

Department of Consumer Affairs



Committee Meeting

Tuesday, January 28, 2020
10:00 a.m.

TELECONFERENCE SITES

Main Meeting Location:

Department of Consumer Affairs
1747 North Market Blvd., Suite 186
HQ2 Hearing Room
Sacramento, CA 95834

Naturopathic Medicine Committee
Phone: (916) 928-4785

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TAB 1

Agenda



Rebecca Mitchell
Executive Officer

Committee Members:

Dara Thompson, ND
Greta D'Amico, ND
Minna Yoon, ND
Vera Singleton, ND
Thomas Quinn, MD
Bruce Davidson, PhD
Shirley Worrels
VACANT - ND
VACANT - PHYS

NATUROPATHIC MEDICINE COMMITTEE
AGENDA AND NOTICE OF TELECONFERENCE MEETING

Tuesday, January 28, 2020
10:00 AM – Until the conclusion of business

Meeting Location:

Department of Consumer Affairs
1747 North Market Blvd.
HQ2 Hearing Room – Ste. 186
Sacramento, CA 95834

AGENDA

NOTE: The order of business is approximate and subject to change.

1. Call to Order and Roll Call / Establishment of Quorum
2. Public Comment on Items Not on the Agenda
The Committee may not discuss or take action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting. (Gov. Code §§ 11125, 11125.7(a).)
3. Review and Possible Adoption of 2020-2024 Strategic Plan
4. Executive Officer's Update:
 - a) Budget Update
 - b) Licensing Statistics
 - c) Enforcement Statistics
 - d) Regulatory Package Updates
5. Recommendations and Possible Action on Legislative Proposals to Amend the Naturopathic Doctors Act:
 - a) Possible Legislative Proposal for Scope Modernization and Expansion to Allow ND Supervision
6. Minor Office Procedures Subcommittee Update and Discussion and Possible Action on Updated Recommendations to the Legislature
7. Prescribing and Furnishing Authority of Naturopathic Doctors Subcommittee Update and Discussion and Possible Action on Updated Recommendations to the Legislature

8. Discussion and Possible Action Regarding the Intravenous (IV) and Injection Therapy Subcommittee Recommendations:
 - a) Recommendation #1: Support. IV Therapy Requirements: Proposed addition to Title 16, Division 40, California Code of Regulations (CCR) section 4237.1- Training Requirements for Certification. Intravenous Therapy.
 - b) Recommendation #2: Support. IV Therapy Requirements: Proposed addition to Title 16, Division 40, CCR section 4237.2- Training Requirements for Certification. Injection Therapy.
 - c) Recommendation #3: Support. IV Therapy Requirements: Proposed addition to Title 16, Division 40, CCR section 4237.3- Intravenous and Injection Therapy. Office Requirements.
 - d) Recommendation #4: Support. IV Therapy Requirements: Proposed addition to Title 16, Division 40, CCR section 4237.4- Intravenous and Injection Therapy. Staffing Requirements.
9. California Naturopathic Doctors Association (CNDA) Update – CNDA Staff
10. Review and Possible Approval of July 25, 2019 Committee Meeting Minutes
11. Future Meeting Dates and Locations
12. Agenda Items for Future Meetings
13. Adjournment

For further information about this meeting, please contact Rebecca Mitchell at (916) 928-4785 or in writing at 1300 National Drive, Suite 150, Sacramento, CA 95834-1991. This agenda and notice, as well as any available meeting materials, can be accessed on the Committee's website at www.naturopathic.ca.gov.

Discussion and action may be taken on any item on the agenda. Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion and consideration by the Committee or prior to the Committee taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Committee, but the Committee Chair may, at his or her discretion, apportion available time among those who wish to speak. Individuals may appear before the Committee to discuss items not on the agenda; however, the Committee can neither discuss nor take official action on these items at the time of the same meeting. (Gov. Code, §§ 11125, 11125.7(a).)

The Committee plans to webcast this meeting at <https://thedcapage.blog/webcasts/>. Webcast availability cannot, however, be guaranteed due to limitations on resources or other technical difficulties that may arise. If you wish to participate or to have a guaranteed opportunity to observe, please plan to attend at a physical location.

Adjournment, if it is the only item that occurs after a closed session, may not be webcast.

In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Committee are open to the public and all meeting locations are accessible to those with physical disabilities in accordance with the Americans with Disabilities Act. If you are a person who needs a disability-related accommodation or modification to participate in the meeting, including auxiliary aids or services, please contact Rebecca Mitchell, ADA Liaison, at (916) 928-4785 or via email at Rebecca.Mitchell@dca.ca.gov or by written request to the Committee's office at 1300 National Drive, Suite 150, Sacramento, CA 95834-1991. You may also dial a TDD communications assistant at (916) 322-1700. Providing your request to our office at least five (5) business days before the meeting will help ensure availability of the requested accommodation(s).

TAB 2

Public Comments

Name of Public Providing Comment	Comment Presented

TAB 3

Review and Adoption of 2020 – 2024 Strategic
Plan Update

Adopted:

Naturopathic Medicine Committee

Strategic Plan 2020 - 2024



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Committee Members

Dara Thompson, N.D., Chair

Greta D'Amico, N.D., Vice Chair

Gregory Weisswasser, N.D.

Myles Spar, M.D.

Minna Yoon, N.D.

Vera Singleton, N.D.

Thomas Quinn, M.D.

Bruce Davidson, Ph.D., Public Member

Shirley Worrels, Public Member

Gavin Newsom, Governor

Alexis Podesta, Secretary, Business, Consumer Services, and Housing Agency

Christopher Schultz, Chief Deputy Director

Rebecca Mitchell, Executive Officer, Naturopathic Medicine Committee

Message from the Committee Chair

DRAFT

Goal Area Summaries

Licensing

The Committee promotes licensing standards for licensees to protect consumers and allow reasonable access to the profession. The Committee also oversees and approves continuing education standards to promote excellence in practice and public safety.

Enforcement

The Committee protects the safety of consumers through enforcement of the laws and regulations governing the practice of naturopathic medicine.

Legislation and Regulations

Committee statutes, regulations, policies and procedures strengthen and support their mandate and mission.

Administration

Through effective leadership, the Committee efficiently utilizes its resources and personnel to meet its objectives. It provides excellent customer service and consumer protection.

Outreach and Education

The Committee informs consumers, licensees, and stakeholders about the practice and regulation of the profession, while providing responsive customer service.

Mission, Vision, and Values

Mission

To protect California health care consumers and expand access to safe and effective primary care by licensing and regulating Naturopathic Doctors through vigorous enforcement of the Naturopathic Doctors Act.

Vision

Naturopathic physicians practice to the full extent of their training to provide collaborative and crucial health care services to California consumers.

Values

1. Consumer Protection
2. Excellent Quality
3. Transparency
4. Integrity
5. Access
6. Collaboration

1. Licensing

- 1.1 Clarify and communicate the turnaround time for license applications and renewals to manage expectations.
- 1.2 Empower applicants to monitor their own licensing application process to improve customer service.
- 1.3 Update website information regarding Committee-approved continuing education offerings to provide current information to licensees.

2. Enforcement

2.1 Strengthen penalties for illegal use of N.D. title to protect consumers from unscrupulous practitioners.

2.2 Improve the efficiency of enforcement reporting and internal notifications through the BreEZe system to aid enforcement timelines.

2.3 Encourage licensees and stakeholders to report unlicensed activities to reduce unlicensed use of the N.D. title.

2.4 Educate licensees in verifying and confirming that any professional practitioner they work with is licensed to protect licensees from being in violation and further protect consumers.

3. Legislation and Regulation

3.1 Advance a plan to gain title protection to protect the public and aid in enforcement activities.

3.2 Modernize scope to allow licensees to practice-as-trained; improving primary care services and access for the consumer, while creating parity with neighboring states.

3.3 Advance scope of practice to meet legislative mandates to fulfill mandate of Committee.

3.4 Open communication between the Naturopathic Medicine Committee, appropriate boards, and associations in order to facilitate greater understanding of potential legislative and regulatory changes.

3.5 Add continuing education provider North American Naturopathic Continuing Education Accreditation Council (NANCEAC) to broaden continuing education opportunities.

3.6 Create regulations and guidelines for naturopathic medical assistants to provide clarity and facilitate safe practice.

3.7 Create intravenous and injection therapy regulations and guidelines to provide clarity and facilitate safe practice.

3.8 Review and update statute and regulation for naturopathic childbirth attendance to enact current statute and enable licensing.

4. Administration

4.1 Create more email templates and voicemail branches to increase efficiencies in public service.

4.2 Identify and implement a resource for tracking the Committee's work to enable committee members to monitor the progress of the program's work.

DRAFT

5. Outreach and Education

5.1 Explore opportunities to educate legislators and educate health related boards and professional associations about naturopathic medicine and the Naturopathic Medicine Committee to inform, foster relationships, reduce confusion, and gain support.

5.2 Develop outreach campaigns to educate the public about naturopathic medicine.

5.3 Communicate the approach of naturopathic medicine to vaccines, homeopathy, and supplementations to clarify misconceptions.

5.4 Communicate the process of appealing consumer insurance denials to ensure parity between healthcare professional services and improve patient access.

5.5 Increase frequency of online communications and website updates to better educate the public and licensees.

5.6 Coordinate with the California Naturopathic Doctor's Association to facilitate communication with licensees and the public.

5.7 Create HIPAA and telehealth Medical Board of California links to clarify law for licensees.

Strategic Planning Process

To understand the environment in which the Committee operates and identify factors that could impact the Committee's success, the California Department of Consumer Affairs' SOLID Unit conducted an environmental scan of the internal and external environments by collecting information through the following methods:

- Interviews conducted with all staff, including the Executive Officer, completed during the month of May 2019 to assess the challenges and opportunities the Committee is currently facing or will face in the upcoming years.
- Two online surveys were sent to external stakeholders and committee members in May 2019 to identify the strengths and weaknesses of the Committee. A total of 144 stakeholders and 9 committee members completed the survey. The below table shows how stakeholders identified themselves in the online survey. Stakeholders were able to select multiple relationships to accurately state their relationship.



Naturopathic Medicine Committee
1300 National Dr., Ste. 150
Sacramento, CA 95820



Prepared by SOLID for the Naturopathic Medicine Committee on July 25, 2019
Department of Consumer Affairs
1747 N. Market Blvd., Ste. 270, Sacramento, CA 95834
(916) 574-8316
SOLID@dca.ca.gov

This strategic plan is based on stakeholder information and discussions facilitated by SOLID for the Naturopathic Medicine Committee from January 2019 through July 2019. Subsequent amendments may have been made after Committee adoption of the plan.

TAB 4

Executive Officer's Update

a) Budget Update

1205- Naturopathic Medicine Committee
Item 1111-001-3069
2020-21 BUDGET SUMMARY

	<u>CY 2019-20</u>	<u>Governor's Proposed Budget BY 2020-21</u>		
2019 Governor's Budget	452,000			
2019 Budget Act	452,000	452,000		
One-Time Costs / Full Year Cost Adj:				
1111-028-BCP-2017-GB (OCM Reduction)		-1,000		
1111-042-BCP-2017-GB (AB 2105-Workforce Development)		0		
1111-075-BCP-2018-GB (BreEZe)		-9,000		
1111-300-BCP-2018-A1 (CCSD Technical Reduction-DRE)		-1,000		
1111-005-BCP-2019-GB (Consumer Affairs Administration Workload)		-2,000		
Baseline Adjustments:				
Employer Retirement Rate (BL 19-24)	5,000	5,000		
Employee Compensation (BL 19-29)	19,000	19,000		
Other Post Employment Benefits (19-29)	3,000	3,000		
AG Rate Increase	1,000	1,000		
Equipment		-1,000		
Department Distributed Costs		-126,000		
Office of Information Services Pro Rata [3,000]				
Administration Pro Rata [-1,000]				
Division of Investigation - Investigative [-128,000]				
Budget Change Proposals (BCPs):				
Program BCPs:				
Department-wide:				
1111-034-BCP-2020-GB (Facilities Funding Augmentation)		1,000		
1111-037-BCP-2020-GB (BreEZe System & Credit Card Funding)		10,000		
1111-039-BCP-2020-GB (Organizational Change Management)		1,000		
1111-041-BCP-2020-GB (Information Technology Security)		1,000		
1111-065-BCP-2020-GB (SB 425-Unprofessional Conduct)		6,000		
REVISED APPROPRIATION	480,000	359,000	Net Change	
Reimbursements	-1,000	-1,000	-121,000	-25.2%
Revised Net Appropriation (from fund)	479,000	358,000		
POSITIONS	2.0	2.0	0.0	0.0%
Authorized Positions	2.0	2.0		

3069 - Naturopathic Doctor's Fund

Analysis of Fund Condition

(Dollars in Thousands)

Prepared 12.23.19

Governor's Budget 2020-21

	PY 2018-19	CY 2019-20	Governor's Budget BY 2020-21	BY + 1 2021-22	BY + 2 2022-23
BEGINNING BALANCE	\$ 379	\$ 435	\$ 338	\$ 369	\$ 385
Prior Year Adjustment	\$ 92	\$ -	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 471	\$ 435	\$ 338	\$ 369	\$ 385
REVENUES AND TRANSFERS					
Revenues:					
4121200 Delinquent fees	\$ 2	\$ 2	\$ 2	\$ 2	\$ 2
4127400 Renewal fees	\$ 314	\$ 320	\$ 320	\$ 320	\$ 320
4129200 Other regulatory fees	\$ 1	\$ 2	\$ 2	\$ 2	\$ 2
4129400 Other regulatory licenses and permits	\$ 83	\$ 90	\$ 100	\$ 100	\$ 100
4163000 Income from surplus money investments	\$ 9	\$ 7	\$ 4	\$ -	\$ -
Totals, Revenues	\$ 409	\$ 421	\$ 428	\$ 424	\$ 424
Totals, Revenues and Transfers	\$ 409	\$ 421	\$ 428	\$ 424	\$ 424
Totals, Resources	\$ 880	\$ 856	\$ 766	\$ 793	\$ 809
EXPENDITURES					
Disbursements:					
1111 Department of Consumer Affairs Program Expenditures (State Operations)	\$ 419	\$ 479	\$ 358	\$ 369	\$ 380
9892 Supplemental Pension Payments (State Operations)	\$ 5	\$ 11	\$ 11	\$ 11	\$ 11
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	\$ 21	\$ 28	\$ 28	\$ 28	\$ 28
Total Disbursements	\$ 445	\$ 518	\$ 397	\$ 408	\$ 419
FUND BALANCE					
Reserve for economic uncertainties	\$ 435	\$ 338	\$ 369	\$ 385	\$ 390
Months in Reserve	10.1	10.2	10.9	11.0	10.9

NOTES:

- A. ASSUMES WORKLOAD AND REVENUE PROJECTIONS ARE REALIZED FOR BY+1 AND ON-GOING.
 B. ASSUMES APPROPRIATION GROWTH OF 3% PER YEAR IN BY+1 AND ON-GOING..
 C. ASSUMES INTEREST RATE OF 1.5%

NATUROPATHIC MEDICINE COMMITTEE

FY 2019-20 BUDGET REPORT

Based on 12/24 Activity Log

OBJECT DESCRIPTION	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20				
	ACTUAL EXPENDITURES (MONTH 13)	ACTUAL EXPENDITURES (Prelim FM12)	ACTUAL EXPENDITURES (Prelim FM12)	GOVERNOR'S BUDGET 2019-20	CURRENT YEAR EXPENDITURES (12/24/19 Activity Log)	PERCENT SPENT	PROJECTIONS TO YEAR END	UNENCUMBERED BALANCE
Salary & Wages (Staff)	63,352	66,456	72,576	43,000	32,232	75%	77,352	(34,352)
Statutory Exempt (EO)	78,933	85,873	86,004	64,000	37,090	58%	89,016	(25,016)
Board Member Per Diem	2,800	3,100	4,600	4,000	1,900	48%	4,000	0
Overtime/Retirement Payout	-	-	-	0	0		0	0
Staff Benefits	71,892	76,854	82,400	84,000	37,125	44%	90,000	(6,000)
TOTALS, PERSONNEL SVC	216,977	232,283	245,580	195,000	108,347	56%	260,368	(65,368)
OPERATING EXPENSE AND EQUIPMENT								
General Expense	1,063	999	5,030	53,000	0	0%	2,000	51,000
Printing	1,940	2,007	1,902	3,000	1,108	37%	2,500	500
Communication	1,257	2,704	1,116	3,000	901	30%	2,000	1,000
Postage	-	5	296	2,000	0	0%	500	1,500
Insurance	2	590	696	0	0	0%	700	(700)
Travel In State	447	526	338	3,000	774	26%	1,000	2,000
Training	426	-	-	1,000	0	0%	0	1,000
Facilities Operations	10,540	11,697	10,788	7,000	4,495	64%	11,000	(4,000)
C & P Services - Interdept.	-	8	8	14,000	0	0%	0	14,000
Attorney General	11,642	2,230	551	6,000	1,504	25%	5,000	1,000
C & P Services - External	4,723	10,355	5,110	6,000	2,410	40%	6,000	0
DCA Pro Rata	37,353	46,000	52,000	60,000	25,000	42%	60,000	0
DOI - Investigations	25,222	100,000	98,000	124,000	51,667	42%	124,000	0
Consolidated Data Center	-	1,908	-	0	0	0%	0	0
Information Technology	999	751	461	2,000	224	11%	700	1,300
Equipment	-	776	3,870	1,000	0	0%	1,000	0
TOTALS, OE&E	95,614	180,556	184,731	285,000	88,083	31%	216,400	68,600
TOTAL EXPENSE	312,591	412,839	430,311	480,000	196,430	41%	476,768	3,232
Sched. Reimb. - Fingerprints				(1,000)		0%	(1,000)	0
Sched. Reimb. - Other	(5,500)			0			0	0
Unsched. Reimb. - Other		(5,000)	(500)	0	(500)	0%	0	0
NET APPROPRIATION	307,091	407,839	429,811	479,000	195,930	41%	475,768	3,232
SURPLUS/(DEFICIT):								0.7%

ENY	2019	Naturopathic Medicine Committee
Rptg Structure	11112700	2019/20 Revenue
Ledger	C_DTL_REC	Based on 12/24/2019 Activity Log

Sum of Sum Amount		Column Labels					
Row Labels		1	2	3	4	5	Grand Total
Delinquent fees	4121200	150.00	450.00	225.00	450.00		1275.00
Renewal fees	4127400	26600.00	52500.00	30000.00	32000.00	29500.00	170600.00
Other regulatory fees	4129200	372.00	693.00	488.00	492.00	446.00	2491.00
Other regulatory licenses and permits	4129400	2975.00	5043.00	6850.00	42016.00	10316.00	67200.00
Miscellaneous services to the public	4143500				60.00		60.00
Income from surplus money investments	4163000				3462.52		3462.52

	Actual	Projected
Revenue	245088.52	588212.45
Reimbursments	0.00	0.00
Total	245088.52	588212.45

Naturopathic Medicine Committee
History of Division of Investigation Services

	F I S C A L Y E A R S					
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21
	Actual	Actual	Actual	Actual	<i>Estimated</i>	<i>Estimated</i>
	242.81	235.78	260.53	302.69	302.69	302.69
Investigative Hours	369.00	207.75	105.00	64.25	64.25	64.25
Budget	\$ 78,000	\$ 27,000	\$ 109,000	\$ 98,000	\$ 124,000	\$ -
Actual Costs	\$ 89,597	\$ 48,983	\$ 27,355	\$ 19,448	\$ 19,448	\$ 19,448
Amount Charged	\$ 76,708	\$ 25,222	\$ 102,154	\$ 91,000	\$ 124,000	\$ -
Annual Difference	\$ 12,889	\$ 23,761	\$ (74,799)	\$ (71,552)	\$ (104,552)	\$ 19,448
2-yr roll forward	\$ 136,594	\$ 15,373	\$ 149,483	\$ 39,134	\$ 74,684	\$ (32,418)
Bd. Debt/ Credit	\$ 149,483	\$ 39,134	\$ 74,684	\$ (32,418)	\$ (29,868)	\$ (12,970)

This amount rolled forward as a debt to 2017/18	This amount rolled forward as a debt to 2018/19	This amount rolled forward as a debt to 2019/20	This amount rolled forward as a credit to 2020/21	All estimated amounts are displayed in Italics. Theoretically, if workload levels out and remains constant the budget will match the expenditures and there would no longer be a roll-forward amount.
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b) Licensing Statistics

NMC LICENSE UPDATE

CURRENT LICENSEE POPULATION OF NMC

AS OF 1/24/2020

Total Licensee Population:

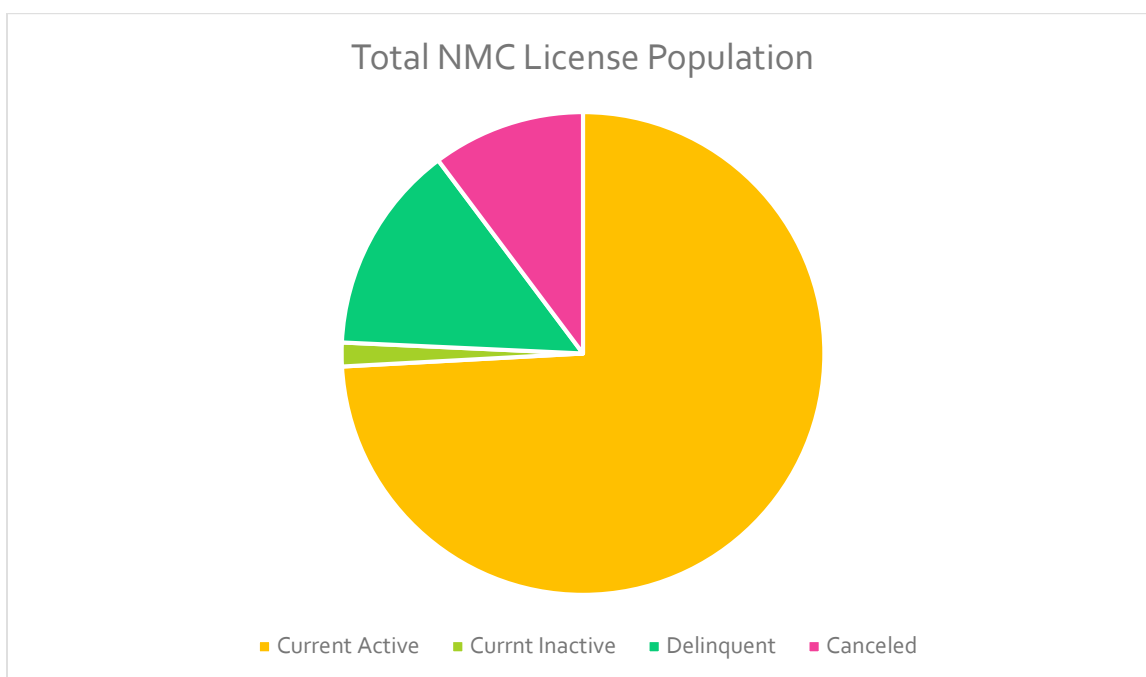
Current Active Status (In-State and Out-of-State): 840

Current Inactive Status: 18

Delinquent Status (3yrs before license is canceled): 159

Withdrawn/Canceled Licenses: 116

**There are currently 1,017 licenses under NMCs jurisdiction.*





License Population by Status

Board Code: 300

License Type(s): 3001

Rank(s): All

Data as of: Jan 23, 2020 9:23:09 AM



			License Status								
			20	21	40	45	50	80	98	99	Total
			Current	CurrentInactive	Withdrawn	Delinquent	Cancelled	deceased	Error	Deleted	
License Type	License Type Long Name	Rank Short									
3001	Naturopathic Doctor	ND	840	18	57	159	59	2	0	2	1,137
		No Rank	0	0	1	0	0	0	1	1	3
	3001 Total		840	18	58	159	59	2	1	3	1,140
Total			840	18	58	159	59	2	1	3	1,140

c) Enforcement Statistics

NMC ENFORCEMENT UPDATE

PENDING COMPLAINTS

AS OF 01/24/2020

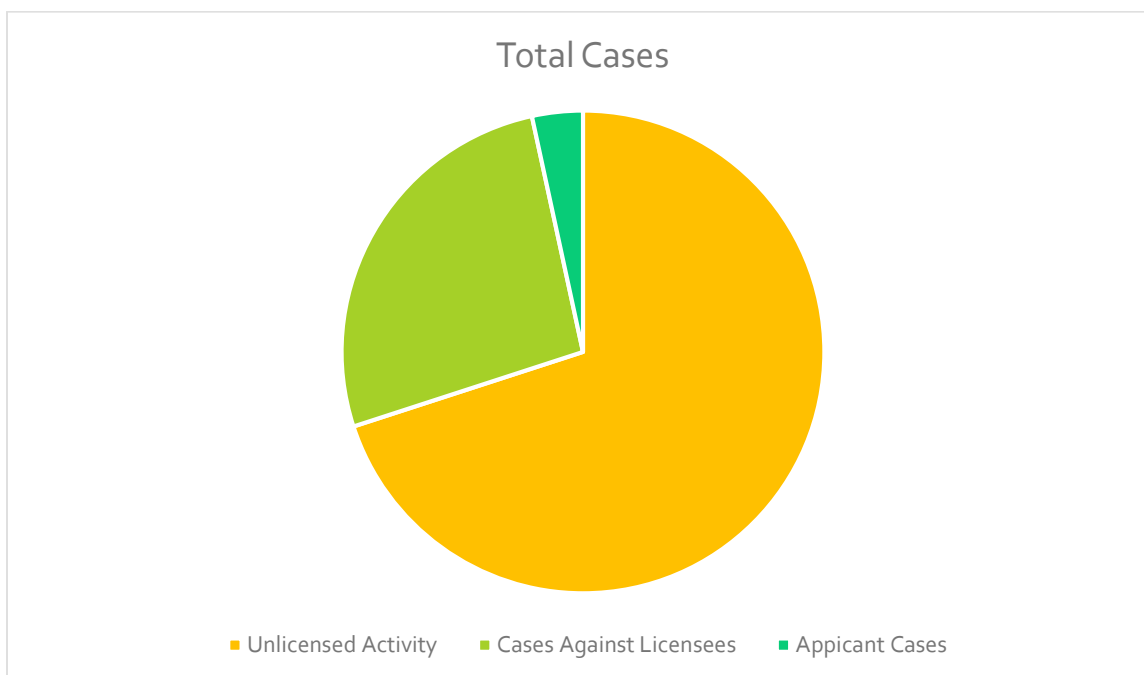
The Committee continues to remain diligent in investigating all cases that are reported.

Currently there are 60 open cases in all stages of the enforcement process. Below are breakdowns of complaint types currently pending:

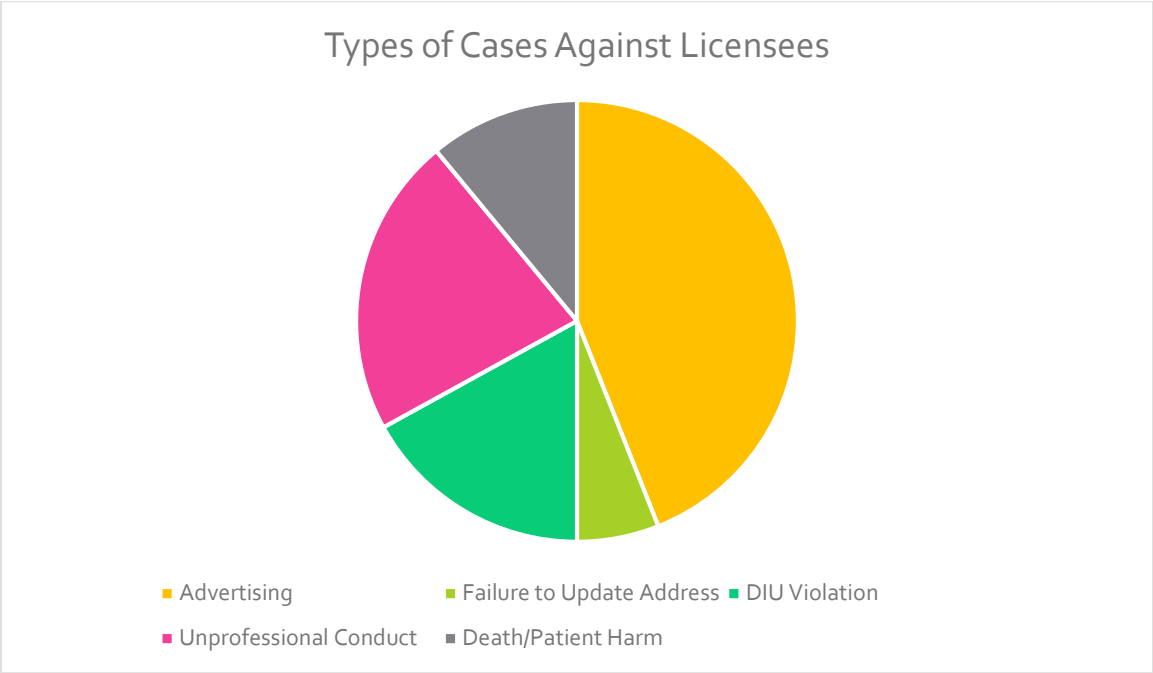
Total Cases Open in NMC: 60

% of Cases by License Type:

Unlicensed Activity:	42	70%
Cases against Licensees:	16	26.6%
Cases against Applicants:	2	3.4%



<u>Case Types Against Licensees:</u>	<u>18</u>	<u>% of Case Types for NDs:</u>
Advertising:	8	44%
Failure to update Address:	1	6%
DUI related violation:	3	17%
Unprofessional Practice:	4	22%
Death or Patient Harm	2	11%



d) Regulatory Package Updates

AGENDA ITEM 4**Naturopathic Medicine Committee Meeting**

Executive Officer Report

January 28, 2020

Budget Update:

The Budget update will be provided by DCA Budget analyst. Hand-outs provided in meeting materials.

Regulatory Package Updates:

As of January 17, 2020, the regulatory package for AB 2138 for Substantial Relationship and Rehabilitation was sent to Agency for review. Once the package has been sent to OAL, the members will be advised with an update.

#	Rulemaking Title	Location			
	<u>INITIAL PROCESS</u>				
1	AB 2138	Agency			
	<u>FINAL PROCESS</u>		Date of Program Final Submittal to OAL	OAL One-Year Filing Deadline	OAL Review Deadline
	N/A	N/A	N/A	N/A	N/A

TAB 5

Recommendations and Possible Action on
Legislative Proposals to Amend the
Naturopathic Doctors Act

a) Possible Legislative Proposal for Scope Modernization

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b) Expansion to Allow ND Supervision

TAB 6

Minor Office Procedures Subcommittee Action
on Updated Recommendations to the
Legislature

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TAB 7

Prescribing and Furnishing Authority of
Naturopathic Doctors Subcommittee Update /
Discussion and Possible Action on Updated
Recommendations to the Legislature

**NATUROPATHIC MEDICINE COMMITTEE
PRESCRIBING AND FURNISHING AUTHORITY
OF NATUROPATHIC DOCTORS SUBCOMMITTEE**

Minna Yoon, ND, Chair
Peter Koshland, PharmD
Thomas G. Quinn, MD

May 9, 2019

Drs. Yoon and Quinn are new members to the Prescribing and Furnishing Authority of Naturopathic Doctors Subcommittee; whereas, Dr. Koshland has been a previous member. Since Dr. Quinn is new to the profession of naturopathic medicine and the education and scope of naturopathic doctors, time was spent on reviewing and discussing the education, practice, existing California laws and that of the neighboring states.

The subcommittee reviewed the prior Formulary subcommittee (2007 report, 2014/2015) to eliminate physician oversight, where it was recommended that NDs should independently be allowed to prescribe all legend drugs and scheduled drugs 3-5, with the exclusion of schedule 1 and 2 drugs.

The subcommittee discussed that keeping the exclusionary formulary based on drug classifications would be easy to upkeep moving forward. In addition, for independent prescribing ability there needs to be set standards for all NDs practicing in California whether they were trained in another state or country, if they have been practicing for a long time or a recent graduate, residency or not. The NPLEX Pharmacology exam or a minimum number of years with a physician supervision was considered as possible standards. In addition, there was agreement that additional training is needed for some categories of legend drugs such as chemotherapeutic agents and botox.

July 18, 2019

The subcommittee discussed a grandfathering clause and an appropriate time period of physician supervision that would ensure competency in the independent prescriptive rights for current licensees. After a thorough discussion, the members felt that in order to ensure that all licensees have met the same requirements for competency in pharmacology, that a grandfathering clause would not be allowed for NDs who want independent prescriptive rights. An exam would need to be passed in order to have independent prescriptive rights.

All members discussed and agreed to the NPLEX Pharmacology Elective Examination as being a minimum requirement for licensees wanting independent prescriptive rights.

October 24, 2019

The subcommittee recognizes that not all pharmaceuticals are appropriate for the practice of naturopathic medicine and/or tested in the NPLEX Pharmacology Elective

Examination. However, NDs should have access to pharmaceuticals that are generally used in primary care practices.

The subcommittee is currently working on categorizing specific drug classifications into 4 categories: 1). allow NDs to have full independent prescribing authority; 2). drugs that are only allowed with a physician supervision; 3). prohibited (for referral to a specialist); and 4) unknown.

SUMMARY as of 10/24/2019:

- The NPLEX Pharmacology Elective Examination as the minimum requirement for licensees wanting independent prescribing rights; and,
- An exclusionary formulary based on drug classifications that fall into the following category:
 - Independent prescribing
 - Prescribed only with physician supervision
 - Prohibited
 - Unknown

TAB 8

Discussion and Possible Action Regarding Intravenous (IV) and Injection Therapy Subcommittee Recommendations

a) Proposed language - §4237.1 Training Requirements for
Certification. Intravenous Therapy

California Code of Regulations

Article 6. Practice of Naturopathic Medicine

§4237.1. Training Requirements for Certification. Intravenous Therapy.

- (a) In order to perform intravenous (IV) therapies, a naturopathic doctor must comply with the following:
- (1) Appropriate certification in basic IV therapies from a provider approved by the Committee as outlined in section 3640.8 of the Code.
 - (2) A recertification is required every five (5) years thereafter.
Recertification must include all of the following:
 - (A) A review of admixtures from initial certification training and all new admixtures that are available manufactured and/or compounded that are chemically independent of any other previously manufactured or compounded agents.
 - (B) Appropriate diagnosis, dosing and infusion times for all admixtures.
 - (C) Safety and known side effects for nutritional IV therapy.
 - (D) Appropriate lab testing prior or during treatment.
 - (3) Certification in cardiopulmonary resuscitation (CPR) is required for all naturopathic doctors performing this therapy.
 - (4) Advanced cardiovascular life support (ACLS) certification is required for all doctors performing this therapy.

b) Proposed language - §4237.2 Training Requirements for
Injection Therapy

California Code of Regulations

Article 6. Practice of Naturopathic Medicine

§4237.2. Training Requirements for Certification. Injection Therapy.

- (a) In order to perform injection therapies, a naturopathic doctor must meet the certification requirements in section 4237.1.
- (b) A naturopathic doctor must have additional training for the following advanced injection therapies listed in this section. Recertification for these advanced therapies is required every five (5) years. Supplemental training must be obtained for new techniques, agents, or admixtures as they are introduced to the human market.
- (1) For the use of ethylene diamine tetra-acetic acid (EDTA), 2,3 dimercaptopropane sulfonate (DMPS), dimercaptosuccinic acid (DMSA), and any other known chelating agents, a naturopathic doctor must have an additional twelve (12) hours of training for IV and oral chelation therapies by a continuing education provider approved by the Committee as outlined in 3635 and 3635.2 of the section.
 - (2) The breakdown of the twelve (12) hours of chelation therapy are as follows:

Chelation Training Content	Hours
Introduction	1.0
EDTA, DMSA, and/or equivalent agent Method of Action (MOA) Route of Administration Toxicology Adverse Reactions	2.5
Osmolarity and pH	0.5
EDTA, DMPS, and/or equivalent agent Indications Benefits Contraindications Value Added Benefits of IV Admixture	2.0
Chelation Patient Qualification Optional Testing Dosage and Frequency of Therapy	1.0
Office Procedures and Documentation	1.0
Patient Care Costs, Management, Case Presentations, Resources	3.0
Certification Exam	1.0
Total Hours	12.0

California Code of Regulations

Article 6. Practice of Naturopathic Medicine

- (3) For the use of platelet rich plasma (PRP) therapy, a naturopathic doctor must complete an additional six (6) hours of instruction, including four (4) hours of lecture and/or discussion and two (2) hours of hands on training in the preparation of PRP.
 - (A) The naturopathic doctor must be compliant with all applicable laws and regulations for handling blood products.
 - (B) Naturopathic doctors must be trained in each route of administration used (i.e., subcutaneous, intradermal, intramuscular, or intraarticular).
- (4) For micro-needling, which involves subcutaneous and intradermal injection therapy, a naturopathic doctor must complete an additional four (4) hours of training in the proper use of a micro-needling pen by a continuing education provider approved by the Committee as outlined in 3635 and 3635.2 of the section.
 - (A) If PRP is used with micro-needling therapy, a naturopathic doctor must meet the training requirement of PRP therapy.
- (5) For the use of ozone oxygen therapy, a naturopathic doctor must complete an additional twelve (12) hours of training by a continuing education provider approved by the Committee as outlined in 3635 and 3635.2 of the section.
 - (A) The treatment of blood, PRP, and saline with ozone gas which is then injected into the vascular system or tissues is allowed.
 - (B) The injection of ozone gas into the soft tissues is allowed.
 - (C) The direct injection of ozone gas into the vascular system is prohibited.
 - (D) Naturopathic doctors must be trained in each route of administration used with ozone therapy, (i.e., subcutaneous, intradermal, intramuscular, intraarticular, or intravenous).

c) Proposed language - §4237.3 Intravenous and Injection
Therapy. Office Requirements

California Code of Regulations

Article 6. Practice of Naturopathic Medicine

§4237.3. Intravenous and Injection Therapy. Office Requirements

- (a) All naturopathic practices that offer intravenous and/or injection therapies, must use appropriate clean and sterile techniques and equipment at all times.
- (b) Compliance with all current state and federal laws, must be in place.
- (c) Compliant and appropriate sharps containers, biohazard containers and waste disposal products and services must be used and adhered to.
- (d) A mobile emergency box or cabinet must be maintained within the office where these therapies are performed, at all times. The kit must contain all appropriate, unexpired products. The emergency kit must include all of the following, but is not limited to:
 - (1) Oxygen tank and flowmeter.
 - (2) Mask, cannula, and tubing.
 - (3) Berman-type oral airway device.
 - (4) Blood pressure cuff.
 - (5) Stethoscope.
 - (6) Additional IV fluids, tubing, and needles.
 - (7) Glucose tabs or equivalent.
 - (8) Gloves, gauze bandages, tape.
 - (9) Required medication to include:
 - (A) Ammonia Salts (smelling salts);
 - (B) Epinephrine, 1:1000 (1 mg per ml) for intramuscular, subcutaneous, and 1:10,000 (0.1 mg per ml) intravenous use;
 - (C) Dextrose, 50% for injectable use;
 - (D) Calcium Gluconate, 1 gram vial or Calcium Chloride, 20% 10 ml pre-fill syringes; and
 - (E) Diphenhydramine:
 - I. Adults: 25 – 50 mg q 4-8 hours, not to exceed 400 mg/24 hours.
 - II. Children: 5 mg/kg q 6-8 hours, not to exceed 400 mg/24 hours.
- (e) In addition, the following items are required to be on premises at all times:
 - (1) Emergency defibrillator; and
 - (2) Backboard.
- (f) A designated refrigerator with controlled temperature must be onsite for all refrigerated and opened multiuse injectables. The storage of food, blood products or biological materials in the same refrigerator is prohibited. Other injectables and IV solutions that do not require refrigeration must be stored per manufacturer instructions.
- (g) The office must have access to restrooms.
- (h) The office must be accessible to persons with disabilities.

d) Proposed language - §4237.4 Intravenous and Injection Therapy. Staffing Requirements

California Code of Regulations

Article 6. Practice of Naturopathic Medicine

§4237.4. Intravenous and Injection Therapy. Staffing Requirements

- (a) All naturopathic doctors and staff participating in providing patients with IV infusions and/or injection therapies, must have appropriate licensing and/or certifications per sections 4237.1 and 4237.2, respectively.
- (b) There must be at the least one (1) staff member and one (1) naturopathic doctor onsite during IV or injection therapies when there are one (1) to ten (10) patients present. An additional staff member or naturopathic doctor is required for every 5 additional patients. This is a minimum requirement.
- (c) The naturopathic doctor or their staff will obtain written informed consent from the patient prior to the administration of IV or injection therapies.
- (d) Certification in CPR is required for all staff members onsite.
- (e) Naturopathic Assistants must adhere to section 3640.2 of the code.

TAB 9

California Naturopathic Doctors Association
(CNDA) Update

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TAB 10

Review and Approval of July 25, 2019
Committee Meeting Minutes



Naturopathic Medicine Committee

Meeting Minutes

July 25, 2019

DRAFT

**MEMBERS
PRESENT:**

Dara Thompson, ND, Acting Chair
Gregory Weisswasser, ND
Greta D'Amico, ND
Minna Yoon, ND
Vera Singleton, ND
Bruce Davidson, PhD
Shirley Worrels
Gregory Quinn, MD
Myles Spar, MD

**MEMBERS
ABSENT:**

None

**STAFF
PRESENT:**

Rebecca Mitchell, Executive Officer (EO)
Raquel Oden, Program Analyst
Trisha St. Clair, DCA, SOLID
Elizabeth Coronel, DCA, SOLID

**MEMBERS OF
THE AUDIENCE:**

None

Agenda Item 1 Call to Order/Roll Call/Establishment of a Quorum

Dara Thompson, ND, Chair, Naturopathic Medicine Committee (NMC), called the meeting of the NMC to order on July 25, 2019, at 9:39 a.m. A quorum was present and due notice was provided to all interested parties.

Agenda Item 2 Public Comment

There were no public comments for any items not on the agenda to discuss.

Agenda Item 3 Review and Possible Approval of June 3, 2019 Meeting Minutes

The Committee reviewed the June 3, 2019 meeting minutes. The minutes were approved with amendments.

Motion – Thompson / Second – Weisswasser, to approve the 06/03/2019 meeting minutes as with amendments. Roll call vote taken, motion carried 8-0-1. (YES – Thompson, D’Amico, Quinn, Yoon, Davidson, Worrels, Singleton, Weisswasser/ NO – none / Abstentions – Spar).

Agenda Item 4 Strategic Planning Session

The Committee, along with the assistance of the DCA SOLID Unit Strategic Planners, worked together to develop a new strategic plan for the upcoming 2020 – 2024 period. In addition, the Committee reestablished the mission, visions, and values to be more in line with the direction of the Committee.

All members and staff participated and provided great feedback and suggested changes for the new plan.

Agenda Item 5 Establish Future Meeting Dates and Locations

- 3rd Quarter Meeting – Mon., October 7, 2019
- 4th Quarter Meeting – Mon., December 9, 2019
- 1st Quarter Meeting – Tue., January 28, 2020

Agenda Item 6 Agenda Items for Future Meetings

The following are items that were requested to be added to future meetings:

- Scope Expansion Discussion
- Hemp derived CBD – legal opinion on whether NDs can furnish
- Use of Lactulose without physician supervision
- Malpractice Insurance information
- RN/LVN scope change to include orders to nurses by NDs
- Insurance company’s coverage of naturopathic treatments and services
- Committee Website Update
- Subcommittee updates

Agenda Item 12 Adjournment

There being no further business or public comment, Dr. Thompson adjourned the meeting at 3:59 p.m.

TAB 11

Establish Future Meeting Dates & Locations

Naturopathic Medicine Committee
Establish Future Meeting Dates and Locations

<i>Dates</i>	<i>Locations</i>

NOTE: *Please keep costs associated in mind when choosing locations for meetings.*

TAB 12

Agenda Items for Future Meetings

Naturopathic Medicine Committee

Agenda Items for Future Meetings

[illegible]