

24.33.04 – RULES FOR THE LICENSURE OF NATUROPATHIC MEDICAL DOCTORS

000. LEGAL AUTHORITY.

These rules are promulgated pursuant to Sections 54-5102, 54-5105(2), and 54-5108 Idaho Code. (3-28-23)

001. SCOPE.

These rules govern the licensure, scope of practice, and discipline of the Naturopathic Medical Doctors in Idaho. (3-28-23)

~~002. 009. (RESERVED)~~

~~010~~002. DEFINITIONS.

~~01. Council on Naturopathic Medical Education (CNME). The accrediting organization that is recognized by the United States Department of Education as the accrediting agency for education programs that prepare naturopathic medical doctors. (3-28-23)~~

~~02. North American Board of Naturopathic Examiners (NABNE). The independent, nonprofit organization that qualifies applicants to take the Naturopathic Physicians Licensing Exam and submits those results to the regulatory authority. (3-28-23)~~

~~03. Naturopathic Physicians Licensing Exam (NPLEX). The board examination for naturopathic medical doctors. (3-28-23)~~

~~0401. Naturopathic Medical Doctor. A person who meets the definition in Section 54-5101(5), Idaho Code, is a term interchangeable with Licensed licensed naturopathic physician, physician of naturopathic medicine, naturopathic medical doctor and NMD-are interchangeable terms. (3-28-23)~~

~~05. Primary Care. Comprehensive first contact and/or continuing care for persons with any sign, symptom, or health concern not limited by problem of origin, organ system, or diagnosis. It includes health promotion, disease prevention, health maintenance, counseling, patient education, diagnosis and treatment of acute and chronic illness. It includes collaborating with other health professionals and utilizing consultation or referral as appropriate. (3-28-23)~~

~~00311. – 09920. (RESERVED)~~

~~021~~100. APPLICATION FOR LICENSURE.

~~01. Application. Each applicant for licensure will submit a completed written application to the Board on forms prescribed by the Board, together with the nonrefundable application fee. Accrediting Organization. The Council on Naturopathic Medical Education (CNME) is the accrediting organization that is recognized by the United States Department of Education as the accrediting agency for education programs that prepare naturopathic medical doctors. (3-28-23)~~

~~02. Licensing Examinations. Each applicant must provide certification of passing the following four (4) sections of the Naturopathic Physicians Licensing Exam (NPLEX) exam administered by the North American Board of Naturopathic Examiners (NABNE): (3-28-23)~~

- ~~a. Part I Biomedical Science; (3-28-23)~~
- ~~b. Part II Core Clinical Science; (3-28-23)~~
- ~~c. Part II Clinical Elective Minor Surgery; and (3-28-23)~~

- d. Part II Clinical Elective Pharmacology. (3-28-23)

03. Renewal of License

- a. Continuing Medical Education (CME). Every two (2) years, a total of forty-eight (48) hours, twenty (20) of which is pharmacology, of Board approved verifiable CME is required.

101. – 199. (RESERVED)

200. PRACTICE STANDARDS

~~022. **AUTHORITY TO PRESCRIBE, DISPENSE, ADMINISTER, AND ORDER.**~~

~~Naturopathic medical doctors are allowed to prescribe, dispense, administer, and order the following: (3-28-23)~~

~~01. **Laboratory and Diagnostic Procedures.** Naturopathic medical doctors licensed under this chapter may perform and order physical examinations, laboratory tests, imaging, and other diagnostic tests consistent with primary care. (3-28-23)~~

~~a. All examinations, laboratory, and imaging tests not consistent with primary care must be referred to an appropriately licensed health care professional for treatment and interpretation. (3-28-23)~~

~~b. Any test result or lesion suspicious of malignancy must be referred to the appropriate physician licensed pursuant to Chapter 18, Title 54 Idaho Code. (3-28-23)~~

0201. Naturopathic Formulary. The formulary for naturopathic medical doctors licensed under this chapter consists of non-controlled legend medications (excluding testosterone) deemed appropriate for the primary health care of patients within the scope of practice and training of each naturopathic medical doctor. Prescribing pursuant to the Naturopathic Formulary shall be according to the standard of health care provided by other qualified naturopathic medical doctors in the same community or similar communities, taking into account their training, experience and the degree of expertise to which they hold themselves out to the public. (3-28-23)

~~0302. **Formulary Exclusions.** The naturopathic formulary does not include: (3-28-23)~~

a. Scheduled, controlled drugs, except for testosterone used in physiologic doses with regular lab assessment for hormone replacement therapy, gender dysphoria, or hypogonadism; (3-28-23)

b. General anesthetics; (3-28-23)

c. Blood derivatives except for platelet rich plasma; or (3-28-23)

d. Systemic antineoplastic agents, except for the following antineoplastic agents used orally or topically for non-cancer purposes: (3-28-23)

i. Fluorouracil (5FU); (3-28-23)

ii. Anastrozole; and (3-28-23)

iii. Letrozole. (3-28-23)

~~023201. – 031299. (RESERVED)~~

300. DISCIPLINE.

~~032. **GROUND FOR DISCIPLINE OR DENIAL OF A LICENSE.**~~

~~01. **Ethical Standards of Practice.** In addition to statutory grounds for discipline set forth in Section~~

54-5109, Idaho Code, Every person licensed as a naturopathic medical doctor is subject to discipline by the Board under the following grounds must adhere to the following standards: (3-28-23)

~~01. Ability to Practice. Demonstrating a manifest incapacity to carry out the functions of the licensee's ability to practice naturopathic medicine or deemed unfit by the Board to practice naturopathic medicine; (3-28-23)~~

~~02a. Controlled Substance or Alcohol Abuse. Abstain from uUsing any controlled substance or alcohol in a manner which has or may have a direct and adverse bearing on the licensee's ability to practice naturopathic medicine with reasonable skill and safety; (3-28-23)~~

~~03. Education or Experience. Misrepresenting educational or experience attainments; (3-28-23)~~

~~04b. Medical Records. Failing to Mmaintain adequate naturopathic medical records. Adequate naturopathic medical records mean legible records that contain subjective information, an evaluation or report of objective findings, assessment or diagnosis, and the plan of care; (3-28-23)~~

~~05. Untrained Practice. Practicing in an area of naturopathic medicine for which the licensee is not trained; (3-28-23)~~

~~06. Sexual Misconduct. Committing any act of sexual contact, misconduct, exploitation, or intercourse with a patient or former patient or related to the licensee's practice of naturopathic medicine; (3-28-23)~~

~~a. Consent of the patient shall not be a defense. (3-28-23)~~

~~b. Subsection 032.06 does not apply to sexual contact between a naturopathic medical doctor and the naturopathic medical doctor's spouse or a person in a domestic relationship who is also a patient. (3-28-23)~~

~~c. A former patient includes a patient for whom the naturopathic medical doctor has provided naturopathic medical services within the last twelve (12) months. Sexual or romantic relationships with former patients beyond that period of time may also be a violation if the naturopathic medical doctor uses or exploits the trust, knowledge, emotions, or influence derived from the prior professional relationship with the patient. (3-28-23)~~

~~07c. Failure to Reporting. Failing to Rreport to the Board any known act or omission of a licensee, applicant, or any other person, that violates any of the rules promulgated by the Board under the authority of the act; (3-28-23)~~

~~08d. Interfering with or Influencing Disciplinary Outcomes. May not iInterfering with an investigation or disciplinary proceeding by willful misrepresentation of facts or by use of threats or harassment against any patient, Board or naturopathic medical board, Board staff, hearing officer, or witness in an attempt to influence the outcome of a disciplinary proceeding, investigation or other legal action; (3-28-23)~~

~~09e. Failure to Obey Laws and Rules. Failing to Oobey federal and local laws and rules governing the practice of naturopathic medicine. (3-28-23)~~

~~033. CONTINUING MEDICAL EDUCATION (CME) REQUIREMENTS.~~

~~01. Renewal. Every two (2) years, a total of forty eight (48) hours (twenty (20) of which is pharmacology) of Board approved CME is required as part of the naturopathic medical doctor's license renewal. (3-28-23)~~

~~02. Verification of Compliance. Licensees must, at license renewal, provide a signed statement to the Board indicating compliance. The Board, in its discretion, may require such additional evidence as it deems necessary to verify compliance. (3-28-23)~~

~~034301. – 040399.~~

(RESERVED)

01400. FEES.

01. Nonrefundable Fees are shown in the following table as follows:

Fees – Table (Non-Refundable)	
Licensure Fee	Not more than \$600
Annual License Renewal Fee	Not more than \$300
Reinstatement Fee	Not more than \$200
Inactive License Renewal Fee	Not more than \$100
Duplicate Wallet License Fee	Not more than \$20
Duplicate Wall Certificate Fee	Not more than \$50

(3-28-23)

042401. – 999. (RESERVED)

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001. SCOPE.

These rules govern the licensure, scope of practice, and discipline of the Naturopathic Medical Doctors in Idaho. (3-28-23)

002. DEFINITIONS.

01. Naturopathic Medical Doctor is a term interchangeable with licensed naturopathic physician, physician of naturopathic medicine, naturopathic medical doctor and NMD. (3-28-23)

003. – 099. (RESERVED)

100. LICENSURE.

01. Accrediting Organization. The Council on Naturopathic Medical Education (CNME) is the accrediting organization that is recognized by the United States Department of Education as the accrediting agency for education programs that prepare naturopathic medical doctors. (3-28-23)

02. Licensing Examinations. Each applicant must provide certification of passing the following four (4) sections of the Naturopathic Physicians Licensing Exam (NPLEX) administered by the North American Board of Naturopathic Examiners (NABNE): (3-28-23)

- a. Part I Biomedical Science; (3-28-23)
- b. Part II Core Clinical Science; (3-28-23)
- c. Part II Clinical Elective Minor Surgery; and (3-28-23)
- d. Part II Clinical Elective Pharmacology. (3-28-23)

03. Renewal of License

- a. **Continuing Medical Education (CME).** Every two (2) years, a total of forty-eight (48) hours, twenty (20) of which is pharmacology, of Board approved verifiable CME is required.

101. – 199. (RESERVED)

200. PRACTICE STANDARDS

01. Naturopathic Formulary. The formulary for naturopathic medical doctors licensed under this chapter consists of non-controlled legend medications (excluding testosterone) deemed appropriate for the primary health care of patients within the scope of practice and training of each naturopathic medical doctor. Prescribing pursuant to the Naturopathic Formulary shall be according to the standard of health care provided by other qualified naturopathic medical doctors in the same community or similar communities, taking into account their training, experience and the degree of expertise to which they hold themselves out to the public. (3-28-23)

02. Formulary Exclusions. The naturopathic formulary does not include: (3-28-23)

- a. Scheduled, controlled drugs, except for testosterone used in physiologic doses with regular lab assessment for hormone replacement therapy, gender dysphoria, or hypogonadism; (3-28-23)

- b. General anesthetics; (3-28-23)
- c. Blood derivatives except for platelet rich plasma; or (3-28-23)
- d. Systemic antineoplastic agents, except for the following antineoplastic agents used orally or topically for non-cancer purposes: (3-28-23)
 - i. Fluorouracil (5FU); (3-28-23)
 - ii. Anastrozole; and (3-28-23)
 - iii. Letrozole. (3-28-23)

201. – 299. (RESERVED)

300. DISCIPLINE.

01. Ethical Standards of Practice. Every person licensed as a naturopathic medical doctor must adhere to the following standards: (3-28-23)

a. Controlled Substance or Alcohol Abuse. Abstain from using any controlled substance or alcohol in a manner which has or may have a direct and adverse bearing on the licensee’s ability to practice naturopathic medicine with reasonable skill and safety; (3-28-23)

b. Medical Records. Maintain adequate naturopathic medical records. Adequate naturopathic medical records mean legible records that contain subjective information, an evaluation or report of objective findings, assessment or diagnosis, and the plan of care; (3-28-23)

c. Reporting. Report to the Board any known act or omission of a licensee, applicant, or any other person, that violates any of the rules promulgated by the Board under the authority of the act; (3-28-23)

d. Disciplinary Outcomes. May not interfere with an investigation or disciplinary proceeding by willful misrepresentation of facts or by use of threats or harassment against any patient, Board or naturopathic medical board, Board staff, hearing officer, or witness in an attempt to influence the outcome of a disciplinary proceeding, investigation or other legal action; (3-28-23)

e. Obey Laws and Rules. Obey federal and local laws and rules governing the practice of naturopathic medicine. (3-28-23)

301. – 399. (RESERVED)

400. FEES.

01. Fees are as follows:

Fees – Table (Non-Refundable)	
Licensure Fee	Not more than \$600
Annual License Renewal Fee	Not more than \$300
Reinstatement Fee	Not more than \$200

Duplicate Wallet License Fee	Not more than \$20
Duplicate Wall Certificate Fee	Not more than \$50

(3-28-23)

401. – 999. (RESERVED)

DRAFT 2

Current Rule	New Location	Deletions/ Changes	Reason
000. Legal Authority	No Change	Added sections of code to reflect appropriate statutory authority.	No Change
001. Scope	No Change	No Change	No Change
010. Definitions	002. Definitions	<u>Strike:</u> 01. Council on Naturopathic Medical Education (CNME) 02. North American Board of Naturopathic Examiners (NABNE) 03. Naturopathic Physicians Licensing Exam (NPLEX) 05. Primary Care Reworded for clarity: 04. Naturopathic Medical Doctor	01. Incorporated into 100.01 Licensure 02. Incorporated into 100.02 Licensure 03. Incorporated into 100.02 Licensure 05. Duplicative of Idaho Code 54-5102
100. Licensure 01. Application 02. Licensing Examination	100. Licensure 02. Licensing Examination	<u>Strike:</u> 01. Application <u>Reworded with struck definitions incorporated:</u> 02. Licensing examination	01. Duplicative of Idaho Code 54-5106
033. Continuing Medical Education (CME) Requirement	100. Licensure 03. Renewal of License	<u>Strike:</u> 02. Verification of Compliance	01. Reorganized under licensure 02. Unnecessary in rule
200. Practice Standards 22. Prescriptive Authority	200. Practice Standards 01. Naturopathic Formulary 02. Formulary Exclusions	Reworded for clarity. <u>Strike:</u> 01. Laboratory and Diagnostic Procedures Naturopathic Formulary and Formulary Exclusions were renumbered.	01. Duplicative of Idaho Code 54-5102
032. Grounds for Discipline or Denial of License	300. Discipline	<u>Strike:</u> 01. Ability to Practice 03. Education or Experience 05. Untrained Practice 06. Sexual Misconduct All rules that were not struck were renumbered under 300.01. Ethical Standards of Practice	Duplicative of Idaho Code 54-5109 Reorganized and reworded for consistency and to reflect statutory authority.
041. Fees	400. Fees	<u>Strike:</u> Inactive License Renewal Fee	The process to reinstate an inactive license is the same as reinstating a lapsed license.