



**Board of Naturopathy
Business Meeting Minutes**

November 17, 2023

8:30 a.m.

On November 17, 2023, the Board of Naturopathy held a hybrid business meeting at Department of Health, 111 Israel Road SE, Tumwater, WA 98501, Town Center 2, Room 153 with access via Zoom. In accordance with the Open Public Meetings Act, notices were published on the DOH website and through GovDelivery.

Board Members:

Krystal Richardson, ND, Chair
Joanne Hillary, ND, Vice Chair
Chad Aschtgen, ND
Amira Ahdut, ND, LAC
Brooke Fotheringham, Public Member
Elias Kass, ND
Vacant, Public Member

Staff:

Rachel Phipps, Program Manager
James Chaney, Executive Director
Alyssa Brazil, Administrative Assistant
Davis Hylkema, Program Associate
Luke Eaton, Assistant Attorney General
Bill Kellington, Supervising Staff Attorney
Heather Cantrell, Policy Analyst

Guests:

Jen Blasi
Michelle Brown-Echerd
Kristina Conner
Letitia Dick-Kronenberg
Laura Farr
Mandy Gulla
Loraine Harkin
Tessa Harvey
Shannon Hirst
Jessica Holloway

Shani Hue
Pamela Kohlmeier
Kevin Kuo
Victoria Lofdahl
Johanna Martinez
Rachelle McCarty
Amy Melsness
Robin Moore
Carey Morris
Liqa Naser

Traci Pantuso
Cristina Persa
Teresa Richter
Angela Ross
Katie Shaff
Lorinda Sorensen
Justin Steurich
Erin Sweet
Jennifer White
Kari Zimmerman

Open Session

1. Call to Order/Introductions

Dr. Krystal Richardson, Chair, called the meeting of the Washington State Board of Naturopathy to order at 8:35 a.m. on November 17, 2023.

1.1 Introductions

Dr. Krystal Richardson Chair, led roll call of board members, staff, and guests. She then offered an introductory statement explaining the procedure for remote attendance and instructions for public comments.

1.2 Approval of Agenda

MOTION: A motion was made to approve the November 17, 2023, business meeting agenda with the revision to move the Public Comment portion to item 2. The motion was seconded and passed.

1.3 Approval of August 11, 2023, regular meeting minutes

MOTION: A motion was made to approve the August 11, 2023, regular meeting minutes, with a minor correction in section 5.1. The motion was seconded and passed.

- **Public Comment**

Members of the public were invited to introduce themselves and share comments not related to an agenda item or to the rules hearing. No public comment was received.

2. Rules Workshop – [WAC 246-836-080]- Health Equality Continued Education

Dr. Krystal Richardson, Chair, opened the rules hearing for proposed rule changes to WAC 246-836-080, continuing competency program, to clarify how the board accepts designation of pharmacology content, clarify the list of approved accredited entities, and to adopt model rules to implement Engrossed Substitute Senate Bill 5229 (ESSB 5229). The rules hearing opened at 9:02 am and Dr. Richardson offered an explanatory statement for the rules hearing procedures, including instructions for receiving public comments.

1.1 Public Comment- Members of the public were given the opportunity to address the board. All public comments we received.

1.2 Board Discussion- The board considered public comments and adoptions of proposed rule amendments.

MOTION: A motion was made to separate the health equity portion and move forward and consider pharmacy and other continuing education portions further. The motion was seconded and passed.

MOTION: A motion was made to move the pharmacology portion forward. The motion was seconded by and passed.

- Dr. Richardson, Chair, closed the rules hearing at 9:57 am.

2. Presentation – Sunrise Review- Angela Ross, Executive Director of WANP

Dr. Angela Ross, Executive Director of WANP, provided an overview of an overview of the Sunrise Review to expand scope of practice of Naturopathic Physicians. Dr. Ross asked the board if they would be willing to provide a statement of support, as the regulatory authority for the naturopathic profession.

- 2.1 Board Discussion- The board discussed the request for an official comment on Sunrise Review. Dr. Ahdut and Dr. Richardson volunteered to draft a letter on the board's behalf.

MOTION: A motion was made to have Dr. Richardson and Dr. Ahdut write a letter of support for the Sunrise Review on behalf of the board. The motion was seconded and passed.

3. **Presentation – Second Substitute House Bill 1724, Section 8- Substantial Equivalency and National Accreditations**

Brandon Williams, Project Manager, provided an overview of SSHB 1724, section 8 and its potential impacts on Naturopathy licensing and future rule making. SSHB1724, section 8, primarily focuses on creating a pathway for expedited licensure for professionals licensed in states with substantially equivalent licensure requirements.

- 3.1 Board Discussion – There was discussion on the process for reviewing substantial equivalency and how to address the jurisprudence exam, because if it was required, no state could be considered equivalent. Questions were raised if the jurisprudence exam could be made a CE requirement within a specific time and if such changes would require rulemaking. Department staff confirmed that it would be possible to make the changes and confirmed rulemaking would be required. The board proposed a committee to review substantial equivalency and Dr. Hillary and Dr. Aschtgen volunteered to participate.

4. **Presentation – Provider Performed Microscopic (PPMP) Licensing Changes**

Jessica Holloway, Program Manager, provided an overview of licensure changes to WAC 246-338-020, following an audit of the DOH Medical Test Site program.

- An audit by Clinical Laboratory Improvement Amendment (CLIA) determined that naturopathic physicians do not qualify as a laboratory director or testing personnel, as defined in 42 CFR §493.2 Definitions. In order to comply with federal law and maintain status as a CLIA-exempt state, DOH will conduct rulemaking intended to limit PPMP lab directors and testing personnel to those listed in §493.1357 and §493.2. Ms. Holloway provided an email address for the Clinical Laboratory Improvement Advisory Committee (CLIAC) in the event interested parties wished to submit questions or feedback. (CLIAC@cdc.gov)

5. **Old Business**

- 5.1 **2023 Legislative Session Report (Bill Kellington)**

- Bill Kellington provided an overview of the legislative session and shared that he has been reassigned to a new project for the next 1-2 years.

6. **New Business**

- 6.1 **Exceptions Application Matrices**

- The board reviewed an updated Exception Application Matrix.

MOTION: A motion was made to approve the updated Exception Application. The motion was seconded and passed.

6.2 Substantial Equivalency Review- Oregon

The board discussed a license applicant from Oregon, who applied for licensure under 1724, section 8. Discussion returned to HSB1724 and JP exam as a barrier to substantial equivalency.

MOTION: A motion was made to table Substantial Equivalency Review for Oregon until the committee that was formed can review and make suggestions. The motion was seconded and passed.

- Dr. Hillary and Dr. Aschtgen volunteered to participate in this committee.
- Program staff will work with credentialing to follow up with the applicant appropriately.

7. Correspondence

The board reviewed and discussed correspondence received since the last meeting. Specifically, an email from the FMNRA asking the board to submit comments on recent naturopathy licensing changes in Idaho.

MOTION: A motion was received that the board submit a letter of concern to Idaho Board of Naturopathy. The motion was seconded and passed.
Dr. Richardson and Dr. Kass volunteered to draft the letter on behalf of the board.

8. Program Reports- James Chaney, Executive Director, Rachel Phipps, Program Manager

9.

9.1 Recruitment update.

- Mr. Chaney, executive director, provided an update on recruitment for unfilled board positions. The appointment packet has been submitted for the two professional positions and one public position and is currently being reviewed by the secretary.
- Mr. Chaney made a request to the board to be responsive to emails and requests from the agency, and that the disciplinary case review is imperative to be done in a timely manner. Mr. Chaney requested punctual attendance for meetings, including disciplinary calls. Department staff will ensure emails are clear in what is requested, indicate urgency in the subject line, and state the desired timeline for responses.

9.2 July 2024 BCC Leadership Conference and Legislative sessions

- Mr. Chaney shared information on the 2024 BCC leadership conference and the 2024 legislative sessions and asked for volunteers from the board to participate in legislative calls and updates. Dr. Kass and Dr. Hillary volunteered to represent the board and provide updates to the board as necessary.

9.3 House Bill 1009 (HB1009)- Military Spouse Employment Act Training, due by December 31, 2023.

- Ms. Phipps, Program Manager, provided a brief overview and reminder about the military spouse competency training that all board members are required to complete by December 31, 2023. Board members should forward their certificate of completion to Ms. Phipps via email. For all new incoming board members, the training will be required to be completed within 90 days of appointment. Ms. Phipps also shared that Bastyr University is not able to host the May 2024 board meeting. The board would like to hold the November 2024 meeting at Bastyr University, and asked that Ms. Brazil, administrative assistant, coordinate scheduling.

9.4 Rules Update – Cosmetic Procedures CR-103

- Ms. Phipps, program manager, provided an update on the CR-103 for Nonsurgical Cosmetic Procedures (Botox). CR-103 was approved and filed and goes into effect December 14, 2023. Ms. Phipps is working on the notice to be sent through Gov-Delivery.

9.5 Budget Report- Ashley May provided an overview of the naturopathy budget.

9.6 Credentialing Statistics- Jennifer Herband presented the statistics report, noting there are currently 1630 active naturopathic physician licensees.

10. **Future Business**

Future business items discussed includes:

- Newsletter
- Presentation on Roberts Rules- Luke Eaton
- Legislative updates
- Business Plan

MOTION: A motion was made to table the business plan until the next business meeting in February 2024. The motion was seconded and passed.

11. **Settlement Presentations- Krystal Richardson, ND, Chair**

- There were no settlement presentations.

12. **Adjournment of Public Meeting-**

MOTION: A motion was made to adjourn the meeting. The motion was seconded and passed. Dr. Richardson, Chair, adjourned the meeting at 1:03 pm.

13. **Discipline & Licensing-**

The board will attend to licensing and disciplinary matters in closed session.

Next Scheduled Meeting:

Date: February 9, 2024

Time: 8:30 A.M

Location: Hybrid- Virtual Zoom Meeting with physical location at DOH.