

BOARD OF NATUROPATHIC MEDICINE
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF THE MEETING

The agenda for this meeting was posted to the State electronic calendar as required by Hawaii Revised Statutes (“HRS”) section 92-7(b).

Date: Friday, August 4, 2023

Time: 2:00 p.m.

In-Person Meeting Location: Queen Liliuokalani Conference Room
HRH King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

Virtual Participation: Virtual Videoconference Meeting – Zoom Webinar (use link below)
[https://dcca-hawaii-gov.zoom.us/j/854 3662 8277](https://dcca-hawaii-gov.zoom.us/j/85436628277)

Present: David Kern, N.D. L.Ac, Chair
Kristen Coles, N.D., Vice Chair, Licensed Member
Corinne De Soto, N.D., Licensed Member
Christopher Fernandez, Executive Officer (“EO”)
Christopher Leong, Esq., Deputy Attorney General (“DAG”)
Shasteen Hiona, Secretary
Johnny Li, (Tech Support)
Mia Hoang, Office Assistant (Tech Support)

Excused: Joy Kimura, Public Member

Call to Order: Chair Kern took a roll call of all members present. There being quorum, the meeting was called to order at 2:04 p.m.

Approval of the Meeting Minutes: **Friday, November 4, 2022**

After the Board reviewed the minutes draft, Chair Kern asked for a motion to approve the meeting minutes. Vice Chair Coles made the motion, which was seconded by Dr. De Soto, and the Board approved the meeting minutes for November 4, 2022, as is.

Executive
Officer's
Report:

Executive Officer ("EO") Fernandez informed the Board that he had very little to report, but offered to answer general questions the Board had about in-house administration.

Chair Kern noted that Naturopathic Physicians (NDs) will be going through their [license] renewal soon and asked if anything different is expected from previous years.

EO Fernandez confirmed that nothing has changed, adding that any bills that would have amended the continuing education ("CE") requirement, died in the legislature this year.

Chair Kern asked EO Fernandez about the legislative session and whether the bill to expand the continuing education program would be introduced.

EO Fernandez informed the Board that in the last session, there was a lot of emphasis on health professions in the form of entering interstate compacts, as well as further development of telehealth regulation. He noted that this is the second year of the biennial cycle for the state legislature, therefore bills introduced last year will be carried over; but will still need to be introduced to be heard in committee.

Chair Kern thanked EO Fernandez for his report. With no further questions, he moved to the next item.

Applications:

a. Applications Review for Approval

Request for Approval of Qualifying Course on Parental Therapy

1. Request by Dr. Virginia Osborne for course from March 3rd to 6th, 2022: Phoenix, AZ.

Dr. Virginia Osborne has requested Board approval for a course from March 3rd to 6th 2022.

Chair Kern explained to new Board member Dr. De Soto that the Board receives requests from non-school course providers to approve their parenteral therapy courses pursuant to subsection 16-88-57(d), Hawaii Administrative Rules (“HAR”).

HAR Subsection 16-88-(d), states:

Course providers that are not automatically approved pursuant to subsection (c) shall submit an application and applicable fees, course description and outline, and course instructor qualifications to the board for approval.

He added that the board is familiar with the courses that Dr. Osborne and her group International IV Nutritional Therapy (“IIVNTP”) provide and have done previously. Lastly, he asked Vice Chair Coles if she had anything to add.

Vice Chair Coles stated that in the past the Board has agreed that the courses have met all requirements.

Chair Kern asked Dr. De Soto if she had anything to add as well.

Dr. De Soto added that she reviewed the application, and it is complete. She added that she is very familiar with the courses, that the course has been approved in the past using the same description of content, and so is prepared to approve the course.

EO Fernandez added for Dr. De Soto’s understanding, that so long as Dr. Osborne and IIVNTP do not update the educators list and the content and times don’t change, the Board would review the modality of instruction [i.e., not remote education for the core clinical subjects of the course], and the date of the course, which gets logged into the board website. However, if any of the content or instructors are changed, Dr. Osborne will have to provide new information, which may include CVs of instructors or any other information that is required pursuant to HAR subsection 16-88-57(d).

Chair Kern asked for a motion to approve Dr. Osborne’s course from March 3rd to 6th, 2022, in Phoenix, AZ. Vice Chair Kristen Cole made motion seconded by Dr. De Soto, and it was voted unanimously to approve the course.

Formulary: The Board to review the question of whether Naturopathic Physicians may prescribe antipsychotic class medications. The Board may review its formulary as needed.

Chair Kern stated there was a letter addressed to the board asking the question whether prescribing antipsychotic medication is within a licensed ND's scope of practice? Dr. Kern asked EO Fernandez for any background info.

EO Fernandez noted that in the formulary there is a section, #12, **psychotherapeutic agents**. This section, which does identify antidepressant medication, does not currently note antipsychotic medications.

Chair Kern asked members if they had questions or comments.

Vice Chair Coles stated that antipsychotic medications fall under the general psychotherapeutic medication listing. She added that after doing research on this, it could also go under section #16, **central nervous system drugs**. In the past, she believed, the Board has noted that the formulary does not list all medications that fall under a medication category in the formulary. She added caution by noting that the provider that will prescribe these types of medications, like all medications NDs are authorized to prescribe by the formulary, should have the adequate training to do so.

Dr. De Soto agreed that it does fall under psychotherapeutic agents but not under the antidepressant subcategory. She asked if the Board has to list every specific category a medication is used for?

EO Fernandez, clarified Dr. De Soto's question as: can it generally be stated that all antipsychotic medications are in the formulary under a specific section such as #12. If the medication name or type is not in the formulary, then this presents additional issues. He asked the Board if each medication be classified or is the board okay with the general inclusion of antipsychotic medications, even with off-label use.

Dr. De Soto agreed that this was an important question. Her understanding is that there can be different uses of antipsychotic medications, and they may require more specific knowledge than just your typical antidepressant. But, if they have some other uses, then what they would be used for would still be considered a psychotherapeutic agent; therefore, she still thinks antipsychotic

medications fall under section #12, as currently prescribable by Hawaii licensed Naturopathic Physicians.

EO Fernandez asked how the antipsychotic medications fall under the naturopathic model of medicine. Asking further, would this be something that would provide the ND authority to, for example, create tapers, or would it be to prescribe the medication.

Dr. De Soto replied that it would be all the above. NDs can and do prescribe this medication. NDs prescribe to patients as family care providers. She noted that she has had patients who are on this category of medication and has helped to continue their prescription.

Taking the medication Abilify as an example, Vice Chair Coles stated that medications have multiple names, generic or brand names, but that these medications are commonly known. She added that not every single antibiotic is listed in the formulary. Her conclusion is that the Board does not need to adjust what is written in the formulary to include more specific medications.

Dr. De Soto asked if there was downside to adding antipsychotic medications to the formulary so there is a clearer list for the provider who is looking.

EO Fernandez replied that it would be the same as any other medication on the list once the board votes to include this medication type. The upside of including specific medications, for example, would be the Board getting less inquiries from pharmacists or NDs about what medications are included. The downside is once it is in there, it is in there. The Board would have to adhere to the disciplinary language of the statutes and rules chapters in instances of poor practice. Additionally, there is the issue of what the Board can do if someone was not trained in antipsychotic medication, or not able to prescribe that medication per their training, but they can per their license. Though, he added that this is just the same for all the medications in the formulary. So, if the antipsychotic medications are not categorized as a scheduled, or restricted medication, which are absent from this formulary, then it is possible to add to the formulary on a Board vote.

Chair Kern noted that the formulary is not organized so that every item has to be specifically designated. Case in point: a few meetings ago, the Board approved Botox as a biological substance

that could be used by NDs. It was not included in the formulary by name. Chair Kern added that he does not believe an item approved must be specifically added. The formulary was created in 2009. Since then, questions have come up, asking if specific medications fall under or within the scope of naturopathic medicine. But, if a medication has not been specifically denied by the Board to be added to the formulary, then the item is acceptable [but not included in the formulary].

He agreed with EO Fernandez's comment, that as long as it is not a scheduled item, a medication typically is acceptable for prescribing under a specified medication category, e.g., Botox as a biological substance.

On an additional and related note, Chair Kern added that if an ND patient is on a scheduled item, then they do not approach a ND to reduce or change the dosing on scheduled item. Relating to medication prescribing in general, he believed there is nothing in the laws other than parenteral therapy which requires special certification.

Vice Chair Coles stated that she had no further comments, and that seemed logical to her.

Dr. De Soto agreed stating that the Board should respond to the inquiry and let them know that antipsychotic medications are a medication type that is prescribable under section #12. Unless its an easy thing to adjust, she believed it not necessary to address the formulary.

EO Fernandez recommended that since antidepressant medications are a subcategory under psychotherapeutic agents, and antipsychotic medications too are a subcategory of psychotherapeutic agents, the Board should vote to include antipsychotic medications to be included merely as clarification in the formulary. It would be following the logic of the category.

Chair Kern asked for a motion to add the term antipsychotics to the formulary for the purposes of clarification. On a motion by Vice Chair Coles, seconded by Dr. De Soto 2nd, the Board unanimously approved, that the term "antipsychotics" be added into the formulary under section #12: **psychotherapeutic agents**.

Next Meeting: Friday, October 20, 2023
2:00 p.m.
Queen Liliuokalani Conference Room

King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

Adjournment: There being no further business to discuss, the meeting was adjourned at 2:41 p.m.

Reviewed and approved by:

Taken and recorded by:

/s/ Christopher Fernandez
Christopher Fernandez
Executive Officer

/s/ Shasteen Hiona
Shasteen Hiona
Secretary

CF:sh

12/1/23

[] Minutes approved as is.

[] Minutes approved with changes. See Minutes of _____