



BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR  
 DEPARTMENT OF CONSUMER AFFAIRS • NATUROPATHIC MEDICINE COMMITTEE  
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## Naturopathic Medicine Committee

### Meeting Minutes

October 05, 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  
 Michael, Kanotz, Esq., Program Legal Counsel, Legal Unit DCA  
 David Bouilly, Moderator, SOLID, DCA  
 Shelly Jones, 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 October 5, 2021, at 10:12 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 Committee Meeting Minutes:**

#### **a) July 29, 2021**

The Committee reviewed the July 29, 2021 meeting minutes. The minutes were approved as submitted.

*Motion* – Thompson / Second – D’Amico, to approve the July 29, 2021 meeting minutes as submitted. Roll call vote taken; motion carried 6-0-0. (YES – Thompson, D’Amico, Singleton, Davidson, Yoon, Worrels / NO – none / Abstentions – none).

#### **b) August 30, 2021**

The Committee reviewed the August 30, 2021 meeting minutes. The minutes were approved with minor amendments of adjournment time from “p.m.” to “a.m.”.

*Motion* – Thompson / Second – Davidson, to approve the August 30, 2021 meeting minutes with amendments. Roll call vote taken; motion carried 6-0-0. (YES – Thompson, D’Amico, Singleton, Davidson, Yoon, Worrels / NO – none / Abstentions – none).

### **Agenda Item 4**

### **Executive Officer Update**

#### **a) Staffing and Committee Member Vacancies**

EO Mitchell reported that the committee continues to have a staffing shortfall due to its sole, full-time staff temporarily working at a half-time basis. In order to resolve the staffing challenges the committee worked with DCA Budget and HR units to get us additional help. The Committee was able to secure a temporary solution by borrowing one staff from another program . The temporary staff started on September 1<sup>st</sup>.

Further, EO Mitchell reported that for the last 12-month period, the Committee has had 2 vacancies in its membership; including one (1) naturopathic doctor and one (1) physician (MD/DO) position. Both positions are Governor appointments. To date there have been no appointments, leaving the Committee with limited physician makeup to sit on the subcommittees.

#### **b) Licensing Report**

EO Mitchell provided a report of the licensing data:

- The NMC’s total licensee count as of September 30, 2021:
- Active/Current Licensees – 924
- Inactive/Current – 24
- Delinquent – 134

- Other (Retired/Canceled) – 185

The total number of licensees under the NMC's jurisdiction is 1,267.

### **c) Enforcement Report**

EO Mitchell updated the Committee on the enforcement unit. Currently, the NMC has 86 total enforcement cases open. Of the 86 cases, 22 are against licensees, 3 are against applicants, while the remaining 61 cases are against unlicensed individuals.

The unlicensed activity still remains the largest portion of the NMC's enforcement caseload at 71% of the cases. Although the unlicensed activity has slightly increased since the last report, it is still lower than unlicensed activity over 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 the lower 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 without the benefit of a license

There were 8 new cases received since the 08/30/2021 meeting and 0 cases have been closed in that time period.

Currently, the NMC has 25 total enforcement cases opened on ND licensees and applicants. Of the 25 cases, the breakdown of violation types are as follows:

- Advertising violations – 4 or 16%
- Failure to update address with the committee – 1 or 4%
- DUI related violations – 4 or 16% (2 of these were based on applicants who provided prior conviction information during the application process)
- Unprofessional Practice – 11 or 44%
- Records only – 2 or 8%
- Death or patient harm – 3 or 12% (although this includes death and patient harm, the 2 cases are patient harm and no deaths)

### **d) New Consumer Outreach Project Update**

EO Mitchell provided an update on the Consumer Outreach campaign developed in partnership with DCA. The plan includes new articles that will be placed on social

media platforms and the Committee website. The outreach will also provide video reels providing consumers with the differences between licensed naturopathic doctors and unlicensed naturopaths.

#### **Agenda Item 5                      Update on Oversight (Sunset) Review**

EO Mitchell provided a brief description of the reason for and process of the Sunset Review conducted by the Senate Committee on Business, Professions and Economic Development and the Assembly Committee on Business and Professions. Ensuring that the Committee understands how the comprehensive process allows the Legislature to Review the laws and regulations pertaining to the committee and evaluate the committee's programs and policies; determine whether the committee operates and enforces its regulatory responsibilities and is carrying out its statutory duties; and examine fiscal management practices and financial relationships with other agencies.

EO also provided a copy of the *Background Information and Overview of the Current Regulatory Program* template used for the Sunset Review report. EO Mitchell advised that the report is due to the oversight committees by 01/05/2022. The report will provide a snapshot And substantive information about who the committee is, who the committee licenses, and how the committee performs its regulatory functions.

#### **Agenda Item 6                      Future Agenda Items and Next Meeting Dates**

Items for future agenda:

- World Naturopathic Federation Education Standards
- Oversight (Sunset) Review

The next meeting date was scheduled for:

- 11/02/2021 for full review of Sunset Review Report
- 11/17/2021 second meeting for full review of Sunset Review Report (if needed)

#### **Agenda Item 7                      Adjournment**

***There being no further business or public comment, Dr. Thompson adjourned the meeting at 11:31 a.m.***