



Washington State Department of Health
Board of Naturopathy
Meeting Minutes

February 12, 2021

On Friday, February 12, 2021, the Board of Naturopathy held a board meeting via Webinar. In accordance with the Open Public Meetings Act, notices were sent to individuals requesting notification of meetings.

BOARD MEMBERS PRESENT

Amira Ahdut, ND, LAc, Vice Chair
Chad Aschtgen, ND, Chair
Libby Cope, ND
Joanne Hillary, ND
Marsha Moody, Public Member
Dr. Dean Neary, ND
Deborah Wright, Public Member

STAFF PRESENT:

Susan Gragg, Program Manager
Renee Fullerton, Executive Director
Davis Hylkema, Program Associate
Michelle Hartman, Administrative Assistant
Luke Eaton, Assistant Attorney General
Bill Kellington, Supervising Staff Attorney
Cori Tarzwell, Policy Analyst

GUESTS:

Anonymous Naturopathic
Doctor
Chambers, Christopher
Dickinson, Billie
Dodge, Christian
Doughty, Jamie
Free, Kimberly
Furumori, Wendy

Geiger, Adam
Hirst, Shannon
Kalus, Andrea
LaMarche, Katerina
Martinez, Johanna
McInnis, Tammy
Melsness, Amy
Ross, Angela ND

Shepard, Jeb
Silapie, Jennifer
Smith, Michael
Tan, Alex
Tracy, Susie
Triboulet, Ashley
Varon, Michael

OPEN SESSION

1. Call to Order/Introductions

The meeting was called to order at 8:43 A.M.

1.1 Introduction of board, staff, guests, and audience.

Dr. Chad Aschtgen, Chair, led roll call of board members and staff. He then offered an introductory statement explaining the procedure of the remote meeting.

1.2 Approval of February 12, 2021, agenda

MOTION: A motion was made to approve the February 12, 2021 agenda as presented. The motion was seconded and passed.

1.3 Approval of November 20, 2020 business meeting minutes

MOTION: A motion was made to approve the November 20, 2020 meeting minutes as presented. The motion was seconded and passed.

2. **Old Business**

2.1 Rule Project Updates

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

2.1.1 Repeal of WAC 246-836-410—AIDS prevention and information education requirements

Ms. Gragg shared that CR-103 was filed on December 4, 2020 and became effective January 3, 2021. The repeal of WAC 246-836-410 is now concluded.

RULE WORKSHOP

2.2 Non-Surgical cosmetic procedures

The board held a public rule workshop to solicit input from stakeholders and interested persons on the procedures applicable for naturopathic physicians to perform, as well as determine the appropriate education and training requirements for such procedures.

Dr. Aschtgen shared the materials the board has from the rule workshop.

Public Comment: Some voiced concerns over complications from injections and felt it required additional training. Others felt it was fully in their scope of practice and is currently being administered safely. The public thanked the board for their work.

Dr. Aschtgen thanked interested parties and stakeholders for their input and clarified that this is merely to gather information to assist the board in potential rule making.

Board discussion:

2.3 Continuing education petitions

The board had a discussion on acceptance of other state licensing boards' accreditation of continuing education courses.

Staff solicited information from the other licensing boards in other states and Canadian provinces and received information from Oregon and California. The materials received are in the board's packet for consideration.

MOTION: A motion was made to defer the discussion until item 3.6.2 on today's agenda. The motion was seconded and passed.

3. **New Business**

3.1 COVID-19 Impact Follow-up

The board discussed pertinent follow-up regarding the COVID-19 outbreak.

Ms. Gragg reported that the Governor has extended 26 emergency proclamations which were extended by the Legislature on January 15, 2021. The emergency orders are effective throughout the state of emergency, unless rescinded by the Governor or the Legislature, whichever occurs first.

3.2 2021 Legislative Session

Ms. Gragg reviewed the following proposed legislative Bills with the board. She will continue to monitor the proposed bills and send updates to the board with those that may be of interest to the profession.

- 3.2.1 [Senate Concurrent Resolution 8402](#) – Extending Governor Proclamations through the end of the declared state of emergency
- 3.2.2 [Substitute House Bill 1056](#) – Concerning open public meeting notice requirements and declared emergencies
- 3.2.3 [House Bill 1065](#) – Concerning epidemic or pandemic vaccines
- 3.2.4 [House Bill 1180](#) – Concerning public testimony at public meetings, including virtual meetings
- 3.2.5 [House Bill 1329](#) – Concerning public meeting accessibility and participation
- 3.2.6 [House Bill 1378](#) – Concerning the supervision of medical assistants
- 3.2.7 [House Bill 1383](#) – Concerning respiratory care practitioners
- 3.2.8 [Senate Bill 5088](#) – Addressing a shortage of primary care services by increasing the scope of practice of naturopathic physicians
- 3.2.9 [Senate Bill 5124](#) – Concerning the practice of colon hydrotherapy
- 3.2.10 [Senate Bill 5229](#) – Concerning health equity continuing education for health care professionals
- 3.2.11 [House Bill 5271](#) – Amending the necessary elements of proof of injury during the state of emergency declared due to the COVID-19 pandemic
- 3.2.12 [Senate Bill 5280](#) – Concerning administrative procedures (rulemaking)
- 3.2.13 [Senate Bill 5418](#) – Prohibiting privileged access to drugs or vaccines

3.3 Federation of State Medical Boards 2021 Annual Meeting

The board discussed the potential for member(s) interest in virtual attendance at the Federation of State Medical Boards (FSMB) 2021 Annual Meeting currently scheduled for April 29-May 1, 2021. The FSMB leadership has made the decision to hold the annual meeting virtually due to the ongoing pandemic crisis.

MOTION: A motion was made to approve funding for one board member and Ms. Gragg to attend the annual meeting. The motion was seconded and passed.

3.4 Council on Naturopathic Medical Education

The board discussed potential impacts of revisions being considered by the Council on Naturopathic Medical Education. Such revision consideration is regarding online/distance education and the extent to which it could be allowed within naturopathic medicine education, including the clinical component and practical skills training.

3.5 Correspondence/Inquiries

3.5.1 Request for List of Licensees

A request was received from Public Health - Seattle/King County, TB Control Program to help support their research project in identifying the level of community provider knowledge about latent tuberculosis infection.

MOTION: A motion was made to approve the list request from the Seattle/King County TB Control Program, without limitations. The motion was seconded and passed.

3.5.2 Follow-up on Stem cell aspiration

Mr. Eaton and Dr. Ahdut shared their final response letter with the board regarding the inquiry on Stem cell aspiration.

MOTION: A motion was made to approve the response letter with modifications. The motion was seconded and passed.

3.5.3 Follow-up to Transcranial Magnetic Stimulation used for Traumatic Brain Injury

Dr. Neary and Mr. Eaton shared with the board their response letter regarding Transcranial Magnetic Stimulation used for Traumatic Brain Injury.

MOTION: A motion was made to approve the response letter as written. The motion was seconded and passed.

3.6 Rule petition – WAC 246-836-080

The board reviewed and discussed the following two rule petitions received regarding the continuing education rules.

3.6.1 Remove the requirement for “live-attendant” in Categories 1 and 2

The board reviewed the request to remove the requirement for live attendance in both categories, but determined the current rule already satisfies the petitioners request. Ms. Gragg and Dr. Hillary will work on a response letter to the petitioner.

MOTION: A motion was made to approve the denial of this petition. The motion was seconded and passed.

3.6.2 Include continuing medical education that are approved for physicians in Washington in Category 1 (e.g. AMA Category I approved for MD/DO’s)

The Board discussed the petitioners request regarding changing CE requirements and believe the current rule already takes this into consideration, allowing for opportunities to gain CE on many levels. They agreed to create a FAQ with details on category 1 in hopes of satisfying the petitioners request.

MOTION: A motion was made to deny the prior two petitions for rulemaking, but create an FAQ to describe the difference between Category-1

and Category-2 that will also include the Board's intent when requiring licensees to complete 20-hours specific to naturopathy and also include intentions in reply to petitioner. The motion was seconded and passed.

4. **Program Reports**

4.1 Budget report

Ms. Gragg shared the budget status report as of December 31, 2020. She reported that the revenue is going up and that major expenses are in the expert witness area; overall, the budget is currently in good standing.

4.2 Statistics reports

The current Credential Count report shows 1,564 active licensees. The Current Active Cases report shows 37 total active cases: 13 – under investigation, 8 – in assessment, 6 – pending service, 8 – under RBM/legal review, and 2 – marked for closure. Ms. Gragg presented a comparison of discipline cases received over a ten-year period, 2011-2020, for the boards review.

4.3 Continuing education audit report

There was nothing new to report.

4.4 Recruitment report

Ms. Gragg and Ms. Wright conducted interviews for the position of public member. Applications will be forwarded to the Governor's Office for appointment.

5. **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.

There was no comments or questions.

6. **Future Business**

- Report from FSMBT Annual meeting.
- Council on Naturopathic Medical Education
- Evaluate recruitment efforts
- Transition into paperless. Reviewing ways to view electronic files for disciplinary cases.

7. **Settlement Presentations**

Settlement and/or Agreed Order presentations are contingent upon agreements being reached between the parties prior to a board meeting. Deliberations are made in Closed Session; however, presentations and decisions are made in open session.

There were no settlement presentations to review.

8. **Adjournment of public meeting**

The meeting adjourned by approved motion at 11:55 A.M.

9. Discipline and Licensing

The board attended to licensing and disciplinary matters.

Next Meeting:

Date: May 14, 2021 – Virtually
Time: 8:30 a.m.
Location: TBD