



BUREAU OF NATUROPATHIC MEDICINE
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NATUROPATHIC FORMULARY ADVISORY COMMITTEE

Meeting Minutes December 11, 2005

Meeting Site:

The Khalsa Medical Clinic
 436 North Bedford Drive, Suite 308
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Michael Traub, ND
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 Medicine
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Teleconference Site:

Dr. Arthur Presser
 47 Alta Drive
 La Selva Beach, CA 95076
 (831) 684-0214

COMMITTEE MEMBERS PRESENT:

Peter Wannigman, Naturopathic Doctor (Chairman)
 Soram Khalsa, Medical Doctor (Vice-Chairman)
 Cynthia Watson, Medical Doctor
 Mary Hardy, Medical Doctor
 Trevor Holly Cates, Naturopathic Doctor
 Michael Traub, Naturopathic Doctor
 Paul Mittman, Naturopathic Doctor
 Arthur Presser, Pharmacist

COMMITTEE MEMBERS ABSENT:

Larry Woodhouse, Pharmacist

STAFF PRESENT:

Charlene Zettle, Director, Department of Consumer Affairs
 Norine Marks, Staff Counsel, Department of Consumer
 Affairs
 Terri Ciau, Acting Bureau Chief for Naturopathic Medicine
 Linda Brown, Program Analyst, Department of Consumer
 Affairs

I. Call to Order and Roll Call

Chairman Wannigman called the meeting to order. Roll call was taken and a quorum declared.

It was requested that guests be introduced. Chairman Wannigman agreed and guests introduced themselves.

II. a. Approval of September 25, 2005 Committee Meeting Minutes

Chairman Wannigman asked if anyone had any additions, corrections, or deletions on the minutes before approval.

Michael Traub reported a misprint of the date on the first page. It should be changed from September 30 to September 25.

Chairman Wannigman moved to approve the September 25 meeting minutes. Michael Traub seconds and the minutes are approved unanimously.

b. Approval of October 23, 2005 Committee Meeting Minutes.

A typo at the bottom of number 4 on the first page was requested to be changed from “administrative” to “administration.”

A concern is raised under item 7 that the paragraph under the fourth bullet did not make sense and was unclear. “IV contacts are 20 observations, 10 physical in which the 10 physical are part of the 20” could be better said “20 contacts of which at least 10 are physical patient contacts.”

Chairman Wannigman also had a concern under item 7, third bullet. He felt that although it was up for discussion this part was not agreed upon to revise and suggested it be stricken. He then went to the first bullet after “In addition, the committee proposed the following requirements” on page 4. He requested an addition that reciprocity is appropriate, but successful passage of a written examination is required by all licensees.

Norine Marks requests that the minutes reflect the actions that the committee took at the last meeting and that it will need legal review. Chairman Wannigman confirmed that they are and noted that this is part of the current formal approval.

Chairman Wannigman then requests to add a bullet that would say “A Chelation certificate would be requiring twelve hours of direct contact learning. Terri Ciau reports that on page 4 of the October 23 minutes there was an addition about this.

Chairman Wannigman then notes that he does not need to review changes because they are in print already for approval. “Dr. Hardy will send” should not be stricken. He requested an addition of “Homeopathics would be classified as a general group.”

Chairman requests a motion to approve the minutes. Soram Khalsa moves and Mary Hardy seconds. A roll call vote is taken and minutes are unanimously approved.

III. Chairperson’s Report

Chairman Wannigman discussed the opinion that was distributed by the Department of Consumer Affairs from Norine Marks regarding questions raised from the committee on homeopathy and by the Advisory Council. The meeting and the committee has a new perspective on what it is dealing with and how to move forward. There is discussion about the effects of the decision and how to proceed.

There is discussion about the ineffectiveness of the previous statute and how to remedy its problems. Some of the problems include general confusion about what has been approved by this statute, what governing board should be responsible for taking control of this issue, identifying the problems within the government bureaucracy that is stopping the intent of this law. One specific sticking point seems to be the requirement for naturopaths who are under the supervision of an MD to have certification or training for IV therapeutics for the assurance of the supervising MD that the naturopath knows what they are doing. A question is posed by Arthur Presser, in what form whether oral or IV, can a naturopath prescribe and how to clarify this statute so that the intent matches the outcome. Peter Wannigman goes on to explain that naturopaths are currently allowed to prescribe oral forms of medication and that naturopaths would be required to have MD supervision associated with the prescription of drugs peremptorily. There is also the continued restriction of drugs that are not considered medications available to lay homeopathic persons.

IV. Discussion

a. Homeopathic Medicine

Homeopathic pharmacies wanted clarification about the prescription of minerium, penicillium and similar medications. The original language said that naturopathic doctors may prescribe homeopathy. In SB 907 and AB 302 even with the changes it would still be required for a naturopathic doctor to be under the supervision of an MD. Norine Marks was asked to discuss the creation of language that could define homeopathic medicines in a sense broader than those listed in the former homeopathic pharmacopia.. The question is asked whether certain percentages of a dose of medication had been defined as prescription, because some medications that would be used may not fall under the requirement of MD supervision at a low percentage dose. The medications that are approved at homeopathic allowable potency and constructed specifically for homeopathic use should be made available to a naturopath, though they may be listed as restricted in general by the USP whether or not it is considered prescription.

b. AB 302

An opinion is given that the wording in AB 302 should state that naturopaths should be independently allowed to administer drugs in IV form and have an explicit list of the applicable drugs or category of drugs. It is also discussed that there should be a separation from the need for MD involvement when the naturopath's knowledge for a specific treatment exceeds that of the MD.

V. Review and Discussion on California Medical Association's Medical Practice Opinion on Chelation Therapy with EDTA Clinical Uses—Tabled.

VI. Review and Approval of Chelation Blueprint—Approved.

VII. Review and Approval of IV Therapy Blueprint—Approved.

VIII. Review and Approval of IV Formulary Categories

The list for IV formulary is revised. The list of amino acids was eliminated and restated as just amino acids, the list of vitamins was eliminated and restated as just

vitamins, the list of minerals was eliminated and restated as minerals, and the list of electrolytes was eliminated and restated as just electrolytes. These changes are being made with the assumption that the advisory council will develop a comprehensive list if they deem it necessary. The decision was made to remove certain items from the list of specialty products and to add others. It was decided to do the same for the list of biological items. The IV formulary categories were approved as amended.

The committee begins a discussion on the goals and responsibilities of the committee and what kinds of recommendations they are hoping to present to the board.

The Chairman offers to contact CMA and let them know of interest in their continued observation.

IX. Discussion on Inclusionary and Exclusionary Formulary Lists—Tabled.

X. Discussion on Prolotherapy and Procaine—Tabled.

XI. Public Comment

There is a comment that there is a difference in interpretation on AB 302 and wonders where that resides legally. It is said that it is in the Bureau making response to pharmacies and members that are going to give it. The question is then asked how it will be promulgated so that the pharmacies are aware. There is no process for this and it is up to the Bureau to decide that. One vehicle to do this is to put a summary of AB 302 on the website.

There is a comment that Norine Marks' interpretation of AB 302 is representative of other lawyers so that if there were a complaint about a naturopath and it goes to a lawsuit against the doctor, AB 302 would likely be read in that same way and come up with the same conclusions in a malpractice suit.

Chairman Wannigman encourages the members of the committee to take another look at AB 302 and its intent and the things that were put in place. He requests them to make opinions as to the Bureau's official position on it. The committee will move on from there and open up communications. Discussion of pharmaceutical formulary will take place at the next meeting. He has worked on this to some degree and will present it.

It is requested that one of the agenda items would be to summarize recommendations so far and what others may be. Other agenda items will be the discussion on the inclusionary and exclusionary formulary lists, educational components, and aspects of insurance malpractice.

Paul Mittman comments that a report should be written about the supporting documents so that the subcommittee can use it as a basis.

XII. Adjournment

The next meeting is set for January 15, 2005 at 10:00 a.m.

The meeting is adjourned.