

BOARD OF NATUROPATHIC EXAMINERS



PUBLIC
MINUTES of January 29, 2018

The January 29, 2018 meeting of the Board of Naturopathic Examiners convened at 9:02 a.m. with the following members present:

Deb Sellars – Board Chair
Laura Chan
Jacqueline Yang
Glee Corsetti Hooper
Amanda Hegnauer

Absent: N/A

The Board voted to approve the minutes of November 20, 2017 on a motion from Deb Sellars and seconded by Laura Chan.

The Board ratified the vote to approve the minutes listed below on a motion from Deb Sellars and seconded by Laura Chan.

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|----------|----------|----------|----------|
| 07/18/14 | 01/12/15 | 09/21/15 | 02/29/16 |
| 09/19/14 | 04/06/15 | 11/09/15 | 04/11/16 |
| 11/17/14 | 06/22/15 | 01/11/16 | 06/20/16 |

The Board voted on annual board member election positions on a motion from Glee Corsetti Hooper and seconded by Laura Chan. Deb Sellars will remain as Board Chair and Jacqueline Yang will become Board VP.

HEARINGS

No hearings at this time.

ADMINISTRATIVE

1. Naturopathic/Pharmacy Inspections

Board discussed the future implementation of Pharmacy issued inspections of Naturopathic offices as written in RSA 318. Both boards will be meeting over the coming months to develop the appropriate inspection protocol.

318:8-a Inspection and Regulation of Certain Users of Prescription Drugs. – All physicians, veterinarians, dentists, advanced registered nurse practitioners, physician assistants, and clinics under contract to the department of health and human services and agricultural, technical, or industrial users of prescription drugs shall be subject to inspection and regulation by the board of pharmacy with regard to the storage, labeling, distribution, and disposal of prescription drugs.

2. Continuing Education Credits

Board discussed additions and or changes that will need to be made to the rules in the area of CEU requirements.

3. Website/FAQ's

Board will add an additional webpage to oplc.nh.gov/naturopathic-examiners called FAQ's in which the board will then post reoccurring questions and or updates for the public.

4. Audit/Punch List

Board discussed the punch list of outstanding observations in response to the state audit; the Board will meet monthly in 2018 to address all observation concerns including any possible rule or statute changes needed. The following observations have been voted for approval on a motion by Laura Chan and seconded by Glee Corsetti Hooper and are now resolved and completed. *See page four of meeting minutes for audit details.*

- Observation 7
- Observation 12
- Observation 14
- Observation 18

5. PRP/Ozone

The Board discussed the current rules and how that affects the possible practice of PRP, Ozone and injection therapy in the state. Currently the state of New Hampshire does not have clear rules

in such area; this will be remedied with changes to rule and statute in 2019. The board has formed a committee to discuss the most effective way to institute such practices next year.

6. DEA/Codeine/Formulary

The Board is discussing with the DEA what if any steps can be taken to allow for Naturopathic Doctors with a DEA number to possibly prescribe Tylenol with codeine. This concern will be pending until final resolution is reached.

7. HB 1606

Board Chair Deb Sellars and OPLC Division Director Joseph Shoemaker will attend legislative hearing on February 1, 2018 where HB 1606 will be discussed.

QUESTIONS

1. Ryan Scottron

The Board received a question from Mr. Scottron concerning Naturopathic Doctors ability to order MRI's under the current state rules. Currently ordering MRI's are not within the scope of practice for the state of New Hampshire however the board will be adding this provision during our rule changes during the twelve months.

Observation 7

The Board: timely acknowledge receipt of renewal applications; ensure defective applications are remediated; renew complete, eligible applications; establish a time limit for complying with conditions on licenses; take final action on conditional licenses once conditions have been met; develop policies and procedures to ensure approval, conditional approval, and denial of license renewals are consistent; propose to deny noncompliant applications and enforce lapse requirements; discontinue prospective renewals; ensure timely action is taken to notify non-renewers of their legal inability to practice, and remove inactive licensees from the directory; and address record completeness issues with OPLC.

OPLC management develops adequate controls to ensure compliance with Board rules and procedural requirements.

Implementation of the MyLicensingOffice (MLO) program by the State of New Hampshire will ensure timely acknowledgement and processing of renewal applications, eligible applications and time periods of license practice. MLO will allow OPLC to send out renewal notices prior to end of licensee period. MLO will list licensees by activity status: Current, Lapsed, Pending, Terminated, Withdrawn, Retired, Revoked, Suspended and Voluntary Surrender. “Conditional” licenses will be eliminated; OPLC staff will be trained on how to process renewals without the need for board approval. This will allow renewals to be processed before expiration dates.

Observation 12

The Board: ensure compliance with the Financial Disclosure statute; periodically review members’ compliance; ensure only a quorum of eligible members participate in meetings; and seek legal advice regarding actions taken without quorum and ratify acts taken without proper authority.

The Board’s chairperson annually submit to the Secretary of State an organizational chart of all Board and Council members required to file statements of financial interest.

Financial disclosure forms, organizational chart and statement of financial interest will now be done by OPLC, the office will be working on this project in January 2018, which will then meet audit requirement.

Observation 14

The Board: develop formal ethical standards for Board and Council operations, include the standards in rule, and ensure members are aware of the standards.

The OPLC website for Naturopathic Examiners has all rule and law for the profession that is accessible to all applicants and licensees. Additionally the board will be adding Board FAQ's for any additional changes and or bulletins that are not yet in rule and law. APU office has conducted training based on Right to Know and Gifts to Board Members.

Observation 18

The Board formalizes and clarifies the terms and conditions of its relationship, and that of the Council, to the OPLC.

OPLC management: reevaluate the OPLC mission statement; standardize policy and practice for similar administrative functions; help ensure board members understand statutory requirements; develop a performance measurement system; ensure convenient access to public information; ensure the Council receives administrative support; develop policies documenting the lifecycle of transactions and ensure incompatible duties are segregated; and undertake more detailed cost accounting.

The OPLC Executive staff is currently developing a mission statement to be completed within 2018. OPLC continues to follow accounting practices that guarantees the security of transactions by delegating the processing of receipts and payables to separate staff. Revenue is also tracked in the state's financial system by revenue code. OPLC utilizes cost accounting to track expenditures and will begin doing so for revenues beginning July 1, 2019. OPLC accounting staff will also be implementing process that will request Administrators with multiple Boards to indicate supply requests based on Board.

ADJOURN: on motion by Deb Sellars and seconded by Laura Chan, the motion to adjourn at 1:50 P.M. carried in the affirmative.

Minutes respectfully submitted by Jennifer Hackett, Program Assistant II.

Deb Sellars Board Chair

at meeting

01/29/18

Motion to commence non-public session:

Upon the motion of Deb Sellars with a second by Amanda Hegnauer, the Board voted to conduct a non-public session for the purpose of discussing investigations of alleged licensee misconduct and noting that such a non-public session is authorized by RSA 91-A: 3, II (c), RSA 91-A: 3, II (e), RSA 91-A: 5, IV, *Lodge v. Knowlton*, 119 N.H. 574 (1978), and the Board's executive and deliberative privileges. Each member recorded his or her vote on the motion, which passed by the unanimous vote of all members present.

NON-PUBLIC SESSION:

[Minutes kept separately]

Motion to keep minutes of non-public session confidential:

Upon the motion of Deb Sellars to adjourn with a second by Laura Chan, the Board voted to withhold and seal the minutes of the preceding non-public session from public disclosure pursuant to RSA 91-A: 3, III on the grounds that public disclosure would be likely to affect adversely the reputation of a person other than a board member and to render the proposed action ineffective. Each member recorded his or her vote on the motion, which passed by the unanimous vote of all members present.