

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION IN NATUROPATHY**

**THIS AGENDA CONSTITUTES NOTICE OF THE REGULARLY SCHEDULED
MEETING OF THE
BOARD OF REGISTRATION IN NATUROPATHY
IN COMPLIANCE WITH THE OPEN MEETING LAW, M.G.L. c. 30A, § 20
Tuesday, April 26, 2022
1:00 p.m.**

General Session will be held via Webex at:
<https://eohhs.webex.com/eohhs/j.php?MTID=mdd095147fd18dbd576561769d47f29e8>

**Call-In Telephone number 1-617-315-0704
Meeting Number/Access Code: 2536 501 7309
Meeting Password: 3npFif4x3jm**

All Votes Must Be Via Roll Call

AGENDA

Time	Item #	Item	Documents	Staff Contact
1:00 p.m.	I	Call to Order Determination of Quorum Notice of Electronic Recording		Board Chair
	II	Conflict of Interest / Approval of Agenda	Draft Agenda	Board
	III	Approval of Minutes A. March 22, 2022 General Session Minutes	Draft Minutes	Board
	IV	Flex Session A. Naturopathy Licensing Application & Regulations- Update B. Board Appointments C. Topics for next agenda		Executive Director/ Chair
	V	Adjournment: Next Board Meeting Scheduled for May 24, 2022		Board Chair

Board Meeting Agenda: April 26, 2022
Board of Registration in Naturopathy

If you need reasonable accommodations in order to participate in the meeting, contact the DPH ADA Coordinator at telephone number: 617-909-5085 in advance of the meeting. While the Board will do its best to accommodate you, certain accommodations may require distinctive requests or the hiring of outside contractors and may not be available if requested immediately before the meeting.

COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION OF NATUROPATHY BOARD MEETING

Tuesday, April 26, 2022
VIA WebEx

(Open Session)
MINUTES

Board Members Present: Dr. Paul Herscu, ND, MPH, Naturopathic Doctor 1, Chair
Dr. Anne Frances Hardy, ND, L.Ac, Naturopathic Doctor 2, Vice-Chair
Dr. Mattia Migliore, PhD, RPH, Clinical Pharmacologist, Secretary
Christina Bain, Public Member

Board Members Not Present: None.

Staff Present: Steven Joubert, Executive Director, Multi-Boards, BHPL
Mary Strachan, Board Counsel, Office of the General, DPH
Karen Geoghegan, Assistant Executive Director, Multi-Boards, BHPL
Patricia Young, Office Support Specialist, Multi-Boards, BHPL

I. Call to Order

Dr. Paul Herscu, Board Chair, welcomed everyone and called the meeting to order at 1:03PM. A quorum of the Board was determined with members present via WebEx as follows: Paul Herscu: present; Anne Frances Hardy: present; Mattia Migliore: present; Christina Bain: present. Absent: None.

II. Review of the Agenda & Conflict of Interest

Dr. Herscu reminded everyone that the meeting was being recorded and asked the Board if there were any conflicts of interest in the agenda. There were none.

DISCUSSION:

None

ACTION:

Dr. Hardy made a motion to approve the agenda as written for April 26, 2022, seconded by Dr. Migliore. The motion passed by roll call vote as follows: Paul Herscu: aye; Anne Frances Hardy: aye; Mattia Migliore: aye; Christina Bain: aye. Absent: None. Abstained: None; Opposed: None; Recused: None.

Document: April 26, 2022 Board Meeting Agenda

III. Approval of Minutes

Dr. Herscu asked if the Board members had a chance to review the minutes from the March 22, 2022 meeting and if the Board thought there was anything to discuss about the minutes.

DISCUSSION:

Dr. Hardy said that she was not at the meeting, but the minutes reflected that she moved to adjourn the meeting. She also mentioned a few other minor editing issues. Board staff said corrections would be made to the minutes.

Dr. Herscu asked about an issue in the minutes where it stated that the Board did not take a vote to approve the agenda for March 22, 2022 and stated that the Board would have to take that vote in this meeting. Mr. Steven Joubert, Executive Director, asked Ms. Karen Geoghegan, Assistant Executive Director, why the vote did not happen. Ms. Karen explained Board's discussion got off track and the Board moved on to the next item on the agenda without taking that vote. Dr. Hardy asked if she could vote to approve the minutes, even though she was not present. Ms. Mary Strachan, Board Counsel, stated that she could make a motion and take part in the vote or she could choose to abstain.

ACTION:

Dr. Hardy made a motion to approve the agenda for March 22, 2022, seconded by Dr. Migliore. The motion passed by roll call vote as follows: Paul Herscu: aye; Mattia Migliore: aye; Anne Frances Hardy: aye; Christina Bain: aye. Absent: None. Abstained: None; Opposed: None; Recused: None.

Document: None

ACTION:

Dr. Hardy made a motion to approve the minutes as amended for March 22, 2022, seconded by Dr. Migliore. The motion passed by roll call vote as follows: Paul Herscu: aye; Anne Frances Hardy: aye; Mattia Migliore: aye; Christina Bain: aye. Absent: None. Abstained: None; Opposed: None; Recused: None.

Document: March 22, 2022 Board Meeting Minutes

IV. **Flex Session**

A. **Naturopathy Licensing Application & Regulations - Update:**

Mr. Joubert greeted the Board members and stated that the Naturopathy application has been finalized and forwarded to the automation department. He stated that once the regulations were promulgated into law, the application for licensure would be made available online.

He told the Board that the Board Counsel filed on April 15th, so they were expecting the regulations to promulgated on Friday, April 29th. He said that after the regulation were promulgated, Board staff should be able to start approving licenses.

Ms. Geoghegan asked the Executive Director and Board Counsel if they knew the time of day when the regulations would be promulgated. Mr. Joubert stated that he did not have a timeline. Ms. Strachan stated they will get published in the Mass register on Friday. She also stated that the Board does not have a subscription, you have to pay receive it. It's like a newspaper subscription. Ms. Strachan stated that she believed that the Department had a subscription, but she would check on that. She stated that the regulations will have the force

of law as of Friday the 29th. Ms. Strachan noted that there was one typographical change that needed to be made, there was one area in 8.0 where the Secretary of State's Office found one section ambiguous, because it only referred to "section 1" but didn't say what section 1 was. Ms. Strachan stated that after having a conversation with the Board Chair, he clarified and gave them the appropriate statutory citation. She stated that new information was relayed to the Secretary of State's office. So now all 8 sections of the regulations will go into effect. Ms. Geoghegan stated that she asked the question because the getting the website up and running may not be instantaneous.

Ms. Strachan stated that the Secretary of State's office will send documents called galleys to her. She explained that the galleys are the proofs of each page that they go through. She explained that she will then have to go through it herself and make sure nothing was missed and that there are not any typographical errors. If correction is needed, she will file for a correction with the Regulations Division of the Secretary of State's office.

Ms. Geoghegan stated that if the Board website cannot be put up early, then it may not be up until following Monday and asked if that would be okay. Ms. Strachan stated if IT cannot have it ready, it does not mean that they are not in effect. It means that the website will not be available to share with people.

Dr. Herscu asked Board Council if a copy of the filing form used to file the regulations and the regulations that were filed could be sent to the Board members for historical purposes. Ms. Strachan stated that she would email it to the Board members. She explained that she submitted the regulations electronically on the Secretary of States website and inputs the information. When the Secretary of State's Office accepts the information, she receives an email that provides her the information and asks her to sign it. When received it, she signed and scanned the document.

Mr. Herscu asked the other Board members had received and reviewed the paper copy of the application that the Executive Director sent out. He stated that he would like to go over the application as a group. Dr. Herscu asked the Executive Director for clarification on the CORI Release form that was sent with the application. Mr. Joubert shared his screen with the Board so that he could go over each page of the application and CORI Release form and explained how to complete those forms.

As Mr. Joubert was going through the application pages, Dr. Herscu said that the NPLEX website still did not have the Board's website on mass.gov linked to its website. Mr. Joubert explained that he did not want to link the Massachusetts Board website to NPLEX website until the regulation were passed into law. He stated that once the regulations were passed, he would authorize the use of the link on the NPLEX website.

Mr. Joubert explained the reason for Good Moral Character questions on the application and said that if an applicant answers yes to any of the questions, that matter would be brought to the Board's attention. Then the Board would decide whether or not disciplinary action should occur. If the Board thinks that the infraction does not warrant discipline, the Board would then authorize Board staff to approve the application.

Mr. Joubert highlighted the parts of the application and the CORI Release form that require notarization. Dr. Herscu asked if the sealed envelope instruction on the application could be

highlighted so that it stands out to applicants and they can know that following that particular instruction to the letter is important. After Mr. Joubert explained the importance of the CORI Release dates matching, Dr. Hardy asked if that particular point was written somewhere on the form. Mr. Joubert stated that Board staff would clarify the instructions for the application so applicants would understand that the application and CORI form need to be signed in the presence of a notary.

Christina Bain Leaves the meeting at 1:39PM

Dr. Herscu talked about the three types of application for licensure; by examination, by writing in or by reciprocity. He stated list of requirements on the application for licensure by examination and licensure by reciprocity were the same. He gave the Board some background about the issue. He explained that all states do not have the same requirements for licensure as Massachusetts. He said that he had been told that the matter became an issue for the Massachusetts Board of Nursing when another state's requirements for licensure were lower than Massachusetts' requirements. Ms. Strachan stated that she thought it was in part because it is relatively new a type of licensed professional in Massachusetts. She acknowledged that the National exam exists so that every licensee in the profession would meet a base minimum. Ms. Strachan suggested to the Board to see how things go once the applications start coming in and getting reviewed. Then in a one or two years they might then want to see if there should be any changes to the regulations.

Dr. Hardy questioned if obtaining verification of licensure for licenses other than naturopathy was necessary. Dr. Hardy also wanted to know if there was a cut off period as to how far back the request for verification of licensure from another jurisdiction was required. Ms. Strachan explained that the licensure verifications and self-query are necessary in order for the Board and Board staff to determine whether disciplinary action has been taken towards an applicant from any other state. She said that the Board needs to due diligence to ensure its does not license someone who is not qualified to practice in Massachusetts.

Mr. Joubert let the Board members know that he received a message from the licensing division requesting that the Board members try to apply online through e-Gov. He asked that the Board members send him an email when they think they will be able to apply online, so that the licensing division will know when to have the online option open and available for them. Mr. Joubert stated that the licensing division requested this because they wanted to make sure that the online site was working. Mr. Joubert went on to state that once the online application was completed, the other documents required for the application process should be mailed in directly to him.

B. Board Appointments:

Mr. Joubert stated that they do have another doctor who emailed him. Mr. Joubert will be following up with the Bureau's Deputy Director, who has a point of contact with the Governor's Office about the status of the potential appointee.

C. Topics for Next Agenda:

Mr. Joubert asked the Board if there was any research they would like the Board staff to do for them. Dr. Herscu stated that he expects that the topic of the next Board meeting will be about the application and its process.

V. Adjournment

At 1:54PM, Mr. Joubert turned the floor over to Dr. Herscu.

ACTION:

Dr. Hardy made a motion to adjourn the meeting, at 1:54PM seconded by Dr. Migliore. The motion passed by roll call vote as follows: Paul Herscu: aye; Anne Frances Hardy: aye; Mattia Migliore: aye. Absent: Christina Bain. Abstained: None; Opposed: None; Recused: None.

The next meeting of the Board of Registration in Naturopathy is scheduled for Tuesday, May 24, 2022 at 1:00PM.

Respectfully submitted:
The Board of Registration in Naturopathy