



BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR
 DEPARTMENT OF CONSUMER AFFAIRS • NATUROPATHIC MEDICINE COMMITTEE
 1300 National Drive, Suite 150, Sacramento, CA 95834
 P (916) 928-4785 | F (916) 928-4787 | www.naturopathic.ca.gov



Naturopathic Medicine Committee

Meeting Minutes

April 29, 2021

DRAFT

MEMBERS PRESENT: Dara Thompson, ND, Chair
 Greta D'Amico, ND, Vice Chair
 Minna Yoon, ND
 Vera Singleton, ND
 Bruce Davidson, PhD
 Shirley Worrels

MEMBERS ABSENT: T. Gregory Quinn, MD

STAFF PRESENT: Rebecca Mitchell, Executive Officer (EO)
 Sabina Knight, Esq., Program Legal Counsel, Legal Unit DCA
 Brittany Ortega, Moderator, SOLID, DCA
 Elizabeth Coronel, Co-Moderator, DCA

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 April 29, 2021, at 9:00 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 February 25, 2021 Meeting Minutes

The Committee reviewed the February 25, 2021 meeting minutes. The minutes were approved with minor amendments of Hootsuite information.

Motion – Thompson / Second – Singleton, to approve the February 25, 2021 meeting minutes with edits. Roll call vote taken; motion carried 5-0-0. (YES – Thompson, D’Amico, Yoon, Davidson, Singleton / NO – none / Abstentions – none).

Agenda Item 4 Discussion of DCA Waiver DCA-21-141 – Order Waiving Restrictions on Naturopathic Doctors Relating to Ordering and Administering COVID-19 Vaccines

EO Mitchell provided information about waiver DCA-21-141 order waiving restriction on Naturopathic Doctors relating to ordering and administration of COVID-19 vaccines. There were questions from the Committee members on when the COVID-19 waiver would expire. EO Mitchell advised that the Director of DCA and Governor Newsom has discretion on when to cancel the waivers. The Committee will be notified prior to the expiration of the waives that are currently in place.

It was also suggested that if ND licensees want to continue to have the ability to

Agenda Item 5 Legislative Update, Discussion, and Possible Action

During the April 29, 2021 meeting, the Committee members reviewed and considered the following legislative bills and took actions listed below:

- a. [AB 29](#) (Cooper) State Bodies: Meetings

Committee’s Stance: Oppose unless amended

Motion – Thompson / Second – D’Amico, to oppose AB 29 (Cooper) unless amended. Roll call vote taken; motion carried 5-0-0. (YES – Thompson, D’Amico, Yoon, Davidson, Singleton / NO – none / Abstentions – none).

- b. [AB 54](#) (Kiley) COVID-19 Emergency order violations: license revocation

Committee’s Stance: None - this bill failed passage

- c. [SB 102](#) (Melendez) COVID-19 Emergency order violations: license revocation

Committee’s Stance: None - this bill failed passage

- d. [AB 225](#) (Gray, Gallagher, and Patterson) Department of Consumer Affairs: boards: veterans: military spouses: licenses

Committee’s Stance: Watch bill

Motion – Thompson / Second – Yoon, to watch AB 225 (Gray). Roll call vote taken; motion carried 5-0-0. (YES – Thompson, D’Amico, Yoon, Davidson, Singleton / NO – none / Abstentions – none).

- e. [AB 339](#) (Lee and C. Garcia) State and local government: open meetings

Committee’s Stance: Watch bill

Motion – Davidson / Second – D’Amico, to watch AB 339 (Lee/Garcia). Roll call vote taken; motion carried 5-0-0. (YES – Thompson, D’Amico, Yoon, Davidson, Singleton / NO – none / Abstentions – none).

- f. [SB 772](#) (Ochoa and Bogh) Professions and vocations: citations: minor violations

Committee’s Stance: None – bill was canceled at the request of the author.

- g. [AB 657](#) (Bonta) State civil service system: personal services contracts: professionals

Committee’s Stance: Oppose

Motion – Thompson / Second – D’Amico, to oppose AB 657 (Bonta). Roll call vote taken; motion carried 6-0-0. (YES – Thompson, D’Amico, Yoon, Davidson, Singleton, Worrels / NO – none / Abstentions – none).

Agenda Item 6 Pending Regulations Status Update

Executive Officer, Rebecca Mitchell, provided the update on the AB 2138 that had modified text approved during this meeting and stated that she would continue the regulation process for the package. Also provided the information for regulations below:

- Notice to Consumers: Title 16 CCR section 4255 – As of 4/13/2021 the Public Comment period ended. The Committee received no comments from the public. Package is being completed and will go to legal/regulatory unit.
- IV and Advanced Injection Therapy Requirements: Title 16 CCR section 4235 – As of 4/8/2021, Text has been added to the Proposed Regulatory Language and package is being worked on by staff.
- Fees: Title 16 CCR section 4240 – As of 4/16/2021 The majority of the package is completed. Should be able to send it over for review by 5/5/2021.
- Inactive Status: Title 16 CCR 4227 and 4228 – This regulation will be part of a group package with Retired Status and Fees package since they are dependent on the fees moving forward. Staff is currently working on the package documents.
- Retired Status: Title 16 CCR 4229 – Will be part of a group package with Inactive Status and the Fees package since they are dependent on the fees moving forward. Staff currently working on the package documents.

Dr. Singleton will take the lead in content creation and scheduling and Dr. Davidson will provide input and feedback on content structure.

Agenda Item 9 Update on NMC Website Redesign

The Committee has continued working with DCA's Internet Team (OIS) to create a more modern feel for the website. During the meeting EO Mitchell provided a preview of the website to the Committee Members and audience. The newly designed website offers a site that is easy to use and navigate, provides more online services, and offers more resources for consumers, licensees, applicants, and a new naturopathic student section.

The website is under review and should be published online shortly.

Agenda Item 10 Budget Update

Mr. Paul McDermott, Budget Analyst, DCA Budget Unit provided an update of the Committee's Fund Condition, Expenditures and Revenue reports.

The Committee is in good fiscal standing.

All reports are included in the meeting material.

Agenda Item 11 Executive Officer Update

- **Staffing and Committee Member Vacancies:**

The Committee still has limited staffing. There are slight backlogs in licensing timelines, workloads are being processed in 57 days. The standard performance measure is 45 days or under. Normally, the Committee's performance measure for processing applications have been completed within 21 days.

The EO will be working with DCA OHR to find a limited term candidate that can assist with the licensing and Enforcement backlogs. There is a possibility that the Committee needs an additional staff on an ongoing basis.

The EO continues to cover enforcement duties and is currently assisting with licensing and clerical duties to get the numbers back to our normal processing times.

A review of the processes shows delays due to telework schedule and limited staff time in-office. Starting on June 1st, staff will be required to work in the office until all backlogs have been mitigated.

- **Licensing Report**

EO Mitchell provided a report of the licensing data:

- The NMC's total licensee count as of April 24, 2021:
- Active/Current Licensees – 911
- Inactive/Current – 20
- Delinquent – 143

The total number of licensees under the NMC's jurisdiction is 1,241.

- **Enforcement Report**

EO Mitchell updated the Committee on the enforcement unit. Currently, the NMC has 77 total enforcement cases open. Of the 77 cases, 28 are against licensees while the remaining 49 cases are against unlicensed individuals.

The unlicensed activity still remains the largest portion of the NMC's enforcement caseload at 64% of the cases. This is, however, the lowest percentage of enforcement cases against unlicensed activity in the last 5 years. It does appear that the educational material that the Committee sends out upon an initial complaint, may be in part, assisting to lower those numbers. We hope that continuing our educational and informational outreach campaign will keep the trend of lowering the unlicensed activity within our Committee.

Unlicensed activity consists of all the following:

- Using the naturopathic doctor (ND) title
- Not providing a written disclaimer of unlicensed practice to their client and having a signed copy by the client on file.
- Providing Diagnosis
- Providing Treatment within the scope of an ND

There were 13 new cases received since the 5/25/2021 meeting and 7 cases have been closed in that time period.

Currently, the NMC has 28 total enforcement cases opened on ND licensees. Of the 28 cases, the breakdown of violation types are as follows:

- Advertising violations – 10 or 36%
- Failure to update address with the committee – 2 or 7%
- DUI related violations – 4 or 14% (2 of these were based on applicants who provided prior conviction information during the application process)
- Unprofessional Practice – 8 or 29%
- Records only – 1 or 3%
- Death or patient harm – 3 or 11% (although this includes death and patient harm, the 2 cases are patient harm and no deaths)

Agenda Item 12 Update on Oversight (Sunset) Review

There has been no further information provided for the upcoming Oversight Review. During the 2/25/2021 meeting the Committee decided to establish two (2) subcommittees to assist with the preparation of the Oversight Report. With two subcommittees of two (2) members each, they would be able to work in an adhoc basis.

Dr. Thompson, Chair appointed Dr. D'Amico and Dr. Yoon on one subcommittee and Dr. Thompson and Dr. Davidson on the second subcommittee.

Agenda Item 13 Future Agenda Items and Next Meeting Dates

Items for future agenda:

- Digital Licensing
- Hybrid Education
- Social Media Subcommittee
- Oversight (Sunset) Review
- Title Protection
- Legislation

The next meeting date will be scheduled for Thursday, July 29, 2021 at 10:00 a.m.

Agenda Item 14 Adjournment

There being no further business or public comment, Dr. Thompson adjourned the meeting at 12:19 p.m.