

Arizona State Board of Homeopathic and Integrated Medicine Examiners

Regular Meeting Minutes

September 11, 2012

I. Call to Order, Roll Call

Presiding officer, Dr. Todd Rowe, called the meeting to order at 9:22 a.m. noting the following board members were present:

Present:

Todd Rowe, MD, MD(H)

Martha Grout, MD, MD(H) (present by telephone at 9:31 a.m.)

Don Farris

Mary Ackerley, MD, MD(H) (present by telephone)

Dr. Les Adler, MD, MD(H)

Alan Kennedy

Mona Baskin, Assistant Attorney General, Christine Springer, Executive Director, and members of the public were also present.

II. Review, Consideration, and Action on Minutes

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Dr. Adler moved to approve the regular minutes. Mr. Kennedy seconded the motion that passed unanimously.

III. Annual Meeting

1. Election of Officers

Dr. Adler moved to nominate Dr. Rowe, Dr. Grout, and Mr. Farris to continue serving as officers to the Board. Mr. Kennedy seconded the motion, that passed unanimously.

Roll Call Vote: 5 – 0,

Adler, Rowe, Farris, Kennedy, Ackerley – Aye

Dr. Grout not present

2. 2012-2013 Meeting Schedule

Board members indicated they would review their individual schedules and individually contact Mrs. Springer regarding the proposed meeting schedule.

3. Fees

This agenda item was discussed in conjunction with VII. Review, Consideration and Action on Other Business

IV. Review, Consideration and Action on Complaints and Investigations

A. Review, Discuss – Tracking Log Notification of New Complaints Filed

There were no new complaints received

B. Ongoing Cases

Case No. 11-11 Thomas Lodi, MD(H) – A.Y.

Mrs. Springer informed the board members that Dr. Lodi's evaluation was scheduled for a date in October and the written report should be available in advance of the next regularly scheduled board meeting on November 13, 2012. There was a brief discussion of the types of documentation that would be provided to the evaluator prior to the scheduled appointment.

Case No. 11-03 Frank Lobacz, MD(H)

Mrs. Springer indicated that Dr. Lobacz remains hospitalized and his sentencing has been rescheduled to October 26, 2012.

Case No. 11-09 David Korn, DO, MD(H)

No action was taken on this matter. Mrs. Springer indicated that previously reviewed informed consents had not been revised for re-consideration and a medical assistant application for Mr. Brian Harrison was incomplete.

V. Review, Consideration and Action on Rules, Legislation, Substantive Policy Statements

A. Rules

1. Draft Rulemaking – Doctor of Homeopathy – Status report

The board discussed accreditation standards for schools that provide graduate level homeopathic training. Dr. Rowe noted the former Council on Homeopathic Education had been renamed the *Accreditation Commission for Homeopathic Education in North America* (ACHENA). This national commission accredits both master's and doctoral level homeopathic programs and is comprised of homeopathic practitioners, educators, and representatives of accredited schools that establish standards for the education of professional homeopathic practitioners. He noted that the commission had accredited five schools to date.

Mr. Kennedy inquired whether the board would automatically accept national standards and if so how would the board address changes to the standards as they occur. Dr. Rowe commented that any changes would be addressed through the rulemaking process.

Dr. Grout stated she agreed that the proposed rules should include a reference to ACHENA as a national body that accredits homeopathic schools.

(At 9:35 a.m. Dr. Grout excused herself from the meeting)

Mrs. Springer requested a clarification of the term "Fifth Pathway" and Board members agreed that the draft regulations should reflect any applicant having attended four years at an international medical school and holding a Fifth Pathway certificate issued on or before December 31, 2009. In the discussion, Board members confirmed that the Fifth Pathway is no longer supported by the AMA Council on Medical Education as a mechanism for eligibility to enter the first year of accredited graduate medical education in the United States.

2. Status of rulemaking to increase renewal fee (A.A.C. R4-38-105 Fees)

Mrs. Springer informed board members that a rulemaking increasing the renewal fee by \$25 annually had been approved by the Governor's Regulatory Review Council and would become effective with November renewals.

B.. Legislation

1. Board members reviewed a draft proposal amending A.R.S. § 32-2914, relating to removing fee caps from the list of fees charged by the Board. They also discussed housekeeping changes that remove obsolete language from the section of law describing renewal (A.R.S. § 32-2915). Dr. Rowe commented that the Arizona Homeopathic and Integrated Medicine Association should be informed of the proposed legislation. Mr. Kennedy suggested language relating to an inflation indicator clause that would limit the amount of increases that would occur should a fee increase be contemplated.

1. Chiropractic Association Sunrise to request that homeopathy be added to the Chiropractic scope of practice.

The Board tabled this discussion to the next scheduled meeting

VI. Review, Consideration and Action on Professional Business

1. Status update – board appointments

Dr. Grout and Mr. Kennedy indicated they were interested in continuing to serve on the Board. Dr. Grout stated she had submitted her on-line application and was awaiting word from the Governor's Office. Mr. Kennedy was in process with his application.

2. Dr. Rowe recused himself from the Board deliberation and at their request presented a short overview of a prospective curriculum for allopathically trained medical assistants who wish to obtain education in homeopathic medical assisting. He indicated the traditional medical assistant typically receives 750 hours of conventional medical assistant training. The proposed curriculum would include 200 didactic hours and 100 clinical hours. Drs. Ackerley and Adler inquired if a prospective student would receive credit for any prior training that is similar to the homeopathic assistant training. Mr. Kennedy pointed out that the training should be consistent with medical assistant regulations in A.A.C. R4-38-303. There was additional discussion among board members would requested that Dr. Rowe return to the Board with a more detailed curriculum proposal.

3. Board members discussed an email received from Dr. Kenneth Woliner, M.D., a physician with a medical practice in Florida that had provided information to the Board concerning his research on the HCG diet phenomenon. His information noted the FDA and FTC position statement declaring OTC HCG products as illegal and that "homeopathic HCG" is not legal since there is no monograph for the substance in the HPUS. Dr. Rowe commented that the information from Dr. Woliner should be made available to AHIMA and correspondence be sent thanking him for the information. He also noted that the FDA determination on homeopathic HCG had been based in part by its absence from the HPUS (Homeopathic Pharmacopoeia of the United States) and that a proving was ongoing. Should the proving results be accepted into the HPUS it is possible the FDA's position may change.

4. The discussion of informed consents filed by Dr. David Korn was tabled. Mrs. Springer indicated that the consents had not yet been refilled.

5. Dr. Rowe recused himself from this discussion. Following a review of the documentation submitted by the American Medical College of Homeopathy, Mr. Kennedy moved to approve 35 continuing education hours for the course entitled Introduction to

Integrative Medicine, sponsored by the American Medical College of Homeopathy. Dr. Grout seconded the motion that passed with a majority vote.

Roll Call: 5 – 0 Ayes: Grout, Kennedy, Adler, Farris, Ackerley. Recused: Rowe.

VIII. Review, Consideration and Action on Other Business

1. Executive Director Financial Report

Mrs. Springer indicated that as of August 31, 2012 the Board had total expenses of \$15,635 with an ending cash balance of \$11,198. She stated that a number of steps had been implemented to address the potential for a negative cash position in June, 2013 which include the following: deferring joint office costs to the third quarter, reducing employee benefits (ERE), requesting a return of swept cash in prior fiscal years, increasing the annual renewal fee and requesting legislation to remove fee caps and adding new fees. Finally, she indicated she would be retiring effective November 2, 2012. Board members requested additional discussion at a special meeting to be determined at a future date.

2. FY2014 budget request was approved by the Board following a short presentation by Mrs. Springer. She indicated no additional appropriations were requested.

IX. Call to the Public

Following an invitation from Dr. Rowe, there were no members of the public that wished to make a statement to the Board.

X. Future Agenda Items

American Medical College of Homeopathy – medical assistant curriculum

Executive Director retirement

Status of budget supplemental request

Chiropractic Association Sunrise application

XI. Future Meeting Dates

Special meeting to be announced

XII Adjournment

The meeting adjourned at 11:10 a.m. following a motion by Mr. Kennedy. The motion was seconded by Dr. Adler and passed with a unanimous vote. The next Regular Meeting of the Board will convene at 1400 W. Washington, in Conference Room B-1, Phoenix, Arizona, at 9:00 a.m. on November 13, 2012.

Respectfully Submitted,

Christine Springer
Executive Director

Approved by the Board in Regular Meeting on November 13, 2012