



Naturopathic Medicine Committee

Meeting Minutes

June 3, 2019

**MEMBERS
PRESENT:**

Dara Thompson, ND, Acting Chair
Gregory Weisswasser, ND
Greta D'Amico, ND
Minna Yoon, ND
Vera Singleton, ND
Bruce Davidson, PhD
Shirley Worrels
Gregory Quinn, MD

**MEMBERS
ABSENT:**

Myles Spar, MD

**STAFF
PRESENT:**

Rebecca Mitchell, Executive Officer (EO)
Sabina Knight, Esq., Legal Counsel
Salwa Bojak, Esq., Legal Counsel
Raquel Oden, Program Analyst

**MEMBERS OF
THE AUDIENCE:**

None Specified

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 June 3, 2019, at 10:07 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 2020-2024 Strategic Plan Update

Rebecca Mitchell, Executive Officer, Naturopathic Medicine Committee reported that the date for the Committee's 2020-2024 Strategic Planning Session has been scheduled for

Thursday, July 25, 2019. The meeting will be held at the Department of Consumer Affairs, 1747 North Market Blvd., Ruby Room, Sacramento, CA 95834.

A copy of the Committee's current 2016-2019 Strategic Plan, the Action Plan and an itemized list of what has been completed was provided to the Committee.

Agenda Item 4 Recommendations and Possible Action on Legislative Proposals to Amend the Naturopathic Doctors Act

a. *Business and Professions Code section 3635, subdivision (b) – Continuing Education*

During the March 5, 2019 meeting, staff provided a copy of the current Business and Professions Code (BPC) § 3635 and highlighted sections that may need to be updated within statute that would allow continuing education (CE) credits be approved by additional entities.

The Committee discussed the possibility to approve the North American Naturopathic Continuing Education Accreditation Council (NANCEAC) as an additional approver for CE providers but requested some additional information on the program before deciding whether to make this change through the legislative process or not.

During this meeting, staff provided the requested information to the members which included the similarities and differences between the American Association of Naturopathic Physicians (AANP) and the North American Naturopathic Continuing Education Accreditation Council (NANCEAC) credentialing.

- The one main difference between the two entities are the standards of vetting the continuing education providers. The NANCEAC standards are much more comprehensive. They are designed to cover everything from development to presentation, including removing commercial bias, making sure the CE activity fills the needs of NDs (addresses practice gaps), and further requires that the CE activity is evaluated by the participants ensuring the learning objectives (practice gap) was achieved.
- The second difference is that the AANP approves CE activities. NANCEAC accredits CE providers.
- NANCEAC monitors accredited providers. Primarily by requiring reports before and after each CE activity, but also may attend a CE activity at any time to ensure compliance.
- NANCEAC requires disclosure of financial relationships to the participants. (At this time, it is unknown if AANP requires this standard).

Additionally, a complete copy of the NANCEAC continuing education application was included.

The item was discussed, and action was taken as noted:

Motion – D’Amico / Second – Thompson, to approve gaining legislative support to make changes to the Naturopathic Doctors Act, Business and Professions Code section 3635(b) to include NANCEAC as a CE provider. Roll call vote taken, motion carried 8-0-0. (YES – Thompson, D’Amico, Yoon, Davidson, Worrels, Singleton, Weisswasser, Quinn / NO – none / Abstentions – None).

b. Possible Legislative Proposal for Scope Expansion

Technical information was provided to the newer members on bills and how, who, and when to approach a legislator with requests for legislative proposals.

Additionally, Dr. Greta D’Amico, ND, Vice Chair, stated that there is an urgency to allow ND’s to give orders to nurses as naturopathic assistants (NAs) cannot start or change medications in IVs, etc. There has been some prior communication with the Board of Registered Nursing and there was some interest in exploring a change in scope to allow this. The Committee is very interested in moving forward with continuing these conversations.

Furthermore, the Committee would like to have the same dialogue with the Vocational Nurse Board. Ms. Mitchell will reach out and start conversations with the two boards and in addition stated that it would be in the best interest of all parties to include the professional state associations as well.

Agenda Item 5 Minor Office Procedures Subcommittee Update / Discussion and Possible Action on Updated Recommendations to the Legislature

Dr. Bruce Davidson, Chair, Minor Office Procedures (MOP) Subcommittee, provided an update of the May 5, 2019 meeting. The subcommittee met and discussed education and training of NDs. The subcommittee additionally reviewed data and resources regarding MOP abilities in other regulated states. Laws in those states were compared to the Committee’s current scope in order to get a sense of the scope gap between California and other states.

There are currently eight (8) states that have full MOP scope. Dr. Davidson stated that the MOP Subcommittee plans on reviewing the education and national exam, along with other regulated state scopes to show the relationships and provide proof of MOP competency to the legislature.

The subcommittee requested additional information on malpractice insurance coverage for MOPs performed by NDs nationwide along with a comprehensive list of MOPs

included in naturopathic medicine training and those evaluated on the national licensing exam.

Dr. Weisswasser stated that the MOP subcommittee should ensure that lidocaine is approved for use if the minor office procedures for California licensees are amended to be in line with the national standards.

Ms. Mitchell advised that the next Minor Office Procedure Subcommittee meeting has been scheduled for Tuesday, June 18, 2019 from 12:00 p.m. to 1:00 p.m. and will be a teleconference.

Agenda Item 6 Prescribing and Furnishing Authority of Naturopathic Doctors Subcommittee Update / Discussion and Possible Action on Updated Recommendations to the Legislature

Dr. Minna Yoon, Chair, Prescribing and Furnishing Authority of Naturopathic Doctors Subcommittee, provided an update to the committee of the May 9, 2019 meeting. The committee met and used the time to review and discuss the resource materials provided by the EO. Dr. Yoon stated that the original 2007 report to the legislature suggested an inclusionary formulary, whereas the more recent subcommittee suggested an exclusionary formulary list in 2014. At this time the subcommittee believes this to be the best practice as drugs change often and an exclusionary list is easier to maintain within scope and regulations. Dr. Yoon also reported that the subcommittee requested additional information from staff so they can review the education and training of NDs in order to review basic competency of pharmacology.

Additionally, the subcommittee discussed whether physician supervision should be removed without any further pharmacology requirements being in place.

The next scheduled Prescribing and Furnishing Authority of Naturopathic Doctors Subcommittee meeting is currently being scheduled but will also be a teleconference.

Agenda Item 7 Intravenous (IV) Therapy Subcommittee Update / Discussion and Possible Action on Future Regulatory Efforts for IV Therapy

Dr. Dara Thompson, ND, Chair Intravenous (IV) Therapy subcommittee reported to the committee that during the May 6, 2019 meeting, they reviewed IV therapy standards in naturopathic medicine. There are a few major focuses of the subcommittee;

- updating regulations to ensure consumer safety,

- ensuring licensees have appropriate training for the procedures they are performing, and
- to ensure safety protocols are in place in the event of a medical emergency.

The subcommittee also discussed several issues related to safety and the possibility of advanced training requirements for advanced therapy procedures. Dr. Thompson stated that the subcommittee is currently working on safety protocols, for example; what is an appropriate ND to patient/IV procedure ratio. The ratios have not been finalized yet, however there is an agreeance that a minimum of at least two (2) CPR trained staff must be physically present in the office during any IV therapy procedure.

Currently there are additional training requirements for NDs to perform IV therapies. The subcommittee is also discussing the possibility of a recertification for both basic and advanced IV therapies.

Furthermore, the subcommittee wants to ensure that proper OSHA standards and appropriate sterile techniques are being followed. An Advanced Cardiac Life Support (ACLS) certification should be maintained by any licensee performing IV therapies. Lastly, moving forward, advanced therapies will require additional certification requirements.

Ms. Mitchell advised that the next IV Therapy Subcommittee meeting has been scheduled for Monday, July 15, 2019 from 12:00 p.m. to 1:00 p.m. and will be a teleconference.

Agenda Item 8 California Naturopathic Doctors Association (CNDA) Update

The California Naturopathic Doctors Association (CNDA) could not be in attendance and requested that the EO report on a few items for their update. Next year's CNDA conference New Frontiers in Naturopathic Medicine, will be held at the Double Tree in Palm Springs, CA and is scheduled for Feb. 29 – Mar. 1, 2020. Ms. Mitchell will try to attend in order to provide updates for the CNDA members, and naturopathic medical students.

Additionally, the CNDA has been receiving multiple inquiries and have requested clarification from the Committee. The following issues should be researched by the Committee:

- Can NDs use Lactulose without Physician/ND protocol in place as it is needed for tests in certain situations, and
- whether hemp derived CBD can be administered or furnished by an ND now that it is legal at both the Federal and State level.

Ms. Knight and Ms. Mitchell advised that they will research the legal opinions and prepare a response for both the Committee and any subcommittee that may need this information.

There were no further updates at this time.

Agenda Item 9 Review and Approval of March 5, 2019 Committee Meeting Minutes

The Committee reviewed the March 5, 2019 meeting minutes. The minutes were approved as submitted.

Motion – Thompson / Second – Worrels, to approve the 03/05/2019 meeting minutes as submitted. Roll call vote taken, motion carried 8-0-0. (YES – Thompson, D’Amico, Quinn, Yoon, Davidson, Worrels, Singleton, Weisswasser/ NO – none / Abstentions – None).

Agenda Item 10 Establish Future Meeting Dates and Locations

- 3rd Quarter Meeting – Mon., October 7, 2019
- 4th Quarter Meeting – Mon., December 9, 2019

Upcoming Subcommittee meeting dates:

- Minor Office Procedures Subcommittee – Tues., June 18, 2019 12:00 p.m. – 1:00 p.m.
- IV Therapy Subcommittee – Mon., July 18, 2019 12:00 p.m. – 1:00 p.m.
- Prescribing and Furnishing Authority of Naturopathic Doctors Subcommittee – TBD (mid to late June 2019 12:00 p.m. – 1:00 p.m.

Agenda Item 11 Agenda Items for Future Meetings

The following are items that were requested to be added to future meetings:

- Scope Expansion Discussion
- Hemp derived CBD – legal opinion on whether NDs can furnish
- Use of Lactulose without physician supervision
- Malpractice Insurance information
- RN/LVN scope change to include orders to nurses by NDs
- Insurance company’s coverage of naturopathic treatments and services
- Committee Website Update
- Subcommittee updates

Agenda Item 12 Adjournment

There being no further business or public comment, Dr. Thompson adjourned the meeting at 1:09 p.m.