



Washington State Department of Health  
Board of Naturopathy  
Meeting Minutes

**May 14, 2021**

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On Friday, May 14, 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 (Absent)  
Deborah Wright, Public Member

**STAFF PRESENT:**

Susan Gragg, Program Manager  
Renee Fullerton, Executive Director  
Davis Hylkema, Program Associate  
Michelle Hartman, Administrative Assistant  
Lilia Lopez, Assistant Attorney General  
Bill Kellington, Staff Supervising Attorney  
Martin Pittioni, Director of Health  
Profession, DOH

**OTHER STAFF PRESENT:**

Heather Cantrell, Policy Analyst

**GUEST SPEAKER:**

Ryan Pistoresi, Health Care Authority

**GUESTS:**

See addendum on last page for list of guests.

**OPEN SESSION**

**1. Call to Order/Introductions**

The meeting was called to order at 8:40 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 May 14, 2021, agenda

**MOTION:** A motion was made to approve the May 14, 2021 agenda as presented. The motion was seconded and passed.

1.3 Approval of February 12, 2021 business meeting minutes

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

1.4 Approval of April 30, 2021 special business meeting minutes

**MOTION:** A motion was made to approve the April 30, 2021 special meeting minutes as presented. The motion was seconded and passed.

2. **Health Care Authority – SUPPORT Act PMP**

Ryan Pistoresi, representative from the Health Care Authority gave a presentation to the board on the federal legislation known as the SUPPORT Act signed into law in 2018, sections of which become effective October 1, 2021, that will require Medicaid providers to check the prescription monitoring program before prescribing a controlled substance.

3. **Old Business**

3.1 Rule Project Updates

3.1.1 Non-surgical cosmetic procedures

Dr. Ahdut gave a report that gathering and compiling information is still ongoing, and efforts are being made on best approaches to facilitate stakeholder engagement. It is anticipated that a 2nd rule workshop can be scheduled sometime in mid-to-late June.

3.1.2 WAC 246-836-080 – Continuing education rules

3.1.2.a April 30, 2021 Special meeting outcome

At the special meeting held April 30, 2021, the board considered three petitions received that requested the board consider amendments to WAC 246-836-080. Based on the information presented, the board determined to grant the petitions and open rulemaking to consider whether amendments are appropriate. Staff has been directed to draft the CR101 documents and submit them through the Department of Health for filing with the Office of the Code Reviser. Once the CR101 has been filed, the board will send notice through GovDelivery as well as information on scheduling rule workshops to gather stakeholder input.

Ms. Gragg stated that the response letters have been drafted, are being reviewed, and should be mailed out shortly.

Ms. Gragg also gave a brief overview on the rulemaking steps and approximate timelines.

3.2.1.b Draft Interpretive Statement

One of the issues shared with the board through the petition process is that many of the continuing education entities do not include the hours of pharmacology on the certificate of completion. This will be something the board can review once the rulemaking has commenced. In the meantime, the board authorized staff to draft an Interpretive Statement regarding how the board will accept pharmacology information as meeting the requirement in WAC 246-836-080(3).

The board reviewed the draft document and solicited public attendee input on the draft, which included questions that staff has received through phone calls or email:

- *A comment stating confusion about the Interpretive Statement; is it the board's intent that individuals would be able to attest to what they think the course provided for pharmacology?*
  - The board's intent is that the course documentation provided supports the pharmacology content.
- *A request to include that all AMA-accredited courses be considered as counting toward pharmacology since pharmacology is integrated within all their CME.*
  - The board's response was that while this could be addressed more fully during the rulemaking that was authorized at the April 30, 2021, special meeting, many courses do not have a pharmacology component. This is true for both naturopathic focused courses in Category 1 and CME courses in Category 2; such courses include risk management, ethics, or many courses that are strictly diagnostic in content.
- *A request to consider including a percentage calculation; for example, if the course content was 60-70% pharmacology, the individual could consider the entire course hours as counting toward the pharmacology requirement. The reason for such a request was that some individuals may underrepresent the percentage while others may be broader in their calculations.*
  - The board's response was that such an addition is not necessary since most, if not all, courses that include a pharmacology component deal with that topic throughout and so the entire course could be counted toward the pharmacology requirement.
- *Can an individual self-attest/determine which substances or medications meet the requirement for pharmacology?*
  - The board gave direction where in WAC 246-836-080(3) the specifics of substances considered to be pharmacology.

**MOTION:** A motion was made to approve the Interpretive Statement, with minor typographical corrections. The motion was seconded and passed.

3.2.1.c Draft FAQs with specific questions to be answered by the board

The board reviewed the draft FAQ document and solicited public attendee input on the following questions:

- *Does "pre-recorded" include web-based courses that were never actually "live" presentations, such as Dr. Journal or UpToDate?*
  - Yes, so long as the courses meet the accrediting source requirements.
- *How do I document pharmacology if it isn't designated as such on my certificate, like courses that are ACCME accredited?*
  - The board issued Interpretive Statement BON 21-01 regarding how to document pharmacology hours. Once the document has been filed with the Office of the Code Reviser, it will be posted to the board's

FAQ webpage. In the meantime, individuals can contact staff for a draft copy.

- *Can we count the medical marijuana training course as a pharmacology treatment modality for part of the pharmacology requirement?*
  - Yes.
  - *The rule states “one full time work week” equals one continuing education hour. Does this have to be full time employment?*
    - No.
    - *Can it be cumulative? For example, if I am a part time instructor and only work 20 hours per month, will 2 months as an instructor equal one continuing education hour?*
      - Yes, these are cumulative; once 40 hours are reached, those hours equal one continuing education hour.
      - *The mailer stated that for the first cycle after the rules become effective, “the requirements would be prorated for the cycle change (i.e. a minimum of 13.3 hours in naturopathic courses and no more than 3.3 total in self-study).” I’ve heard conflicting information; can the board clarify this?*
        - The board determined this particular question warranted additional work in regard to examples for the FAQ; further work will be done and brought to the August meeting for the board to consider.
        - *Will the pharmacology requirement be prorated as well?*
          - This will also be brought to the August meeting for the board’s consideration.

**MOTION:** A motion was made to approve the FAQ’s as answered and the questions regarding proration will be brought to the August meeting. The motion was seconded and passed.

Ms. Gragg reported the approved FAQs should be submitted for posting to the board’s website on Monday. The board indicated that any additional questions from licensees or interested persons can be emailed to Ms. Gragg for inclusion at the August meeting.

#### 4. **New Business**

##### 4.1 COVID-19 Impact Follow-up

The [Senate Concurrent Resolution 8402](#) passed at the start of the 2021 legislative session that extended several of the Governor’s Proclamations for the duration of the declared emergency. This includes [Proclamation 20-32](#) that, in part, waives the continuing education (CE) attestation and audit requirements for many of the health professions (naturopathic physicians included).

On the larger front, the state has been between mass vaccinations and a potential plateau of a 4th wave of COVID-19 infection; however, the data show the plateau has turned into a decline. Estimates are that Washington is on track for a full reopening by June 30th. This doesn’t mean the declared state of emergency will end since there are still

several unknowns; data and trends will continue to be monitored for future decisions with regards to the COVID-19 pandemic and the state of emergency.

In addition, the CDC announced recommended changes to mask requirements for fully vaccinated individuals. This information is currently being discussed at a higher level in the Department of Health and other agencies, and additional messaging should be sent out soon.

4.2 2021 Legislative Session

The board heard a summary report on legislation that impacts or is of interest to the profession. This included bills that passed as well as those that did not pass.

4.3 Colon Hydrotherapist implementation

The passage of Senate Bill 5124 passed creates the colon hydrotherapist profession under the authority of the board. The board will authorize rulemaking and expedited stakeholder engagement as the legislative mandate is to start issuing credentials beginning July 1, 2022.

Ms. Gragg reported she has already received materials from the Washington Association of Colon Hydrotherapy (WAACH) who has worked closely with the Washington Association of Naturopathic Physicians (WANP), who has also submitted materials. As well, there was a lot of data and information gathered last year when staff from the Department of Health met with stakeholders to facilitate development of implementable bill language. Ms. Gragg suggested appointing a committee to facilitate the stakeholder work and bring that to the August meeting for the board to review. The board would then have between the August meeting and the November meeting to fine tune the rule work to move forward with the next phase. Dr. Ahdut and Dr. Hillary volunteered to sit on the committee.

Kristi Zimmer, President of WAACH, provided comment that a lot of work has gone into the legislation and her organization, along with the WANP, has information that should greatly assist the board in rulemaking, and they look forward to working with the board moving forward.

**MOTION:** A motion was made to authorize rulemaking to implement Senate Bill 5124. The motion was seconded and passed.

4.4 Rescind Policy Statement BON 20-02 HIV/AIDS training requirement

Engrossed Substitute House Bill 1551 passed during the 2020 legislative session. Section 22 of that bill repealed RCW 70.24.270 which is the statute that required health professionals to obtain AIDS education and training. Based on the repeal of that statute, the board authorized rulemaking to repeal WAC 246-836-410 and, at the same time, issued Policy Statement BON 20-02 that stated the board would not enforce the AIDS education requirement during the rulemaking timeframe. That rule is now officially repealed so Policy Statement BON 20-02 can now be rescinded.

**MOTION:** A motion was made to repeal Policy Statement BON 20-02 HIV/AIDS training requirement. The motion was seconded and passed.

4.5 Signature Delegation for 2021-2023 Biennium

The board reviewed their Signature Delegation document for renewal for the next biennium (2-year time period).

**MOTION:** A motion was made to approve the Signature Delegation presented for the 2021-2023 Biennium. The motion was seconded and passed.

4.6 Correspondence/Inquiries

The board reviewed and discussed correspondence received since the last meeting.

4.6.1 Request to clarify practice situation – does the board have restrictions for a practitioner renewing a patient’s prescription on behalf of a colleague who is unable to renew themselves (i.e. out of town). The requestor indicates this question has multiple parts: 1) should it be a trusted colleague; 2) does it matter if the now-prescribing naturopathic physician has not ever seen the patient; 3) does it matter if medical records are not available; 4) does the type of medication matter.

The board determined additional research was needed and asked for a board member to volunteer to work with the Assistant Attorney General on a draft response to be brought to the August meeting. Dr. Cope volunteered to work on the response. Ms. Gragg was directed to let the requestor know of the timeline for a response.

4.6.2 Request for approval to receive lists of licensees – WANP

**MOTION:** A motion was made to approve the WANP to be an approved professional organization to request lists of naturopathic physician licensees. The motion was seconded and passed.

5. **Program Reports**

5.1 Budget report

Ms. Gragg shared the budget status report. She reported that DOH may be conducting a fee study in 2022 to determine action for a possible fee reduction, given the upward trend of the board’s projected fund balance. Ms. Gragg provided the board with the current HELMS fund allocation which, based on the number of licensees, is \$23,395. The budget is currently in good standing. The board appreciated the new budget report presented.

5.2 Statistics reports

The Credential Count report as of May 3, 2021, shows 1571 active licensees. The Current Active Cases report shows 34 total active cases: 10 – under investigation, 2 – in adjudication, 7 – pending service, 15 – under RBM/legal review.

### 5.3 Continuing education audit report

There was nothing new to report.

### 5.4 Recruitment report

Ms. Gragg reported that the recruitment packet for Deborah Wright's public member position is currently in DOH review and will be sent to the Governor's office for appointment. Marsha Moody stated she had let Ms. Gragg know earlier this year that her position will be ending on August 1, 2021, and she would not be seeking reappointment. Ms. Gragg indicated that the recruitment packet has a candidate pool of 4 individuals and the materials had been updated with Ms. Moody's information and both positions could be filled from those candidates.

Ms. Gragg reported on two current rule projects the Department is working on. These were part of legislation that passed in 2019, Substitute Senate Bill 5380, Sections 16 and 22. The requirements in these laws were to go into effect on January 1, 2021; however, due to the COVID-19 pandemic, the Secretary of the Department of Health issued a waiver for all providers until September 30, 2021. This waiver was extended through December 31, 2021.

- Section 16 (which was codified in RCW 69.50.312) requires all providers prescribing controlled substances to transmit those prescriptions electronically. The law provides for exceptions to this mandate and directs the Department to create a waiver process for practitioners who cannot comply with the mandate due to economic hardship, technological limitations, or other exceptional circumstances. The final proposed rules were drafted with stakeholder feedback to create a waiver program that provides necessary guidance to licensees, allows for relatively easy compliance, and results in immediate access to a waiver if a licensee were to request one. The rule adoption hearing on this set of rules is scheduled for June 4, 2021, at 9:30 a.m. and will be held virtually due to the current state of emergency.
- Section 22 (codified in RCW 70.225.090(2)) relates to the Prescription Monitoring Program (PMP). The law requires facilities, provider groups, entities, or offices with ten or more prescribers to integrate their electronic health records with the PMP. In addition, the Department is required to develop a waiver process very similar to that developed for the electronic prescribing waivers. The rule adoption hearing on this set of rules is scheduled for May 19, 2021, at 1:00 p.m. and will also be held virtually due to the current state of emergency.

## 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.

There was an inquiry about how a public member can volunteer to assist the board. Dr. Aschtgen encouraged them to view the board website or contact Ms. Gragg for more information.

7. **Future Business**

There was no future business to discuss.

8. **Settlement Presentations.**

There were no settlement presentations to review.

9. **Adjournment of public meeting**

The meeting adjourned by approved motion at 11:59 A.M.

10. **Discipline and Licensing**

The board attended to licensing and disciplinary matters.

**Next Meeting:**

Date: August 13, 2021  
Time: 8:30 a.m.  
Location: TBD

ADDENDUM

**GUESTS:**

Candace Aasan  
Charissa Bausch  
Nita Bishop  
Jennifer Blasi  
Mattie Bly  
Molly Brignall  
Michelle Brown-Echerd, ND  
Lisa Canar  
Kate Carlson  
Brenden Cochran  
Jennifer Daniels  
Heather DeLuca  
Jamie Doughty  
Petra Eichelsdoerfer  
Colleen Fuller  
Deborah Gleisner  
Kathie Golden  
Rian Herscher  
Shannon Hirst

Gina Johnson  
Donna Kachinskas  
Elias Kass  
Kevin Kuo  
Noreen Lalani  
Victoria Lofdahl  
Kaylee McDonald  
Tammy McInnis  
Amy Melsness  
Jennifer Meyn  
Teresa Neff  
Courtenay Newton  
Troy Nichols  
Jennifer November  
Traci Pantuso  
Lauren Peizer  
Tressa Pinkleton  
Lisa Price  
Teresa Richter

Angela Ross, ND  
Chrysalis Sabatinos  
Masa Sasagawa  
Trina Seligman  
Robin Sinclair  
Dr. Mike Smith  
Lorinda Sorensen  
Ashley Ohlson Stramp  
Aimee Svendsen  
Juleab Tabak  
Alex Tan  
Nicole Taylor  
Shelby Wiedmann  
Rachel Winstedt  
Les Witherspoon  
Oksana Zeleniak  
Tim Zimmer  
Kristi Zimmer  
Kari Zimmerman