

**MARYLAND BOARD OF PHYSICIANS
NATUROPATHIC DOCTORS FORMULARY COUNCIL (NDFC)
OPEN MEETING MINUTES
August 14, 2017**

MEMBERS PRESENT: Christina G. Marrongelli, OTA, BScPH, PharmD.; Melissa A. Clark, M.D.; Paul Faust, N.D.; and Joylene John-Sowah, M.D., MPH.

MEMBERS PRESENT VIA CONFERENCE PHONE: Carrie A. Runde, N.D.

STAFF PRESENT: David Finkler, Board Counsel; Yemisi Koya, Director, Communication, Education and Policy Unit; and Sandi Van Horn, Health Policy Analyst.

ABSENT: Brenda Baker and Maryland Department of Health (MDH) designee.¹

GUEST: Rachel Burch

CALL TO ORDER

Dr. Marrongelli called the meeting to order at 10:21 a.m.

INTRODUCTIONS

NDFC members and Board staff introduced themselves. Dr. Marrongelli noted that one member of the public was present.

APPROVAL OF MINUTES

Dr. Marrongelli made a motion to approve the minutes of the May 4, 2017 NDFC meeting. Dr. Clark seconded. The members present at this time voted to approve the minutes.

BOARD COUNSEL REPORT / MEDICAL FOODS

Mr. Finkler reported on additional research regarding medical foods. He spoke with a representative of the Food and Drug Administration (FDA) because there is little guidance. Medical foods are not considered to be drugs. The Naturopathic Medicine Advisory Committee (NMAC) determined that medical foods are not prohibited by the naturopathic doctor (ND) scope of practice (in Maryland), but it did not advise whether the FDA would find medical foods permissible. The draft formulary for consideration does not include medical foods because it is an issue about food and not about drugs.

In response to a question, Mr. Finkler provided additional information about the NMAC, which advises the Board of Physicians (the Board) on scope of practice issues. The NDFC is not charged with answering questions about the ND scope of practice. Mr. Finkler also reviewed the four duties of the NDFC per statute (§14-5F-04.1 of the Health Occupations Article). He noted that the formulary requirement is specific and read from statute the items permitted to be on the formulary. Regarding training for the use of medical foods, NDs would be expected to act within standards of care.

¹ Following the meeting, Board staff learned that the MDH designee was unable to connect to the meeting through the conference line.

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Dr. Marrongelli expressed concern about what would be considered a medical food under regulatory guidelines and about patient monitoring. Dr. Runde commented she would not be in favor of listing medical foods on a formulary. Dr. Marrongelli stated for the record she is the only one opposing the idea to exclude a medical foods list on the formulary.

UNFINISHED BUSINESS FROM MAY MEETING

Ms. Van Horn presented on the topic of DEA registration, which was mentioned at the previous NDFC meeting. The Board's application for physicians for initial medical licensure states that applicants must contact the Office of Controlled Substances Administration (OCSA) before contacting the DEA. She provided to NDFC members a draft, for information purposes, of a compilation of various definitions and provisions from Maryland statute or regulations that reference prescriptions or prescribers, but it may not be all inclusive. She did not find a Maryland provision requiring a DEA number to prescribe non-CDS.

NEW BUSINESS: LETTER FROM MNDA

Dr. Marrongelli reviewed a letter and attachments she received from the president of the Maryland Naturopathic Doctors Association. NDFC members agreed that the topics of the letter were outside of the scope of the NDFC.

Dr. John-Sowah, who arrived while the meeting was under way, introduced herself.

FOR DISCUSSION / APPROVAL: FORMULARY DRAFT

Ms. Van Horn summarized the formulary draft. Dr. Marrongelli inquired if anyone had changes for the draft and expressed concern about how NDs will obtain auto-injectable epinephrine. Dr. Faust commented that pharmacies may be confused about NDs trying to obtain epinephrine and oxygen. Dr. Marrongelli recommended working with the pharmacy board about ND authorization to obtain epinephrine. Mr. Finkler agreed that it would be a good idea to educate the pharmacy board about the prescribing authority of NDs.

There was discussion about basic life support (BLS) training and standard operating procedures for epinephrine storage and use. Mr. Finkler suggested that several of the issues raised could be addressed in a separate document, such as FAQs, to accompany the formulary on the Board Website.

Dr. Marrongelli made a motion for (1) Board Counsel and Board staff to speak to the pharmacy board about NDs obtaining epinephrine, obtaining other permitted items, and how to go about informing pharmacists about ND prescribing authority, and where pharmacists can find the formulary; and (2) to approve the draft formulary, pending the gathering of additional information (possibly to add to the formulary) about NDs obtaining epinephrine. Dr. Faust seconded, and all members present voted unanimously in favor.

FUTURE NDFC MEETING(S)

NDFC members tabled this item until Board staff can report back on availability in the Fall. Board staff will be in contact via e-mail.

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Dr. Marrongelli clarified that the information to be gathered about epinephrine may become an FYI and there may not be a need for language on the formulary. Dr. Faust commented about being “forward looking” in case there’s a change in scope for NDs and NDFC consideration of formulary additions in the future.

Mr. Finkler reminded NDFC members that the formulary is not yet official and next goes before the full Board.

ADJOURNMENT

Dr. Marrongelli adjourned the meeting at 11:30 a.m.

Respectfully Submitted by,



Dr. Yemisi Koya
Director, Communication, Education and Policy Unit