



State of Idaho
Division of Occupational and Professional Licenses
Board of Naturopathic Health Care

BRAD LITTLE
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Minutes of 09/29/2023

Board Members Present:	Dr. Tilden Sokoloff, Chair Christy Perry Mark Dunlap Dr. Lynn Hansen	Division Staff:	Russ Barron, Executive Officer Russell Spencer, General Counsel Dr. Nicki Chopski, Bureau Chief Madyson Crea, Board Support Specialist
Board Members Absent:	Dr. Steve Mings		

The meeting was called to order at 2:00 PM by Tilden Sokoloff.

Approval of Minutes

A motion was made and seconded to approve the 08/02/2023 minutes. The motion carried.

BOARD BUSINESS

Discussion of Public Comments Received: Mr. Barron acknowledged that prior to the meeting, the Board had received all comments submitted during the public comment period. Mr. Barron stated that the Board was provided with public comments related to the Practice Act, however those would not be discussed at this meeting. Only comments pertaining to the proposed rule chapter would be reviewed during this meeting.

Mr. Spencer reviewed the comments received for the rules made from the time the Board adopted the rules as proposed to the end of the public comment period on September 27, 2023. During the public hearing on September 14, 2023, board staff received two comments in favor of the rules.

The Board received 94 signed petitions and seven comments from members of the Naturopathic Physician's Association of Idaho (NPAI) in favor of the rule chapter. The NPAI members expressed support and appreciation for the Board's efforts to promulgate rules. Four additional comments were received in favor of the rule chapter.

Dr. Edvalson and Dr. West expressed support for the proposed rules and stated that regulating the practice of naturopathy will allow Idaho residents access to more holistic healthcare options. Dr. Leyva was supportive of the work done so far, however, expressed concern with the lack of requirements for registration and stated the new regulatory board has many things that still require work.

Addressing the lack of requirements for registration, Ms. Perry stated that registerable naturopaths include those who can currently practice using the modalities listed under Idaho Code § 54-1804(1)(1).

A total of six comments were received that expressed concern and opposition to the proposed rule chapter.

The Federation of Naturopathic Medicine Regulatory Authorities (FNMRA), the California Board of Naturopathic Medicine, and the Oregon Board of Naturopathic Medicine submitted comments in opposition to the rule chapter. These three entities expressed concern about the lack of rules relating to scope of practice, standards of conduct, and discipline.

Ms. Perry stated that licensed naturopaths must adhere to the standards of conduct outlined in their underlying license practice act and asked Mr. Spencer to clarify that scope of practice, standards of conduct, and discipline are not included in the rule chapter as they are already outlined in the Statute. The Chair and Dr. Hansen added due to the Governor's Zero-Based Regulation (ZBR) initiative, the Board does not want to duplicate statutory language in rule. Mr. Spencer stated the Idaho Board of Naturopathic Health Care has the authority to enforce its practice act and therefore chose not to reduce the scope of practice or augment discipline that is already stated in Idaho Code §§ 54-5906 & 54-5909. To maintain consistency, the Board decided not to impose additional limitations on registered naturopaths outlined in Idaho Code §§ 54-5908 & 54-1804(1)(l).

The American Association of Naturopathic Physicians (AANP) and the Idaho Chapter of the AANP (IDAANP) submitted written comments in opposition of the rule chapter. Both associations expressed concern with the NDLEX as an approved examination and lack of rules relating to discipline, scope of practice and standards of conduct. The IDAANP thanked the Board for listening to prior comments made in July and striking Universal Licensure from rule due to its duplicity of statute.

The Association of Accredited Naturopathic Medical Colleges (AANMC) submitted a written comment outlining their concern with the approved exams listed in rule. Additionally, AANMC echoed previously discussed opposition to the lack of rules on discipline, standards of professional conduct, and scope of practice.

Ms. Perry acknowledged the public safety concern that a license would be issued based on only passing an exam. She clarified that there are additional requirements in statute that must be met to ensure only qualified applicants are licensed.

Mr. Spencer and the Board expressed gratitude to all the stakeholders for their participation throughout this process and for facilitating constructive conversation and consideration of the rules.

Adoption of Pending Rules – Rulemaking:

A motion was made and seconded to adopt, as pending, the proposed rule chapter of the Board of Naturopathic Health Care, IDAPA 24.40.01. The vote was: Dr. Hansen, aye; Mr. Dunlap, aye; and Ms. Perry, aye. The motion carried.

Mr. Barron stated that the Board's decision to adopt the rules as pending does not mean the Board can start issuing licenses. The rules must be approved by the legislature prior to the Board being able to license or register applicants.

Adjourn

There being no further business, the meeting was adjourned at 2:40 PM.

The next meeting will be held in 2024. The date will be posted on Townhall and the DOPL website once scheduled.