OPEN SESSION

1. Call to Order/Introductions
Chair Chad Aschtgen, ND, called the meeting of the Washington State Board of Naturopathy to order at 8:50 a.m. on May 18, 2018. The board made the following actions for these agenda items:

1.1. Approval of the May 18, 2018, meeting agenda

   MOTION: The Chair entertained a motion to approve the agenda as written. The motion was seconded and unanimously approved.

1.2. Introduction of board, staff, guests, and audience.
   The board, staff, and guests in attendance each gave a brief introduction.

1.3. Approval of the February 9, 2018, business meeting minutes.

   MOTION: The Chair entertained a motion to approve the minutes as written. The motion was seconded and unanimously approved.
2. Program Reports—DISCUSSION—Blake Maresh, Executive Director; Susan Gragg, Program Manager; Luke Eaton, AAG Adviser

2.1. Budget report
Ms. Gragg provided the 2019 Biennium-To-Date July 01, 2017 Thru March 31, 2018 budget report. Expenses are down as expected. Little impact can be identified from fee increases as they only became effective on March 1. Effectiveness of past disciplinary actions is showing reduction in investigatory and legal expenses. Income and expenses will be closely monitored.

Some feedback on the fee increase has been received by the DOH and by the Washington Association of Naturopathic Physicians (WANP). It was suggested that the board and WANP issue an informational announcement about the fee increase.

There was discussion on the possibility and process of increasing the level of board pay and the number of board members. Consideration of this will be addressed at a later date.

2.2. Statistics reports
Ms. Gragg presented the statistic reports noting the total number of current licensees at 1428. She continued with a report on the Comparison of Licensees and Complaint Cases across Naturopathic, Osteopathic, Podiatric, and Allopathic Physicians over the years 2011 to 2017. The report compared the number of licensees, the number of new licenses issued each year, the number of complaint cases, and the number of orders. Further information was requested on the types of complaints received over the past 10 years in order to establish trends. It was asked that a report on that be brought to the next board meeting.

2.3. Continuing education audit report
Ms. Gragg reported that audit reports are caught up to the current time frame. Five audits have been submitted since the last meeting one of which will be reviewed in the closed session.

2.4. Recruitment update
Ms. Gragg is waiting to hear from the Governor’s office about the possibility of doing a memo to reappoint Dr. Neary. She will be issuing a recruitment letter to fill a vacancy as Dr. Prater, whose term ends in August, is not seeking reappointment.

3. RULES HEARINGS
The board conducted a rule adoption hearing for their rule project that proposes to amend WAC 246-836-330 and repeal WAC 246-836-340, 246-836-350, 246-836-360, 246-836-370, 246-836-380, and 246-836-390 to remove redundancies between existing statute and rules (RCW 18.130.070 and WAC sections 246-16-200 through 246-16-270).

The rules hearing was held at the Department of Health Kent facility at 20425 72nd Ave South, Suite 310, Room 307. The board members attended by conference call from the Bastyr University location. The hearing was held from 9:00 a.m. to 9:20 a.m. No comment was received and the hearing was closed at 9:20 a.m.
4. **Old Business DISCUSSION/ACTION—Chad Aschtgen, ND, Chair**

4.1 **Rule Project Updates**

   The board heard an update on the status of the following rule projects:

4.1.1 **Non-surgical cosmetic procedures**

   WAC 246-836-210 Authority to use, prescribe, dispense and order.

   Through internal review, the Secretary’s Office recommended removing language about the cosmetic use of botulinum and inert substances in subsection (1) (d).

   **MOTION:** The motion was made to have (1) (d) read, “Legend drugs as defined under RCW 69.41.010;”

   WAC 246-836-212 Nonsurgical medical cosmetic procedures.

   It was identified that this rule is reliant on the passage of WAC 246-836-080 Continuing competency program rule, and would have to be approved after.

   **MOTION:** The motion was made to approve the rule as presented with the change of replacing the word “Be conducted” with “Conducted” in subsection (3) (a) (iv). The motion was seconded and approved.

4.1.2 **Continuing education**

4.2.a **WAC 246-836-080 Continued competency program.**

   Ms. Gragg identified the proposed changes noting they are formatting corrections required by the Secretary and the Code Reviser Offices including the removal of subsection titles, some format changes, sentence restructuring, and clarification points in (5) (a) (ii) and in (b) (ii).

   It was determined to add subsection (vi) under (5) (c) to read:

   “In-person attendance at a Board of Naturopathy business meeting. Each meeting shall count for one hour. Acceptable documentation of licensee’s presence is recorded in the board’s minutes.”

   It was determined to change the language of (5) (b) to read: “Category 2. Category 2 credit hours and activities include:”

   **MOTION:** The motion was made to accept the edits and language changes determined as it stands. The motion was seconded, and was opened for discussion.

   It was determined to change (5) (b) (i) to read: “Live attended, both in-person and remote attendance, education relevant to various other health professions, however licensees may only claim those hours that have content consistent with naturopathic scope of practice in this state. Hours must be obtained through an entity that is accredited or nationally recognized examples of which include but are not limited to:”

   **AMENDMENT:** It was moved to amend the motion to include the change of language in (5) (b) (i) as determined. The motion was passed.
ORIGINAL MOTION AS AMENDED: The original motion as amended was approved.

4.1.3 Rule review amendments – WAC 246-836-150 Full approval of colleges of naturopathic medicine.
Ms. Gragg identified the suggested edits from the Secretary’s office.

MOTION: The motion was made to approve the rule as presented with the suggested changes. The motion was seconded and approved.

4.2 Revisiting inquiry responses
The board discussed the following issues inquired upon:
4.2.1 Terms of practice (specialty designation/areas of practice)
Mr. Eaton presented a draft notice in response to the inquiry regarding the use of a specialty term as opposed to the use of a practice area focus. The response identifies that if a practitioner is going to designate a certain specialty area they need to have certification from a valid entity that provides that specialty education.

MOTION: The motion was made to adopt the statement as written as a formal policy statement of the board. The motion was seconded and approved.

4.2.2 Use of professional titles ("NMD")
Mr. Eaton presented two draft notice options (4.2.2.A and 4.2.2.B) for response to an inquiry about the use of profession titles. The inquiry asked whether a naturopathic physician may use “NMD” after their names to designate their professional title. Option B cites RCW 18.36A.030(2) and further states, “The term “NMD”, however, would not be a permissible title as “NMD” suggests multiple credentials;”

The board approved by consensus to adopt notice option B as the policy statement. The motion was seconded and approved.

4.2.3 Prevention guidelines
Dr. Aschtgen reviewed the background of the issue of practitioners dissuading people from certain health practices such as vaccinations, having a colonoscopy, or other disease prevention processes. The question is, should the board issue a statement about disease prevention practices? It was advised that other boards and commissions and the Secretary’s office be sought to weigh in on this. No action was taken on this issue.

4.3 Follow-up to Correspondence/Inquiries
The board reviewed and discussed the correspondence received since the last meeting.
4.3.1 Requests for Lists/Labels – Follow-up
The CHP Group made a request for lists and labels, had been asked for additional information to support their request, and has provided that information.

The board approved by consensus The CHP Group’s request for Lists/labels.
5. New Business—DISCUSSION/ACTION

5.1. Medical Marijuana Authorization Guidelines
The board reviewed a proposed revision to the Medical Marijuana Authorization Guidelines. The revision entailed the parenthetical inclusion of “cannabis” at every occurrence of the word marijuana. Another revision was the addition of Section 3 d, “An authorization may be renewed upon completion of an in-person physical examination.”

MOTION: The motion was made to accept the Medical Marijuana Authorization Guidelines draft as written with revisions. The motion was seconded and approved.

5.2. Newsletter
The board reviewed a draft mock-up of a Board of Naturopathy newsletter. Ms. Graff walked the board through the proposed layout, regular columns, and current information and articles. It had been determined previously that the newsletter would be published twice a year.

The board approved by consensus the newsletter as presented to move forward for review by DOH Communications and for publication.

5.3. Correspondence/Inquiries
The board considered the correspondence received since the last meeting.

5.3.1. Approval of Boucher Institute of Naturopathic Medicine for purposes of controlled substance endorsement in Washington State. Upon request, Boucher Institute submitted supporting documentation and an attestation by the dean that their program meets the Washington state WAC requirements.

MOTION: The motion was made to approve Boucher Institute of Naturopathic Medicine for purposes of controlled substance endorsement in Washington State. The motion was seconded and approved.

6. Open Forum
The purpose of the open forum is to provide the public an opportunity to address the board on issues of significance to or affecting the practice of naturopathy and that are not related to topics for which a rules hearing was or will be scheduled.

Ms. Graff presented an Update on the Pain Rules, the PMP, and Resources for Opioid Epidemic document. Related to this, she shared the Prescription Monitoring Program’s SBAR to the Pharmacy Quality Assurance Commission to add Gabapentin to the PMP as a drug of concern. Ms. Graff recommended the board be aware of and remain informed on the development of these rules and decisions.

Bastyr students who had arrived were invited to introduce themselves.

There were no comments offered in the Open Forum.
7. **Future Agenda Items**
   Items to be included in the future agenda include:
   - Review of the Business Plan
   - Historic discipline cases showing topics to help identify trends
   - The election of officers
   - Update of budget and financials
   - Determination of 2019 meeting dates and locations

3. **Settlement Presentations**
   Settlement and/or Agreed Order presentations are contingent upon agreements being reached between the parties prior to a board meeting. Decisions are made in Closed Session. There were no settlement presentations.

4. **Adjournment of public meeting**
   The meeting’s open public session adjourned by approved motion at 12:53 pm.