



Washington State Department of Health  
Board of Naturopathy  
Meeting Minutes

**February 11, 2022**

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On Friday, February 11, 2022, the Board of Naturopathy held a board meeting via Webinar. In accordance with the Open Public Meetings Act, notices were sent to individuals requesting notification of meetings.

**BOARD MEMBERS PRESENT**

Amira Ahdut, ND, LAc, Vice Chair (Acting Chair)  
Chad Aschtgen, ND, Chair (Absent)  
Joanne Hillary, ND  
Marsha Moody, Public Member  
Dean Neary, ND

**STAFF PRESENT:**

Susan Gragg, Program Manager  
Renee Fullerton, Executive Director  
Davis Hylkema, Program Associate  
Michelle Hartman, Office Manager  
Heather Cantrell, Policy Analyst  
Bill Kellington, Supervising Staff Attorney  
Luke Eaton, Assistant Attorney General

**GUESTS:**

Andrew Allshouse  
Christine Bowen  
Amy Brackenbury  
Cesilie Cocks  
Diana Crumrine  
Billie Dickinson  
Jamie Doughty  
Toby Anna Everhart  
Sari Gallegos  
Adam Geiger  
Nedra Goedert  
Vanessa Haycock  
Elizabeth Holmes  
Elias Kass  
Victoria Lofdahl  
Amy Melsness

Teresa Neff  
Courtenay Newton  
Henrietta (Heidi) Ochsner  
Lauren Peizer  
Samantha Pfeiffer  
Angela Ross, Nd  
Said Sokhandan  
Leanna Standish  
Nina Walsh  
Shelby Wiedmann  
Les Witherspoon  
Kristi Zimmer  
Tim Zimmer

**OPEN SESSION**

1. **Call to Order/Introductions**

The meeting was called to order at 8:31 A.M.

1.1 Introduction of board, staff, guests, and audience.

Mr. Hylkema led roll call of board members and staff. Dr. Amira Ahdut, acting chair, offered an introductory statement explaining the procedure of the remote meeting.

1.2 Approval of February 11, 2022, agenda

**MOTION:** A motion was made to approve the February 11, 2022 as presented. The motion was seconded and passed.

1.3 Approval of November 19, 2021 business meeting minutes

**MOTION:** A motion was made to approve the November 19, 2021 meeting minutes as presented. The motion was seconded and passed.

2. **Old Business**

2.1 Rule Project Updates

Ms. Gragg provided an update on rule projects currently in progress.

2.1.1 Colon Hydrotherapy implementation

Staff provided an update regarding implementation of Senate Bill 5124 (laws of 2021) that created the colon hydrotherapy profession under the authority of the board. The board held two rule workshops in August and November 2021.

The CR102 documents have been drafted and were submitted for internal Department of Health (DOH) review. The DOH Policy Office provided several clarifying changes, none of which were substantive changes. The rules package is being submitted for filing with the Office of the Code Reviser and the anticipated rule adoption hearing date is April 8, 2022.

2.1.2 WAC 246-836-080 – continuing education

The current CE rules became effective January 1, 2021. In February 2021, the board authorized rulemaking. The CR 101 documents were filed on October 20, 2021, and an initial rule workshop was held December 10, 2021. There are a few issues that need to be addressed so the committee, Dr. Neary and Dr. Aschtgen, will be scheduling a second workshop. Once a date is set, information will be sent out on GovDelivery.

2.1.3 Non-surgical cosmetic procedures

At the February 14, 2020, meeting, the board elected to withdraw the aged CR 101 and re-authorize a new CR 101 for rulemaking. The first rule workshop was held February 12, 2021. Board staff and the rule committee are gathering information and data to prepare for a second rules workshop.

2.2 Nitrous oxide

At the November 20, 2021 meeting, the board provided a response regarding whether the use of nitrous oxide is within naturopathic scope of practice. The board received a letter from the Washington State Society of Anesthesiologists expressing concerns with the use of nitrous oxide in naturopathic practice. The board determined to defer this

agenda item until the May 13, 2022 business meeting to allow time for additional research and to allow for a broader board discussion.

### 3. New Business

#### 3.1 COVID-19 Impact Follow-up

On January 17, 2022, the Governor issued Emergency [Proclamation 20-24.3 Restrictions on Non-Urgent Medical Procedures](#), which remains in effect until February 17, 2022. It appears probable that the Governor will allow this proclamation to expire.

#### 3.2 2022 Legislative Session

Ms. Gragg reported to the board updates on proposed legislation that may be of interest to the profession. She provided an overview of the following bills.

- [Substitute House Bill 1821](#) – Concerns the definition of established health care relationships for the purpose of audio-only telemedicine services.
- [Substitute Senate Bill 5496](#) – Relating to health profession monitoring programs; updates include terminology changes and clarifies confidentiality protections.
- [Substitute Senate Bill 5753](#) – Regarding enhancing the capacity of health profession boards, commissions, and advisory committees (BCC); DOH-request legislation that increases the number of members on certain BCCs and changes the compensation designation for certain BCCs.
- [Substitute Senate Bill 5784](#) – Labor and Industries-request legislation that would add psychologists for mental health only claims; also updates relevant statutes with the types of health care professions that are currently recognized as attending providers.

#### 3.3 Correspondence/Inquiries

The board reviewed and discussed correspondences received since the last meeting.

3.3.1 The board discussed a request for lists/labels received from Agility COHE SPC to obtain contact information to survey eligible providers in Washington to determine who might be interested in joining a Center for Occupational Health & Education (COHE).

**MOTION:** A motion was made to approve the list/label request from Agility COHE SPC. The motion was seconded and passed.

3.3.2 The board discussed a request received for lists/labels from American Association of Naturopathic Physicians (AANP) to obtain contact information for tracking membership of Naturopathic doctors.

**MOTION:** A motion was made to approve the list/label request from American Association of Naturopathic Physicians (AANP). The motion was seconded and passed.

3.3.3 The board discussed the inquiry received regarding dry needling and agreed to defer the discussion to the next meeting, May 13, 2022.

- 3.3.4 A request for lists/labels Naturopathic Orthopedic Medical Academy (NOMA) to obtain contact information to provide information about continuing education trainings and certification programs to Naturopathic Physicians.

**MOTION:** A motion was made to approve the list/label request from Naturopathic Orthopedic Medical Academy (NOMA). The motion was seconded and passed.

- 3.4 Senate Bill 5229 (passed in 2021) Health equity continuing education requirement Ms. Fullerton presented a report to the board regarding efforts in crafting model rules that establish minimum standards for health equity content in health profession continuing education.

#### 4. **Program Reports**

##### 4.1 Budget report

Ms. Gragg shared the most recent budget status report through December 31, 2021. She reported that the Department of Health will be conducting a fee study in 2022 to determine action for a possible fee reduction, given the upward trend of the board's projected fund balance.

##### 4.2 Statistics reports

Ms. Gragg shared the Current Credential Count report. As of January 27, 2022, the report shows 1618 active licensees. The Current Active Case report shows fifty-four total active cases: eleven, under investigation, two, in adjudication, twelve, pending service, twenty-one, under RBM/legal review, and two marked for closure.

##### 4.3 Continuing education audit report

There was nothing new to report.

##### 4.4 Recruitment report

Ms. Gragg reported that the recruitment packet for Marsha Moody's and Deborah Wright's public member positions is currently with the Governor's office. Recruitment for Dr. Copes position is moving forward. Interviews have been conducted and recommendations were forwarded to the Governor's office for appointment.

#### 5. **Open Forum**

The purpose of the open forum is to provide the public an opportunity to address the board on issues of significance to or affecting the practice of Naturopathy and that are not related to topics for which a rules hearing was or will be scheduled.

The board received one comment regarding whether the Board be involved in implementation and clarification of the effects of the Federal No Surprise Act on naturopathic independent providers. The current regulations are unclear regarding timing of "good faith estimates" and seem more closely aligned with the needs of health care facilities.

Sari Gallegos (a public attendee), Ms. Fullerton, and Mr. Kellington provided some feedback regarding the bill. The No Surprise Act is federal legislation that came into effect in January 2021. The Act bans surprise bills for most emergency services and out-of-network cost-sharing. It also requires health care providers and facilities to give an easy-to-understand notice explaining applicable billing protections and who to contact if there are concerns about violations of such protections. The new regulations make sure patients can get a good faith estimate of how much care will cost before receiving it. Patients who are charged more than \$400 more than the good faith estimate may file a dispute claim within 120 days of the date of the bill. More information may be found through Centers for Medicare & Medicaid Services (CMS) at either [www.CMS.gov/nosurprises](http://www.CMS.gov/nosurprises) or by calling 1-800-985-3059.

**6. Future Business**

6.1 Follow-up regarding stem cell harvesting through liposuction and bone marrow aspiration. At the November 20, 2021 meeting, the board requested a formal Attorney General opinion regarding this topic. As the process for a formal opinion is rather lengthy, the board intends to keep this item under “future items” until such time as an update is available.

**7. Settlement Presentations.**

There were no settlement presentations to review.

**8. Adjournment of public meeting**

The meeting adjourned by approved motion at 9:33 A.M.

**10. Discipline and Licensing**

The board attended to licensing and disciplinary matters.

**Next Meeting:**

Date: May 13, 2022  
Time: 8:30 a.m.  
Location: TBD