

California Board of Naturopathic Medicine

Meeting Minutes

October 4, 2024

DRAFT

**MEMBERS
PRESENT:**

Dara Thompson, ND, President
Minna Yoon, ND, Vice President
Andy Yam, MPP, Secretary
Setareh Tais, ND
Vera Singleton, ND

**MEMBERS
ABSENT:**

Diparshi Mukherjee, DO – *Absent with cause*
Bruce Davidson, PhD – *Absent with cause*

**STAFF
PRESENT:**

Rebecca Mitchell, Executive Officer (EO)
Yuping Lin, Program Legal Counsel, Legal Affairs Div., DCA
Ann Fisher, Moderator, SOLID Unit, DCA
Bryce Penney, Webcast Specialist, Office of Public Affairs, DCA
Judie Buchiarelli, Board and Bureau Relations, DCA
Harmony DeFillippo, Budget Manager, Budget Office, DCA
Raquel Oden, Program Analyst, Co-Moderator, CBNM
Florencia Francisco, Consumer Protection Srv. Analyst, CBNM
Tess Townsend, PDE, DCA

**MEMBERS OF
THE
AUDIENCE:**

None

Agenda Item 1

Call to Order/Roll Call/Establishment of a Quorum

Dara Thompson, N.D., Chair, California Board of Naturopathic Medicine (CBNM or Board) called the meeting of the CBNM to order on October 4, 2024, at 10:35 a.m. A quorum was present and due notice was provided to all interested parties.

Agenda Item 2 Public Comment

The Board invited public comments on items not included in the agenda. No public comments were received at any of the meeting locations.

Agenda Item 3 Board Officer Elections

Board President Elections

During the June 27, 2024, board meeting, officer nominations were conducted for the Position of Board President. Member Yam moved to nominate Dr. Dara Thompson, N.D., for the position of the Board President. Dr. Thompson was the prior Committee Chair. Member Yoon seconded the motion and the motion carried with a vote of 6 Yes – 0 No – 0 Abstentions.

During today's meeting a call was made for a motion on the nomination of Dr. Dara Thompson, N.D. for position of President.

No public comments were made during this agenda item.

Motion – Yam / Second – Yoon, to elect Dr. Dara Thompson, N.D. as the Board President for the 2025 year. Roll call vote taken; motion carried 5-0-0. (YES – Thompson, Yoon, Singleton, Tais, Yam / NO – none / Abstentions – none).

Board Vice President Elections

During the June 27, 2024, board meeting, officer nominations were conducted for the Position of Board Vice President. Member Yoon moved to nominate Dr. Vera Singleton, N.D., for the position of the Board Vice President. Member Tais seconded the motion, and it was carried with a vote of 6 Yes – 0 No – 0 Abstentions.

A second nomination was moved by Member Davidson to nominate Dr. Minna Yoon, N.D., for the position of the Board Vice President. Member Yam seconded the motion, and it was carried with a vote of 6 Yes – 0 No – 0 Abstentions.

Lastly, a third nomination was moved by Member Andrew Yam. Yam requested to nominate himself for the position of the Board Vice President with the option to withdraw his nomination at a later time if needed. Member Mukherjee seconded the motion, and it was carried with a vote of 6 Yes – 0 No – 0 Abstentions.

Dr. Vera Singleton expressed her gratitude to the members during today's meeting, stating that she was truly honored to receive the nomination for the

Vice President position. However, she respectfully declined the nomination at this time.

Member Andy Yam also withdrew his self-nomination for the Vice President position.

A call was made for a motion to elect Dr. Minna Yoon, N.D. for position of Vice President.

No public comments were made during this agenda item.

Motion – Thompson / Second – Tais, to Elect Dr. Minna Yoon, N.D. as the Board Vice President for the 2025 year. Roll call vote taken; motion carried 5-0-0. (YES – Thompson, Yoon, Singleton, Tais, Yam / NO – none / Abstentions – none).

Board Secretary Elections

During the June 27, 2024 meeting, Member Andy Yam shared his extensive experience with board appointments, highlighting how his background could benefit the Board. He expressed his belief that he would represent the Board well as Secretary, effectively filling any gaps and providing support to other officer positions as needed.

Member Davidson moved to nominate Mr. Andrew Yam, for the position of the Board Secretary. Member Tais seconded the motion, and it was carried with a vote of 6 Yes – 0 No – 0 Abstentions.

During today's meeting a call was made for a motion to elect Mr. Andy Yam for position of Secretary.

No public comments were made during this agenda item.

Motion – Yoon / Second – Singleton, to Elect Mr. Andy Yam as the Board Secretary for the 2025 year. Roll call vote taken; motion carried 5-0-0. (YES – Thompson, Yoon, Singleton, Tais, Yam / NO – none / Abstentions – none).

Agenda Item 4 Review and Possible Approval of June 27, 2024 Board Meeting Minutes

EO Mitchell provided the Board members with a draft copy of the 06/27/2024 Board meeting minutes. The Board had an opportunity to review the minutes prior to the commencement of the meeting.

The Board members approved the June 27, 2024, minutes as provided in the meeting materials.

No public comments were made during this agenda item.

Motion – Thompson / *Second* – Yoon, to approve the 06/27/2024 board meeting minutes as submitted. Roll call vote taken; motion carried 5-0-0. (YES – Thompson, Yoon, Singleton, Tais, Yam / NO – none / Abstentions – none).

Agenda Item 5 **Discussion, Review and Possible Action on Department of Consumer Affairs (DCA) Updates**

a. Executive Office Update

Judie Bucciarelli, Board and Bureau Relations, DCA. Ms. Bucciarelli thanked the members for the opportunity to provide today's DCA update. Updates on two budget letters (BL) issued by the Department of Finance (DOF), BL 2420 and 2424, outlining reduction of state workforce and budgets. DCA submitted proposed vacancy reduction plan and is awaiting approval from the DOF. DCA board and bureaus must scrutinize expenditures, maximize cost savings, and authorize only mission-critical expenses.

Ms. Bucciarelli also presented that Jason Piccioni, Deputy Director, Office of Information Services, DCA was honored for the development of the Federal Professional and DCA Military License Portability Portal. Mr. Piccioni received the Best of California Award in the Innovation Serving the Public category in the 2024 California Government Innovation Summit.

There were no member questions or public comments made.

b. Budget Update

Harmony DeFillippo, Budget Manager, Budget Office, DCA, provided the Board's budget update, presenting on the expenditure projections and the fund conditions statement. The expenditure, revenue and fund condition documents were provided to the members prior to the meeting and included in the meeting materials.

There were no public comments made during this item.

Agenda Item 6 Discussion and Possible Action to Consider Comments Received During the 45-Day Comment Period and Proposed Responses Thereto for the Board's Rulemaking to Amend Title 16, CCR Section 4240 Regarding Fees.

EO Mitchell provided an overview of this item and referred members to the Board meeting memo and attachments, which included a copy of the two (2) written comments that were received during the 45-day public comment period between 8/9/2024 and 9/23/2024. Ms. Mitchell requested that Regulations Counsel explain any further issues relate to the responses.

Ms. Schieldge explained that the Office of Administrative Law requires the Board to consider and respond to each objection or recommendation provided by each commenter and therefore the Board's staff has prepared the suggested responses consistent with the Board's prior policy concerns about maintaining solvency. She read from the memo in the meeting materials and highlighted some of the concerns that the commenters raised, including an alleged 150% fee increase and the magnitude of the increase compared to the renewal fee for medical doctors. She advised that if the Board still agrees that it needs to increase fees, that she and staff recommend the Board approve "Motion A" as provided in the meeting materials.

Mr. Yam asked if this fee increase would address the Board's solvency issues. Ms. Mitchell stated that it would only resolve the issues in the short term and that the Board would need to seek legislative increases to the caps set forth in statute if the licensing population did not increase. Ms. Schieldge explained that the current issues stem from the fact that the Board's fund condition expenses are continuing to increase while the licensing population has not increased causing a higher amount of fees to be born by each licensee as the Board is not able to spread the costs across a larger licensing population.

Dr. Singleton asked whether the response to the Live Well Clinic could include a recommendation that they attend a future Board meeting to discuss their concerns further. Ms. Schieldge advised that the responses should be tailored to what the commenters raised as an objection, recommendation or question and since access was not raised as a concern, she recommended against that modification.

Mr. Yam asked whether the "installment" option was something they could explore. Ms. Mitchell indicated that per advice from the Budget and Legal Offices, the Board has no ability to do that.

Members Thompson, Yoon, Singleton, and Yam all expressed a deep appreciation of the comments received but generally agreed that the fees need to be increased in order for the Board to continue operating and fulfilling their mandate of public protection.

The Board Members agreed to adopt staff recommendations on page 5, Option A, for the Board to reject adverse comments as specified and provide the referenced responses to the written comments received.

No public comments were made during this agenda item.

Motion – Thompson / Second – Yam, to direct the Executive Officer to proceed as recommended to reject adverse comments as specified and provide the responses to the comments as indicated in the staff's recommended responses provided in the Board meeting materials. Roll call vote taken; motion carried 5-0-0. (YES – Thompson, Yoon, Singleton, Tais, Yam/ NO – none / Abstentions – none).

Agenda Item 7 Discussion and Possible Action to Consider Amendments to California Code of Regulations, Title 16 (16 CCR), Section 4240 Regarding Fees.

EO Mitchell provided an overview of this item and read from the meeting materials, which included the 16 CCR section 4240 proposed text. The members also received recommendations on the previously discussed comments in Agenda 6 from Ms. Schieldge to make no further changes to the proposed text, and a recommendation to the Board to consider the following motion to complete the rulemaking process and adopt the proposed text:

Board Member Singleton made a motion to adopt Motion A of Page 2 of the meeting material.

No public comments were made during this agenda item.

Motion – Thompson / Second – Yam, Direct staff to take all steps necessary to complete the rulemaking process including the filing of the final rulemaking package with the Office of Administrative Law, authorize the Executive Officer to make any non-substantive changes to the proposed regulation and the rulemaking documents, and adopt the proposed regulations as noticed for 16 CCR section 4240 as set forth in Attachment 1.

Roll call vote taken; motion carried 5-0-0. (YES – Thompson, Yoon, Singleton, Tais, Yam/ NO – none / Abstentions – none).

Agenda Item 8 Status Update and Report of the Board’s Current Rulemaking Proposals

EO Mitchell provided an update to the board's current Rulemaking proposals with the following anticipated target dates for providing a final draft of text:

Subject	Current Status	Target Completion Dates
Name Change (Sec. 100)	Proposed text sent to Reg counsel for review	9/25/2024
Delegation of Functions	Staff preparing package documents – will send to reg counsel anticipated by 10/15/2024	9/24/2024
Fees	45-day comment period ended. Comment review by board on 10/04/024	9/24/2024
Inactive Status	Will not move forward at this time due to fee structure issues	03/28/2024
Retired Status	Staff prepared proposed text. Sent to reg counsel for review. Need to determine appropriate fee for the application process (authority BPC 464)	9/25/2024
IV/Advanced Injection Therapies	Staff researching infection control for action in this area. Proposing to start Committee meetings early next year to work on proposed language.	9/23/2024

No public comments were made during this agenda item.

Agenda Item 9 Discussion and Possible Action on Executive Officer’s Report

EO Mitchell provided reports on the following items:

a. Program Update

Board Member Vacancies: The Board is still experiencing appointment vacancies. Currently, the following Board Member positions are vacant:

- 1 professional member (ND, licensed in the state of CA) vacant since 2/2022;
- 1 physician and surgeon, (MD/DO physician) vacant since 9/2019.

Staff is working with DCA and the Governor's Appointment Office to get the last two positions filled.

Budget Restrictions: Current budget restrictions are in place due to shortfalls in the state budget. No new hires will be sought. Only supplies and equipment that are determined to be required to carry out mandated duties will be purchased until further notice.

No public comment for this item.

b. Licensing Program FY 2023-24

This item was tabled and will be made available during the next board meeting.

c. Consumer Protection Services Program FY 2023-24

This item was tabled and will be made available during the next board meeting.

Agenda Item 10 Review and Possible Approval of the CBNM Strategic Plan 2025-2030 – Department of Consumer Affairs, SOLID Planning Solutions

The Board President message was provided by President Thompson and will be added to the approved strategic plan.

The completed PowerPoint on the strategic planning session was provided to the members that captured ideas of missions, visions, and values of the board.

All members participated in determining the order of each goal area and the objectives that should be included in each of these areas of the strategic plan.

The Board reviewed the Strategic Plan and made some non-substantive changes. The plan was adopted with amendments.

No public comment for this item.

Motion – Yoon / Second – Tais, to adopt the CBNM Strategic Plan of 2025 – 2030 with accepted suggestions provided by DCA SOLID, staff, and members.

Roll call vote taken; motion carried 5-0-0. (YES – Thompson, Yoon, Singleton, Tais, Yam/ NO – none / Abstentions – none).

Agenda Item 11 Discussion and Possible Action of Updating Board Logo Color Design

No public comment for this item.

Due to time constraints and staff and OIS resources that would be required to make a change to the color scheme of the board logo, this agenda item is tabled and will be added to an upcoming meeting after the Oversight (Sunset) Review of the Board has concluded.

Agenda Item 12 Discussion and Possible Action to Create Legislative Advisory Committee

The Board discussed the potential benefits of establishing a Legislative Advisory Committee. Members were invited to express their interest in serving on the committee.

Members Yoon and Yam expressed their interest in the appointments and will make up the advisory committee moving forward.

No public comments were received for this item.

Agenda Item 13 Future Agenda Items and Next Meeting Dates

Items added for upcoming meeting:

- Budget – potential revenue sources
- Legislative proposals
- Executive Officer Evaluation
- Action Planning (second part of Strategic Plan)
- Logo Color (after conclusion of Oversight (Sunset) Review)

The next meetings will be scheduled for the following:

- Quarter 1 2025 – Thurs., Jan 23, 2025 (Fri., Jan 31, 2025, as backup)
- Quarter 2 2025 – Wed., May 14, 2025
- Quarter 3 2025 – Thurs., Aug 14, 2025
- Quarter 4 2025 – Wed., Oct 8, 2025

No public comments were made during this agenda item.

Agenda Item 14 Adjournment

There being no further business or public comment, Dr. Thompson adjourned the meeting at 3:01 p.m.