



## **Naturopathic Medicine Committee**

### **Meeting Minutes**

**September 17, 2012**

**COMMITTEE  
MEMBERS  
PRESENT:**

Koren Barrett, ND  
David Field, ND, LAc  
Tara Levy, ND  
Gregory Weisswasser, ND

**COMMITTEE  
MEMBERS  
ABSENT:**

Caleb Zia, EdD  
Michael Hirt, MD  
KT Leung, CPA  
Beverly Yates, ND

**STAFF  
PRESENT:**

Simone Renteria, Legal Counsel  
Laura Freedman, Legal Counsel  
Francine Davies, Interim Executive Officer (Int. EO)

#### **1. Welcome & Call to Order**

The meeting was called to order at 10:16 a.m.

#### **2. Establishment of a Quorum**

Roll Call was taken. There were only four Committee members in attendance, so there was no quorum declared.

#### **3. Introduction of New Legal Counsel: Simone Renteria**

#### **4. Chair Report – Current Topics**

Dr. Field noted that SB 1446 was signed into law effective 1-1-2013. This bill clarifies that NDs have independent authority to prescribe & administer natural substances. He thanked Judy Wolen of Capitol Partners and asked that she thank Katherine Scott and the California Naturopathic Doctors Association for the enormous amount of time and effort it took to pass this legislation.

#### **5. Executive Officer Report**

The EO report contains licensing and enforcement statistics. A number of NDs who license never enter the state. Francine stated that there have been a number of patient deaths by unlicensed persons. Medical Board investigators frequently contact the Committee regarding unlicensed NDs; although there seems to have been no formal education of the Medical Board staff regarding naturopathic doctors, they have worked with the EO on several

The Federal of Naturopathic Medical Boards has been formed. They will be building an enforcement database exclusively for NDs. Although there is a National Practitioner Databank (NPDB), the Committee has not been able to join because of a lack of a CalCard. The Committee can fulfill its obligation to join the NPDB but then access the Federations' databank.

The EO explained that she started the process to secure a CalCard two years ago and still has no card. It is an ongoing problem with the Administrative Section of DCA – there seems to be a problem with follow-up from the Deputy Director down to the lower levels. Therefore, lack of a credit card prevents the Committee from meeting its federal reporting requirements and endangers California consumers because the Committee cannot check the NPDB.

Regarding the Committees budget and administrative area concerns, the EO never saw the corrected BCP before or after it was sent to Agency. In addition, when the EO made a request for a copy of the prior 3 years' BCPs to the Budget manager (for purposes of completing the Sunset Report), she did not get copies until she contacted the Deputy Director for Boards to ask for assistance. Dr. Field stated that he would like to draft a letter to the Governor relaying these and other problems with the DCA administrative area. Dr. Leondra Clark, Senate B & P Committee consultant, who was present at this meeting, asked that these issues be documented in the Sunset Report. The EO also documented her efforts in trying to purchase a printer/scanner.

Incremental payments have been made to the Breeze vendor, even though the system has not yet gone "live". Every board and bureau has had an increase in their budget for participation in Breeze. Since the system is not yet up and running, there should be an adjustment to the budget.

For the past 2 years, the Budget office has not made year-end adjustments to the Naturopathic and Osteopathic budgets for rent.

SB 71 removed "committees" and "reports" in order to shrink government. It removed the 2007 report requirements for the Formulary and Childbirth committees as well as the Minor Office Procedures sub-committee.

AB 2109 added naturopathic doctors to the list of health care professionals who can counsel parents and sign opt-out forms for parents wishing to not allow their children to be inoculated with vaccines.

Breeze business testing is running behind schedule – the system was supposed to be up and running in July 2012 and has not yet progressed to user acceptance testing.

Sunset report is in the hands of Dr. Field and Dr. Levy for comment/review.

**6. Discussion: Sunset Report**

Dr. Field asked if the report could be shared with others, such as with the lobbyists and association, for input/comment. Legal counsel stated that when it leaves the hands of the Committee, it becomes a public document. Dr. Field reiterated that the purpose of the report is not to expand ND scope or editorialize, but to explain what the Bureau/Committee has done the past 8 years so that the (Naturopathic Doctor's) Act is not sunsetted.

**7. Discussion/Approval: Meeting Minutes April 23, 2012**

Since there was no quorum, the meeting minutes could not be approved.

**8. Discussion/Approval of Wall License**

The EO presented the Committee with options for the new wall license that will be issued when Breeze is implemented.

**9. Discussion/Approval of the appointment of an Interim Executive Officer. (Closed Session pursuant to Government Code section 11126(a)(1).)**

This item was not addressed at the meeting.

**10. Discussion/Approval: National University of Health Sciences (NUHS) Ancillary Clinical Experience California ND Participation.**

Dr. Levy stated that some naturopathic colleges currently ask California NDs to participate in preceptorships, and sometimes the ND students approach California NDs on their own. The EO asked the Committee to review the language in the NUHS packet as the EO does not have the expertise to review the document to make sure that licensed NDs would, with informed consent, allow ND interns to observe or act in the capacity of a naturopathic assistant, and not as a doctor. Dr. Weisswasser will contact Dr. Fraser Smith to discuss the document he submitted to the Committee and will write a letter clarifying the student NDs .

**11. Discussion/Appointment of Sub-Committee to Approve IV Therapy Courses**

Course providers and schools will need to submit course and provider documentation to the Committee. Regulations will be developed to define any provider requirements or forms required for submission. The Committee discussed possible regulations that would charge fees for provider approval. Until that time, the Committee will review provider submissions on a case-by-case basis. Legal counsel suggested Dr. Barrett and Dr. Weisswasser accept appointment to a subcommittee to review submissions for approval of IV therapy courses that meet the requirements of SB 1446.

**12. Public Comment**

None

**13. California Naturopathic Doctors Association (CNDA) Update: Current Topics**

Judy Wolen reported that “The Run” from Mexico to Sacramento concluded Thursday at 5:00 in Sacramento. Bastyr celebrated the opening of their campus in San Diego; the CNDA was celebrating at the event when they learned of passage of SB 1446.

**14. DCA Director’s Report – Current Topics**

There was no one from the Director’s Office present at the meeting. Dr. Field asked how the Committee could engage the directorate as he missed the monthly teleconference meetings with the former DCA Director.

**15. Establish Future Meeting Dates & Locations**

The next meeting is scheduled for January 28, 2013.

**16. Agenda Items for Future Meetings**

Formulary sub-committee update and standard of practice document.

**17. Adjournment**