

COMMONWEALTH OF MASSACHUSETTS

BOARD OF REGISTRATION OF NATUROPATHY BOARD MEETING

Tuesday, September 27, 2022

250 Washington Street

Boston, MA 02108

VIA WebEx

1:00pm

(General Session)

MINUTES

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

Board Members Not Present: Darshan Mehta, MD Physician 1

Staff Present: Steven Joubert, Executive Director, Multi-Boards, BHPL
Mary Strachan, Board Counsel, Office of the General Counsel, DPH
Kayla Mikalauski, Office Support Specialist, Multi-Boards, BHPL
Patricia Young, Office Support Specialist, Multi-Boards, BHPL
Brian Arata, Office Support Specialist, Multi-Boards, BHPL

Staff Not Present: None

I. Call to Order

Board Chair, Dr. Paul Herscu, welcomed everyone to the meeting and called the meeting to order at 1:05PM. 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: Darshan Mehta

II. Review of the Agenda & Conflict of Interest

DISCUSSION:

Agenda reviewed, and no conflict of interest were established.

III. ACTION:

Paul Herscu made a motion to approve the agenda as presented which was seconded by Anne

Frances Hardy. The vote carried unanimously by roll call vote as follows: Paul Herscu: yes; Anne Frances Hardy: yes; Mattia Migliore: yes; Christina Bain: yes. Absent: Darshan Mehta

Document: September 27th, 2022 Board Meeting Agenda

III. Approval of Minutes

Dr. Herscu asked that the Board members review the minutes from the July 26, 2022 General Session meeting.

DISCUSSION:

Dr. Paul Herscu stated that in some of the voting Anne Frances-Hardy was present where she was absent. Dr. Paul Herscu stated that to make sure Anne-Frances Hardy name included her degree as well.

IV. ACTION:

Dr. Paul Herscu made a motion to approve the August 30th minutes as presented, seconded Dr, Mattia Migliore. The vote carried unanimously by roll call vote as follows: Paul Herscu: yes; Anne Frances Hardy: yes; Mattia Migliore: yes; Christina Bain: yes. Absent: Darshan Mehta

Document: August 30, 2022 Board Meeting Minutes

IV. Flex Session

Dr. Herscu stated that the board met prior to the general session, for a sub-committee session where members made changes and agreed to pre-approve a document clarifying Naturopathy scope of practice and definitions, the document will be presented in general session next month. Dr. Herscu stated sub-committee also had a robust conversation on education, as well as what is and what is not prescribed in the Naturopathic scope. Dr. Herscu stating the topic was mostly on natural hormones and hopes this document will come to general session next month as well. Dr. Herscu states when approved that would be the end of the sub-committee for now, until needed again.

Dr. Herscu stated that the board had a robust conversation around public relations and how the profession will roll out. Dr. Herscu stated the board was in the process of creating and filling a PowerPoint presentation and hopes this will help promote the profession within the government, institutions, and the general public, stating that was everything covered in sub-committee.

Dr. Herscu stated he had a question regarding an applicant and a GMC matter, asking what is the process of how the applicants come to the board? How do they proceed from there? Mr. Joubert reminded everyone that this is an open meeting and to be careful about having this discussion. Mr. Joubert stated when an applicant discloses a GMC (Good Moral Character) matter, board staff checks with legal to see if any laws were violated, bring it to the board in a close session with a completed memo, present it to the board as well as inviting the applicant who has the right to have legal representation, but board staff like to hear from the

applicant themselves, so if the attorney would like to speak she would have to request the board chairs approval.

Ms. Strachan stated that GMC is not defined in the statutes, typically all boards define GMC as honesty and integrity, where a lack of GMC would be past license discipline, or a criminal record. Ms. Strachan stated the reasoning for the GMC clause is that the board wants to make sure applicants who lack GMC can have the right to be licensed, noting that no GMC is an automatic disqualification of licensure.

Dr. Herscu asked if closed session was fluid with open session? Mr. Joubert stated yes and for a procedural matter board staff sends out an Executive Session Notice with an earlier time than the start of the meeting, where a board staff houses them in a virtual lobby and are entered into the meeting when the matter is ready to be heard.

Ms. Strachan asked if the board has a policy to authorize staff to process applications to approve licensure without a GMC matter? Mr. Joubert stated that a standard policy applies for other boards, but to put on the agenda for next meeting to see if it applies to this board. Dr. Herscu asked once the pipeline is open and applications are coming in, does the board just see ones that have an issue of some sort? Ms. Strachan stated most boards do that once the board is up and running, we delicate policies for the board staff as well as delicate authority to approve licensure with no issues.

Dr. Herscu stated that the 6-month grace period we gave licensees ends November 30th 2022, stating is there a way to make this very specific to the applicants and licensees. Ms. Strachan stated that the grace period would have to be in the regulations. Dr. Herscu asked Mr. Joubert for example if the GMC applicant has fully processed his application but is not presented to the board until after November 30th what happens? Mr. Joubert stated that the matter being spoken about will appear in front of the board next month. Dr. Herscu also asked if there is a way to let applicants know the grace period is ending and if they haven't submitted an application they will not be a Doctor of Naturopathy in the Commonwealth? Mr. Joubert suggested no timeline due to the fact that we are getting applications but not that many, this would let licensees take time to provide the application. Ms. Strachan stated that the effective date of April 29th prior to the grace period is already on the regulations.

Mr. Joubert stated he believes that an alert was put on the website stating they need to have applications in by November 30th. Ms. Strachan stated to be careful that we are not violating our own regulations on the website. Ms. Mikalauski shared her screen to show members that an alert is on the website that states all applications must be submitted by October 29th. Dr. Herscu stated that is exactly 6 months later. Dr. Herscu stated that the board members agreed on how the law should look and the regulations that were passed in April but gave a 6-month grace period.

Dr. Herscu asked if anyone had topics for the next agenda? Dr. Herscu asked a clarifying question- how the flow of the closed session meeting? Ms. Strachan stated that it has its own

separate agenda and WebEx link, Mr. Joubert will read the memo, while the applicant is still there the board members will deliberate. Ms. Strachan stating the question is do you want to approve the application, approve it with conditions, or deny the application?

Dr. Herscu asked board members if they would attend next session? All board members said they would be present, besides Dr. Mehta. Board staff to reach out closer to the meeting.

V. Adjournment

There being no other business before the Board, at 1:45PM Dr. Paul Herscu moved to adjourn the September 27th, 2022 meeting, which Anne Frances Hardy seconded. The vote carried unanimously by roll call vote as follows: Paul Herscu: yes; Anne Frances Hardy: yes; Mattia Migliore: yes. Christina Bain: yes Opposed: None; Recused: None. Absent: Darshan Mehta

The next meeting of the Board of Registration in Naturopathy is scheduled for Tuesday October 25 2022 at 1:00 p.m.

Respectfully submitted:

The Board of Registration in Naturopathy