



Janet T. Mills
Governor

STATE OF MAINE
DEPARTMENT OF PROFESSIONAL
AND FINANCIAL REGULATION
OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION
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Anne L. Head, Esq.
Commissioner

Geraldine L. Betts
Administrator

Maine Board of Complementary Health Care Providers
Minutes of June 27, 2024, Board Meeting

Unofficial Minutes – *These draft minutes do not represent the opinion of the Department or the Administration. Minutes will become official after the Board of Complementary Health Care Providers votes to accept the minutes at the next scheduled board meeting.*

CALL TO ORDER

Chair Ackerly called the meeting to order at 9:16 a.m.

MEMBERS PRESENT

Sarah Ackerly, Naturopathic Doctor, Chairperson
Anne C. Jacobs, Acupuncturist
Cheryl Ann Sarton, Certified Nurse Midwife
Maureen Tsao, Acupuncturist
Elizabeth Winter, Certified Professional Midwife

MEMBERS ABSENT

Mary Ellen Corrigan, Pediatric Nurse Practitioner
Deborah Moskowitz, Naturopathic Doctor

STAFF PRESENT

Geraldine Betts, Administrator
Megan Hudson-MacRae, Assistant Attorney General, Board Counsel
Meagan McLaughlin, Comprehensive Health Planner II
Clark Phinney, Comprehensive Health Planner II

INTRODUCTION OF NEW BOARD MEMBERS

Chairperson Ackerly welcomed and introduced all new board members, Anne Jacobs, Marueen Tsao, and Elizabeth Winters.

MINUTES REVIEW AND ACTION

March 15, 2023

Sarton moved to accept the minutes of March 15, 2023, as presented, seconded by Ackerly. Jacobs, Tsao and Winters abstained. Motion carries.

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OFFICE LOCATION: GARDINER ANNEX
76 NORTHERN AVENUE, GARDINER, MAINE

**BOARD MEMBER REMOTE PARTICIPATION POLICY Review
and Board Vote - Opportunity for Public Comment will be provided prior to the
Board's vote**

Sarton moved to accept the remote participation policy as presented, seconded by Winter. No public comment. Unanimously voted.

2025 BOARD MEETING CALENDAR REVIEW

Board members discussed and accepted the proposed board meeting calendar for 2025.

CORRESPONDENCE

Cima Pillsbury, ND, LAc, Dipl. Ac, Vice President, MSND, The Massachusetts Society of Naturopathic Doctors – Request to be listed as a pre-approved continuing education sponsor.
The Board agreed with the request to add the society to the Board's pre-approved continuing education sponsor list, but in a more general term to also capture other similar entities. It will be listed on the board's 2024 list of pre-approved providers as *State-level naturopathic doctor organizations or associations where naturopathic doctors are licensed.* The Pre-Approved Continued Education listing for 2024 will be updated and will soon be posted to the board's website.

Nicole Edenberger, ND – Request to approve continuing education activity.

Jacobs moved to approve continuing education credits with the Confident Clinician Group as it meets the Board's criteria, seconded by Winter. Unanimously voted.

CONTINUING EDUCATION

Annual review and accept pre-approved Continuing Education Sponsors and Courses.
Board members reviewed and updated the 2022 list of pre-approved providers. Tsao moved to accept the 2024 -Pre-Approved Continuing Education Sponsors and Course list, seconded by Sarton. Ackerly and Winter in favor, Jacobs abstained. Motion carried.

REQUEST FOR CONSIDERATION

Dr. Elizabeth Yori, President, Maine Association of Naturopathic Doctors – Request for consideration with regard to updating the document “Standards Relating to Prescriptive Authorities and Collaborative Relationship” Board Rule Section 6.

Sarton moved that the Board recognizes the need to review the formulary rules that were adopted October 31, 1999. However, the board's organizational restructure was changed by the Legislature in 2015, which removed the pharmacist member. Title 32 § 12522, section 4(B) states, “A naturopathic doctor may only prescribe noncontrolled legend drugs from the following categories: homeopathic remedies, vitamins and minerals, hormones, local anesthesia and immunizations that are designated by rule by a subcommittee of the board consisting of the naturopathic members. As the pharmacist member no longer exists, a statutory change would be required to address the lack of a pharmacist to do rulemaking to amend the formulary. Statutory changes are not something that happens quickly nor can any assurance be given other than the board is aware of the situation and will reevaluate the law and explore options for a statutory changes, seconded by Tsao. Ackerly and Winter in favor, Jacobs abstained. Motion carried.

OVERVIEW OF COMPLAINT PROCESS

Assistant Attorney General Megan Hudson-MacRae gave an overview of the complaint process for all new board members. This included an overview of the purpose of the board which is to protect the public, complaint process, confidentiality of pending complaint cases, options of discipline and penalties the board may impose and consent agreements, emergency suspension of a license without a hearing if there is an immediate public safety is at risk, best practice vs standard of practice and using standard of practice as the baseline when considering complaint cases, adjudicatory hearings, constitutionality of board decisions about cases that are appealed to superior court.

COMPLAINT PRESENTATION(S) AND BOARD ACTION

2023-CHC-19151

Sarton moved to dismiss 2023-CHC-19151 with no evidence of a violation of the Board's Laws and Rules, seconded by Jacobs. Unanimously voted.

2023-CHC-19417

Jacobs moved to dismiss 2023-CHC-19417 with no evidence of a violation of the Board's Laws and Rules and refer to the Board of Chiropractic Licensure, seconded by Tsao. Sarton and Winter in favor, Ackerly abstained. Motion carried.

2024-CHC-19783

Tsao moved to dismiss 2024-CHC-19783 with no evidence of a violation of the Board's Laws and Rules, seconded by Winter. Jacobs and Sarton in favor, Ackerly abstained. Motion carried.

ELECTION OF OFFICERS FOR 2024

Tsao moved to nominate and re-elect Sarah Ackerly as Chair, seconded by Jacobs. Sarton and Winter in favor, Ackerly abstained. Motion carried.

Tsao moved to nominate and elect Cheryl Ann Sarton as Vice Chair, seconded by Winter. Ackerly and Jacobs in favor, Sarton abstained. Motion carried.

Sarton moved to nominate and elect Maureen Tsao as Acupuncturist Complaint Officer, seconded by Jacobs. Ackerly and Winter in favor, Tsao abstained. Motion carried.

Tsao moved to nominate and elect Anne Jacobs as Naturopathic Doctor Complaint Officer, seconded by Winter. Ackerly and Sarton in favor, Jacobs abstained. Motion carried.

Sarton moved to nominate and elect Elizabeth Winter as Midwives Complaint Officer, seconded by Tsao. Ackerly and Jacobs in favor, Winter abstained. Motion carried.

ADJOURN

There being no further business Sarton moved to adjourn at 12:08 p.m., seconded by Jacobs. Unanimously voted.

Maine Board of Complementary Health Care Providers

June 27, 2024, Minutes

4 | Page

Prepared By: Meagan McLaughlin, Comprehensive Health Planner II

Board approved: November 13, 2024