



BUREAU OF NATUROPATHIC MEDICINE
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NATUROPATHIC MEDICINE ADVISORY COUNCIL

Meeting Minutes January 29, 2006

COUNCIL MEMBERS PRESENT: Carl Hangee-Bauer, ND, Chair
Alexandra Cock, Vice Chair
Cynthia Watson, MD
Soram Khalsa, MD
Trevor Cates, ND
Mary Hardy, MD
David Field, ND

COUNCIL MEMBERS ABSENT: Daisy Ma, Public Member

STAFF PRESENT: Norine Marks, Legal Counsel
Linda Brown, Program Coordinator
Francine Davies, Program Coordinator

I. Welcome and Call to Order

The meeting was called to order at 11:04 a.m. Roll call was taken and a quorum was declared.

II. Approval of the September 19, 2005 Meeting Minutes

The minutes were approved. Ms. Cock abstained from voting on the minutes.

III. Chair Update

Chairman Hangee-Bauer thanked the committee members for their hard work. He stated he was looking forward to the new year and working with the new Bureau of Naturopathic Medicine (BNM) staff member and the committees. The main items of interest will be the reports to the Legislature. Drafts are due in early May.

The ad hoc committees and task force will stay in effect through the end of the year. Dr. Khalsa's and Dr. Cates' terms will expire in June. Dr. Khalsa reapplied to the Governor. Dr. Cates plans to reapply. Linda will talk to the new Bureau Chief about steps that can be taken to ensure the timely reappointment of Advisory Council members.

IV. Bureau Update

A. Bureau's Office Move

The move to the new office was accomplished in December 2006. The rest of the units that support BNM moved in January.

B. Staff Update

The new staffer is Francine Davies. The new Bureau Chief is Tonya Blood.

C. Budget

Linda Brown discussed the Bureau's fund condition. It is projected that there will be a \$5000.00 deficit by June 30, 2006. The BNM is looking at ways to alleviate the deficit. The only source of income for the Bureau is license fees. The first renewals for naturopathic doctors were mailed in January. The temporary position that was issuing licenses has been abolished. Francine and Linda are doing all licensing processes.

The number of applications was discussed; there are 158 licensed NDs, 15 incomplete applications, and an assortment of documents for approximately 60 more possible applicants. Norine stated that an application is considered abandoned if there has been no activity for one year after application is made or since the last deficiency letter.

The BNM is looking at taking out a loan of \$10-20,000 to be paid back by the Bureau over a two-year period.

V. Status of the Clinical Laboratory Improvements Amendments (CLIA) Legal Opinion

Norine Marks, legal counsel, commented that she hesitates to give a draft to the Advisory Council before approval. CLIA provisions of the Business and Professions Code are enforced by the Department of Health Services (DHS). Norine contacted DHS to talk about her opinion and processes. She should have it completed in a week or two. The Bureau will forward it to the Council.

VI. Update on Naturopathic Statutory Committees

A. Formulary Advisory Committee:

Dr. Peter Wannigman, ND reported: The committee wrapped up one year of meetings and their recommendations are in the packet (IV Therapy Blueprint). Recommendation: Naturopathic Doctors be allowed to use IVs and use ocular route to administer medications. Handing off this document to Advisory Council to hand off to the Bureau Chief. Dr. Watson thought this was a working list.

A discussion ensued regarding the interpretation of existing laws for further regulation. Some pharmacies are filling prescriptions, some are not. The Formulary Committee is trying to get rid of the gray areas.

Norine Marks stated that regulations cannot be in conflict with statute. Legal affairs must sign off on regulation packages. The regulatory process is long.

It was suggested that creating regulations be made an action item for the Council, and that approval of the Formulary Committee recommendations by the Advisory Council be placed on the agenda for the next Council meeting. The Formulary Committee was complimented on the development of the blueprint and reminded that development of recommendations was by consensus rather than by approval of 100% of all Formulary Committee members. The issues facing the Formulary Committee: 1) Training and allowable substances 2) Can they administer IVs independent of MD supervision. The committee is on the right track in context of the Report to the Legislature.

There was concern of what to tell NDs when they questioned scope of practice. They should be pointed back to the laws and regulations. Kevin Schunke of the Medical Board stated that their legal counsel does not answer questions of scope of practice – MDs are told to ask their own legal counsel.

B. Childbirth Attendance Advisory Committee

The first committee meeting is a teleconference scheduled for February 22, 2006.

C. Minor Office Procedures Report

Dr. Field states they are meeting informally, not as a committee. Areas being addressed: 1) Academics in Naturopathic Medicine 2) Naturopathic Practice (what do they do in the field and in those states that allow minor office procedure) 3) Minor office procedure in California (what does the public expect from a family physician in the office) 4) Legal and legislative definitions of minor office procedure in California and other states.

The committee is gathering syllabi from naturopathic colleges. They have polled NDs in Oregon and Arizona, and are awaiting statements on minor surgery from the American Academy of Family Practice. There is some crossover between minor office procedure and formulary such as injectables, local anesthesia, and conscious sedation. Since MDs require separate certification for conscious sedation, want to be able to clarify definitions of injectables, local anesthesia, and conscious sedation.

VII. Future Advisory Council Meeting Dates and Locations:

May 21st at the Department of Consumer Affairs at 11:00 AM.
September 17th, the location is yet to be determined.

VIII. Public Comment

Question to Bureau regarding continuing education: CNDA would like the Bureau to communicate with the licensees regarding authorized courses and renewal periods.

Question to Bureau regarding complaints and citations: Bureau states that all but one complaint is regarding unlicensed naturopaths using the title "ND". The Bureau sends a letter explaining the inappropriate use of the title.

Jeff Goin: Is there a task force that deals with public education and community outreach? Yes, Daisy Ma is Chairperson. She is working on the Consumer Affairs Naturopathic Medicine Brochure. Also, Dr. Hangee-Bauer wrote an article for the "Naturopathic Digest News and Review".

IX. Meeting Adjourned