

**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, March 27, 2018  
1:00 p.m.**

**239 Causeway Street ~ Floor ~ Room 417 A/B  
Boston, Massachusetts 02114**

**AGENDA**

<b>Time</b>	<b>Item #</b>	<b>Item</b>	<b>Documents</b>	<b>Staff Contact</b>
1:00 p.m.	<b>I</b>	<b>Call to Order Determination of Quorum Notice of Electronic Recording</b>		
	<b>II</b>	<b>Conflict of Interest / Approval of Agenda</b>	Draft Agenda	Board
	<b>III</b>	<b>Approval of Minutes: February 27, 2018</b>	Draft Minutes	Board
	<b>IV</b>	<b>Regulations</b> A. Scope of Practice CMR 4.0 B. Continuing Education CMR 6.0 C. Final Review Licensure Requirements and Procedures CMR 3.0 Professional and Ethical Standards of Conduct CMR 5.0 Continuing Education CMR 6.0 Investigations, Complaints, and board Actions CMR 7.0 Reporting CMR 8.0	Draft Regulations	SL/VB

	<b>V</b>	<b>Flex Session</b> A. Announcements B. Topics for next agenda:		
4:00 p.m.	<b>VI</b>	<b>Adjournment: Next Board Meeting Scheduled for April 24, 2018</b>		

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239 Causeway Street  
Room 417  
Boston, MA 02114

MINUTES

Board Members Present:  
*Participation)*

Paul Herscu, Naturopathic Doctor 1, Chair (*Remote*

Anne Frances Hardy, Naturopathic Doctor 2, Vice-Chair  
Mattia Migliore, Clinical Pharmacologist, Secretary  
Maria Maccario, Public Member

Board Member  
Not Present:

Michelle Dossett, Physician

Staff Present:  
BHPL

Roberlyne Cherfils, Executive Director, Multi-Boards,

Philip Beattie, Deputy Executive Director, Multi-Boards,  
BHPL

Samuel Leadholm, Board Counsel, Office of the General  
Counsel, DPH

Anson Chu, Office Support Specialist, Multi-Boards,  
BHPL

Vita Berg, Chief Board Counsel, Office of the General  
Counsel, DPH

I. Call to Order - Determination of Quorum

A quorum of the Board was present. Dr. Hardy, Board Vice-Chair, called the meeting to order at 1:05 p.m.

II. Review of the Agenda & Conflict of Interest

The Meeting Agenda was reviewed.

DISCUSSION: Dr. Hardy asked the Board members to review the agenda and disclose if there are any conflicts of interest regarding the items on the agenda.

Dr. Herscu will be recusing on the matter regarding Continuing Education. Board agrees to move the CEU session item agenda as the last topic for discussion.

ACTION: Ms. Migliore made a motion to approve the agenda as presented; Ms. Maccario seconded the motion. Motion passed with Board members present and voting in favor: Dr. Hardy-yes, Ms. Migliore-yes, Ms. Maccario-yes, Dr. Herscu-yes; Opposed: None; Abstain: None; Recused: None.

Document: February 27, 2018 Board Meeting Agenda

### III. Approval of Minutes

The Board reviewed the January 23, 2018 Regularly Scheduled Board Meeting Minutes.

ACTION: Ms. Migliore made a motion to approve the minutes as presented; Ms. Maccario seconded the motion. Motion passed with Board members present and voting in favor: Motion passed with Board members present and voting in favor: Dr. Hardy-yes, Ms. Migliore-yes, Ms. Maccario-yes, Dr. Herscu-yes; Opposed: None; Abstain: None; Recused: None.

Documents: January 23, 2018 Regularly Scheduled Board Meeting Minutes

### IV. Board Inquiry

#### A. FNMRA: Regulatory Definitions Commonwealth of Pennsylvania

DISCUSSION: Ms. Cherfils read the three inquiries that were submitted to the Board regarding some regulatory definitions. Dr. Herscu informed the Board that in MA, you cannot practice acupuncture without a license in MA. The Board decided to review these inquiries once the Board reviews the rest of the regulations.

ACTION: None

Document: E-mail Inquiry

### V. Regulations

#### A. Licensure Requirements and Procedures \_\_\_ CMR 3.00

DISCUSSION: Mr. Leadholm reviewed the revised draft regulations with the Board based on comments and edits from last month's meeting. Question raised about discrepancy of how naturopathic medical college is described in 3.03(2)(a)(1) and 3.03(3)(a); will review statute to confirm legislature's language. Board, upon advice of Ms. Berg, decided not to incorporate essay questions in regulations and leave for application. The Board reviewed lapse of license

provisions and Board Staff explained the process and required documentation required by other licensing Boards in the Bureau. The Board reviewed the Board of Registration in Dentistry regulation and agreed to add the language similar to 8.02(11). The Board also is looking to asked for a CV as well under 3.06(2)(c).

ACTION: Ms. Migliore made a motion to adopt the draft regulation in 3.00 with the revised edits; Ms. Maccario seconded the motion. Motion passed with Board members present and voting in favor: Dr. Hardy-yes, Ms. Migliore-yes, Ms. Maccario-yes, Dr. Herscu-yes; Opposed: None; Abstain: None; Recused: None.

Document: Draft Regulations

#### B. Scope of Practice CMR 4.00

DISCUSSION: While there are no draft regulations for this section yet, the Board briefly touched on some of the Scope of Practice related to the field. Dr. Herscu will send examples of other jurisdictions' scope of practice regulations for discussion purposes. Ms. Migliore informed the Board that it will also be important to include a list of duties and Scope of Practice that a Naturopathic Doctor should *not* be doing. Dr. Hardy explained to the Board what may be considered invasive. Dr. Herscu will also send a list to determine what procedures may be considered as "invasive."

ACTION: None

Document: Draft Regulations

#### C. Professional and Ethical Standards of Conduct CMR 5.00

DISCUSSION: None

ACTION: Ms. Migliore made a motion to adopt the draft regulation in 5.00; Ms. Maccario seconded the motion. Motion passed with Board members present and voting in favor: Dr. Hardy-yes, Ms. Migliore-yes, Ms. Maccario-yes, Dr. Herscu-yes; Opposed: None; Abstain: None; Recused: None.

Document: Draft Regulations

#### D. Investigations, Complaints, and board Action CMR 7.00

DISCUSSION: None

ACTION: Ms. Migliore made a motion to adopt the draft regulation in 5.00; Ms. Maccario seconded the motion. Motion passed with Board members present and voting in favor: Dr. Hardy-yes, Ms. Migliore-yes, Ms. Maccario-yes, Dr. Herscu-yes; Opposed: None; Abstain: None; Recused: None.

Document: Draft Regulations

E. Reporting CMR 8.0

DISCUSSION: Ms. Berg reviewed the draft regulation of 8.00, the section for reporting as discussed from the Board meeting last month. Ms. Berg also explained the difference between section 5.02 (29) vs the whole section under 8.05. Ms. Berg informed the Board that besides the Board of Medicine, none of the other Boards here have Peer Reporting. After discussion, the Board decided to remove section 8.05. The Board also had some concerns regarding the adverse events under 8.06(2). Finally under 8.06(4), Board Staff can add a Staff Action Policy once the regulation is promulgated to address a minimum amount regarding the Settlement for Professional Liability.

ACTION: Ms. Migliore made a motion to adopt the draft regulation in 5.00; Ms. Maccario seconded the motion. Motion passed with Board members present and voting in favor: Dr. Hardy-yes, Ms. Migliore-yes, Ms. Maccario-yes, Dr. Herscu-yes; Opposed: None; Abstain: None; Recused: None.

Document: Draft Regulations

VI. Flex Session

A. Announcements

1. Ms. Cherfils reminded the Board of the mandatory training that the Board needs to complete as soon as they can and the Opioid Survey that was emailed to them by Mr. Beattie.

B. Topics for next agenda

None

F. Continuing Education CMR 6.00

**[NOTE: This Session was moved to the end as the last topic for discussion for the meeting. Dr. Herscu had recused himself.]**

**[Dr. Herscu recused himself from participation at 3:06 p.m.]**

DISCUSSION: Mr. Leadholm reviewed a list drafted by Dr. Herscu and discussed with the Board. The Board is in support of the list from (a), (b) and (c). The Board agreed to require 1 hour of ethics and 2 hours of pharmacology every CEU cycle. Pain management course is required as well but as a one-time requirement. The ratio to convert from Continuing Education Units to Hours will

be 1:1. The Board discussed at length limitation on online CEs. Dr. Hardy informed the Board this profession is best when they meet up together to discuss on various topics in person and is in favor of a live course versus an online course. During the discussion on what is considered as a “live” course, Ms. Migliore states that as long as you are able interact with the instructor in real time, it should be considered “live” and the Board agrees. The Board also decided to set the limit to 20 CE online and the rest of the 30 CE must be “live.” As the Board continues to review the list, Ms. Migliore wants to set a limit on the Literature review to around 5 CEs whereas 1 article will be equal to 1 CE. Dr. Hardy is requesting to combine the research, teaching and exam writing (NPLEX) as one category. Board staff will take the list of requirements from the Nursing Home Administrator Board so the Board can review and edit the list for this Board. The Board also discussed and agreed that CPR is required for the CE. Finally, the Board wants to remove (g) as that belongs under section 3.00 regarding the CE exception of new graduates.

ACTION: None

Document: Draft Regulations

VII. Adjournment

There being no other business before the Board, Ms. Migliore made a motion to adjourn the meeting; Ms. Maccario seconded the motion. Motion passed with Board members present and voting in favor unanimously. The meeting adjourned at 4:03p.m.

The next meeting of the Board of Registration in Naturopathy is scheduled for Tuesday, March 27, 2018, at 1:00 p.m. in Boston, MA.

Respectfully submitted:

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Name	Position	Date
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