concluded the supervision provision is untenable with which we agree.

The Naturopathic Formulary Sub-committee has unanimously agreed to support institution of an exclusionary formulary. This recommendation does diverge from the recommendation of an inclusionary formulary made by the Naturopathic Formulary committee in their 2007 report for several important reasons.

As previously discussed, California naturopathic doctors currently have an excellent safety record with a formulary scope that is only limited by exclusion of schedule 1 & 2 in statute and the individually agreed upon formulary between each MD/ND in their supervision agreement. This broad formulary with excellent safety supports the recommendation of an exclusionary formulary.

An exclusionary formulary is simpler for patients, pharmacists NDs and other heath professionals. Furthermore this removes the burden from the pharmacist

to know the specific drugs on the ND formulary and places that burden on the ND themselves and the regulating naturopathic committee.

The original formulary committee's inclusionary formulary is outdated and does not represent current ND training or practice. NDs are trained as primary care doctors. For a ND to operate as a primary care doctor they need to be able to assist their patients with basic medical needs. An example of a basic medical need would be the initiation, change of medication or discontinuation of anti-hypertensives. Anti-hypertensives were not included on the list of medications by the previous report. This omission would limit the ability of an ND to operate as a primary doctor and provide that basic medical need of their patient.

It has been brought to our attention that several medications were inadvertently omitted from the original report. An exclusionary formulary would prevent these inadvertent omissions that would restrict an ND operating as a primary care doctor.

The Naturopathic Formulary Sub-Committee concurs with the previous report which recommends the "formulary be included and maintained in the California Code of Regulations, rather than in the stature." This is appropriate in a changing field of medicine where new and safer medications become available replacing older outdated pharmaceuticals. A naturopathic formulary committee that meets on an annual basis to review and update the formulary through regulation will keep it current rather then a more time consuming and costly statutory change. This will be in the best interest of public safety as the naturopathic formulary will stay current enabling naturopathic doctors to give their patients the best treatment choices.

TAB 4

Establish Future Meeting

Dates and Locations

Naturopathic Medicine Formulary Committee

Establish Future Meeting Dates and Locations

Dates	***Locations***

TAB 5

Agenda Items for Future Meetings:

Naturopathic Medicine Formulary Sub-Committee

Naturopathic Medicine Formulary Committee

Agenda Items for Future Meetings

Agenda Item	***Requestor***