

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, October 22, 2019
1:00 p.m.

239 Causeway Street ~ 4th Floor ~ Room 417 A/B
Boston, Massachusetts 02114

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: March 26, 2019 | Draft Minutes | Board |
| | IV | Regulatory Update A. 273 CMR | Regulations | SL |
| | V | Flex Session A. Announcements B. Topics for next agenda | | RC |
| | VI | Adjournment: Next Board Meeting Scheduled for November 26, 2019 | | Board Chair |

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Board of Registration in Naturopathy

If you need reasonable accommodations in order to participate in the meeting, contact the DPH ADA Coordinator Yulanda Kiner, Phone: 617-624-5848 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.

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MINUTES

Board Members Present: Anne Frances Hardy, ND, L.Ac, Naturopathic Doctor 2, Vice-Chair
Maria Maccario, Public Member
Mattia Migliore, PhD, RPH, Clinical Pharmacologist, Secretary

Board Members Not Present: Paul Herscu, ND, MPH, Naturopathic Doctor 1, Chair

Staff Present: Karen Geoghegan, Assistant Executive Director, Multi-Boards
BHPL
Emily Duré, Office Support Specialist, Multi-Boards, BHPL
Samuel Leadholm, Board Counsel, Office of the General
Counsel, DPH
Vita Berg, Chief Board Counsel, Office of General Counsel,
DPH
Hindu Nanziri, Office Support Specialist, Multi-Boards, BHPL

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Sophia Glemaud, Office Support Specialist, Multi-Boards,
BHPL

I. Call to Order - Determination of Quorum

Board Vice-Chair, Dr. Ann Hardy, welcomed everyone to the meeting. Dr. Hardy determined with a roll call that a quorum of the Board was present in the room and so she called the meeting to order at 1:03 p.m. Dr. Hardy, also informed everyone present that the meeting was being recorded.

II. Review of the Agenda & Conflict of Interest

Dr. Hardy asked the Board if there were any conflicts of interest in the agenda, and there were none.

DISCUSSION: None

ACTION: Dr. Hardy made a motion to approve the agenda which was seconded by Ms. Maccario. The vote carried unanimously.

Document: October 22, 2019 Board Meeting Agenda

III. Approval of Minutes: Dr. Hardy asked that the Board members review the minutes from the previous meeting for any edits.

DISCUSSION: Dr. Hardy brought attention to how Board members were addressed throughout the minutes to make sure that they were accurate and consistent. Also, in the fifth paragraph of the Item IV_A. discussion section, the sentence should say, “Ms. Maccario asked whether there was a process for evaluating whether the costs were decreasing instead of increasing.”

ACTION: Dr. Mattia Migliore made a motion to accept the March 26, 2019 minutes with edits which was seconded by Ms. Maccario. The vote carried unanimously.

Document: March 26, 2019 Board Meeting Minutes

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- IV. Regulatory Update: Board Counsel Sam Leadholm took the Board members through the three changes that occurred during the administrative review of the Board's regulation. The first change was in 273 CMR 2.03 with the sentence related to severability added at the beginning of the section. Attorney Vita Berg said that this was standard across all boards and was omitted in error. The next change was in 273 CMR 3.04(3)(a) where the sentence was expanded to include "in which the applicant is licensed." Mr. Leadholm explained that this addition to the existing sentence came forward during the administrative review for the purpose of clarity. The third change was made in 273 CMR 6.04(4) to break the first paragraph into two sentences instead of one.

DISCUSSION: Dr. Migliore asked if, regarding the signature referenced in 273 CMR 6.04(4), if it would be acceptable to submit a signature which was done electronically in an offer to be more accommodating. Mr. Leadholm explained that at this point anything that was added to the regulations would have to pass through administrative review again, but the issue of putting a wider interpretation on what the Board is willing to accept might be better addressed in sub-regulatory guidance which would be published separately or an administrative advisory ruling at a later date. Mr. Leadholm then requested of the Board two separate motions. The first was to approve the regulations before the Board. The second motion was to notice the regulations for public hearing and comment.

ACTION: Dr. Migliore made a motion to approve the Regulations as amended. Ms. Maccario seconded the motion which carried unanimously. Dr. Migliore then made a motion to notice the regulations for public hearing and comment seconded by Ms. Maccario. The Board voted unanimously in favor of the motion.

After the vote, Mr. Leadholm took the Board through the next steps most of which are set up in chapter 30A, which is the Administrative Procedures Act. The Board must notify, by executive order, the Department of Housing and Community Development and Massachusetts Municipal Association. The Board would then hold the public hearing with a tentative date of December 9, 2019 for a minimum of 2 hours beginning at 1pm and continuing until the end of the business day if necessary. Mr. Leadholm reminded the Board that if they choose to attend, the members are not present to engage with public guests who choose to comment. They are to listen and observe. The Board should also anticipate

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making changes after the public comments compiled by Mr. Leadholm. Ms. Berg advised the Board that it is beneficial to have Board members present at the public hearing but quorum is not required unless they want to meet beforehand.

Document: 273 CMR Regulations

IV. Flex Session:

A. Announcements- None

DISCUSSION: None

ACTION: None

Document: None

B. Topics for Next Agenda

DISCUSSION: Assistant Executive Director Karen Geoghegan stated that the ED did continue the usual meeting schedule into 2020, and suggested adding Board re appointments to the next meeting agenda so that the ED and Board members may discuss how they will handle Board re appointments moving forward. Dr. Hardy started on the “Childbirth” topic, and Mr. Leadholm advised to discuss this in the next meeting since there is much more research needed, and the ED has more information about this.

ACTION: None

Document: None

VI. Adjournment

There being no other business before the Board, Dr. Migliore moved to adjourn the meeting; Ms. Maccario seconded. Motion passed with all Board members present voting in favor. The meeting adjourned at 1:31p.m.

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The next meeting of the Board of Registration in Naturopathy is scheduled for Tuesday, November 26, 2019, at 1:00 p.m. in Boston, MA.

Respectfully submitted:

| Name | Position | Date |
|------|----------|------|
|------|----------|------|

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