

Chapter 246-836 WAC NATUROPATHIC PHYSICIANS

Last Update: 3/27/19

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

246-836-050	Reexaminations. [Statutory Authority: RCW 18.36A.160, 2011 c 41, and 2011 c 40. WSR 12-13-104, § 246-836-050, filed 6/20/12, effective 7/21/12. Statutory Authority: RCW 18.36A.060. WSR 92-02-018 (Order 224), § 246-836-050, filed 12/23/91, effective 1/23/92. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-836-050, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.36A.060. WSR 88-14-009 (Order PM 742), § 308-34-140, filed 6/24/88.] Repealed by WSR 15-10-028, filed 4/27/15, effective 5/28/15. Statutory Authority: RCW 18.36A.110, 18.36A.150, and 18.36A.160.
246-836-060	Examination appeals. [Statutory Authority: RCW 18.36A.060. WSR 92-02-018 (Order 224), § 246-836-060, filed 12/23/91, effective 1/23/92. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-836-060, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.36A.060. WSR 88-14-009 (Order PM 742), § 308-34-150, filed 6/24/88.] Repealed by WSR 01-14-091, filed 7/5/01, effective 8/5/01. Statutory Authority: RCW 18.36A.060.
246-836-070	Renewal of licenses. [Statutory Authority: RCW 18.36A.060. WSR 92-02-018 (Order 224), § 246-836-070, filed 12/23/91, effective 1/23/92. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-836-070, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.36A.060. WSR 88-14-009 (Order PM 742), § 308-34-160, filed 6/24/88.] Repealed by WSR 97-20-101, filed 9/29/97, effective 10/30/97. Statutory Authority: RCW 43.70.040.
246-836-090	License reinstatement. [Statutory Authority: RCW 18.36A.060. WSR 92-02-018 (Order 224), § 246-836-090, filed 12/23/91, effective 1/23/92. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-836-090, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.36A.060. WSR 88-14-009 (Order PM 742), § 308-34-190, filed 6/24/88.] Repealed by WSR 98-05-060, filed 2/13/98, effective 3/16/98. Statutory Authority: RCW 43.70.280.
246-836-190	Postgraduate hours in the study of mechanotherapy. [Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-836-190, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.36A.060(1). WSR 89-02-051 (Order PM 815), § 308-34-470, filed 1/3/89.] Repealed by WSR 97-20-101, filed 9/29/97, effective 10/30/97. Statutory Authority: RCW 43.70.040.
246-836-320	General provisions. [Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-836-320, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.130.070. WSR 89-14-092 (Order PM 842), § 308-130-320, filed 6/30/89.] Repealed by WSR 92-02-018 (Order 224), filed 12/23/91, effective 1/23/92. Statutory Authority: RCW 18.36A.060.
246-836-340	Health care institutions. [Statutory Authority: RCW 18.36A.160, 2011 c 41, and 2011 c 40. WSR 12-13-104, § 246-836-340, filed 6/20/12, effective 7/21/12. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-836-340, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.130.070. WSR 89-14-092 (Order PM 842), § 308-130-340, filed 6/30/89.] Repealed by WSR 18-18-051, filed 8/29/18, effective 9/29/18. Statutory Authority: RCW 18.36A.160 and 18.130.070.
246-836-350	Naturopathic associations or societies. [Statutory Authority: RCW 18.36A.160, 2011 c 41, and 2011 c 40. WSR 12-13-104, § 246-836-350, filed 6/20/12, effective 7/21/12. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-836-350, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.130.070. WSR 89-14-092 (Order PM 842), § 308-130-350, filed 6/30/89.] Repealed by WSR 18-18-051, filed 8/29/18, effective 9/29/18. Statutory Authority: RCW 18.36A.160 and 18.130.070.

246-836-360 Health care service contractors and disability insurance carriers. [Statutory Authority: RCW 18.36A.160, 2011 c 41, and 2011 c 40. WSR 12-13-104, § 246-836-360, filed 6/20/12, effective 7/21/12. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-836-360, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.130.070. WSR 89-14-092 (Order PM 842), § 308-130-360, filed 6/30/89.] Repealed by WSR 18-18-051, filed 8/29/18, effective 9/29/18. Statutory Authority: RCW 18.36A.160 and 18.130.070.

246-836-370 Professional liability carriers. [Statutory Authority: RCW 18.36A.160, 2011 c 41, and 2011 c 40. WSR 12-13-104, § 246-836-370, filed 6/20/12, effective 7/21/12. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-836-370, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.130.070. WSR 89-14-092 (Order PM 842), § 308-130-370, filed 6/30/89.] Repealed by WSR 18-18-051, filed 8/29/18, effective 9/29/18. Statutory Authority: RCW 18.36A.160 and 18.130.070.

246-836-380 Courts. [Statutory Authority: RCW 18.36A.160, 2011 c 41, and 2011 c 40. WSR 12-13-104, § 246-836-380, filed 6/20/12, effective 7/21/12. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-836-380, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.130.070. WSR 89-14-092 (Order PM 842), § 308-130-380, filed 6/30/89.] Repealed by WSR 18-18-051, filed 8/29/18, effective 9/29/18. Statutory Authority: RCW 18.36A.160 and 18.130.070.

246-836-390 State and federal agencies. [Statutory Authority: RCW 18.36A.160, 2011 c 41, and 2011 c 40. WSR 12-13-104, § 246-836-390, filed 6/20/12, effective 7/21/12. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-836-390, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.130.070. WSR 89-14-092 (Order PM 842), § 308-130-390, filed 6/30/89.] Repealed by WSR 18-18-051, filed 8/29/18, effective 9/29/18. Statutory Authority: RCW 18.36A.160 and 18.130.070.

246-836-400 Cooperation with investigation. [Statutory Authority: RCW 18.36A.060, 18.130.050 and 18.130.070. WSR 92-02-018 (Order 224), § 246-836-400, filed 12/23/91, effective 1/23/92. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-836-400, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.130.070. WSR 89-14-092 (Order PM 842), § 308-130-400, filed 6/30/89.] Repealed by WSR 97-20-101, filed 9/29/97, effective 10/30/97. Statutory Authority: RCW 43.70.040.

WAC 246-836-010 Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

- (1) "Board" means the board of naturopathy.
- (2) "Department" means the department of health.
- (3) "Hospital" means any health care institution licensed under chapter 70.41 RCW.
- (4) "Naturopath" or "naturopathic physician" means a person licensed under chapter 18.36A RCW.
- (5) "Nursing home" means any health care institution which comes under chapter 18.51 RCW.
- (6) "Unprofessional conduct" means the conduct described in RCW 18.130.180.

[Statutory Authority: RCW 18.36A.160, 2011 c 41, and 2011 c 40. WSR 12-13-104, § 246-836-010, filed 6/20/12, effective 7/21/12. Statutory Authority: RCW 18.36A.060. WSR 92-02-018 (Order 224), § 246-836-010, filed 12/23/91, effective 1/23/92.]

WAC 246-836-020 Requirements for licensure. Individuals seeking a license to practice as a naturopathic physician must provide the following:

- (1) A completed application, with all required fees;
- (2) Official transcripts sent directly from a college of naturopathic medicine approved by the board, demonstrating that the applicant has graduated as a naturopathic physician;
- (3) Verification of successful passage of the national examination approved by the board under WAC 246-836-030 sent directly from the examination entity;
- (4) Successful passage of the jurisprudence examination provided by the board;

(5) A federal background check application, if required, including fingerprint cards and fee per RCW 18.130.064 (2)(b); and

(6) Any other documentation, materials, or information as determined by the board or its designee.

[Statutory Authority: RCW 18.36A.110, 18.36A.150, and 18.36A.160. WSR 15-10-028, § 246-836-020, filed 4/27/15, effective 5/28/15. Statutory Authority: RCW 18.36A.160, 2011 c 41, and 2011 c 40. WSR 12-13-104, § 246-836-020, filed 6/20/12, effective 7/21/12. Statutory Authority: RCW 18.36A.060. WSR 92-02-018 (Order 224), § 246-836-020, filed 12/23/91, effective 1/23/92. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-836-020, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.36A.060. WSR 88-14-009 (Order PM 742), § 308-34-110, filed 6/24/88.]

WAC 246-836-030 Licensure examinations accepted by the board.

(1) Applicants for licensure as a naturopathic physician must pass the Naturopathic Physicians Licensing Examination (NPLEX) administered by the North American Board of Naturopathic Examiners (NABNE). The NPLEX licensure examination consists of the following components and tests:

(a) The integrated NPLEX Part I biomedical science examination, first administered in August 2009;

(b) The integrated NPLEX Part II clinical science examination, first administered in August 2007; and

(c) The NPLEX Part II clinical elective add-on minor surgery examination.

(2) The acceptable scores for the integrated examinations identified in subsection (1) of this section are those passing scores reported by NABNE.

(3) For NPLEX examinations administered prior to the integrated examinations identified in subsection (1) of this section, the board accepts a minimum passing score of seventy-five for each component and test in:

(a) NPLEX Part I;

(b) NPLEX Part II;

(c) NPLEX clinical elective add-on minor surgery examination; and

(d) NPLEX clinical elective add-on homeopathy examination.

(4) The board will consider passing scores under the compensatory model as reported by NABNE on a case-by-case basis. The minimum passing score for each component and test in the examination is seventy-five.

(5) Appeals of NPLEX failing scores must be made directly to NABNE.

[Statutory Authority: RCW 18.36A.110, 18.36A.150, and 18.36A.160. WSR 15-10-028, § 246-836-030, filed 4/27/15, effective 5/28/15. Statutory Authority: RCW 18.36A.160, 2011 c 41, and 2011 c 40. WSR 12-13-104, § 246-836-030, filed 6/20/12, effective 7/21/12. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-836-030, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.36A.060. WSR 88-14-009 (Order PM 742), § 308-34-120, filed 6/24/88.]

WAC 246-836-040 Jurisprudence examinations. (1) Individuals taking the jurisprudence examination provided by the board must pay the appropriate fee when submitting it for scoring.

(2) The minimum passing score for the jurisprudence examination is seventy-five.

(3) Individuals who fail the jurisprudence examination may retake the examination provided they submit an additional fee.

(4) An individual's jurisprudence examination score is released only to the individual unless a written request is submitted that authorizes release to a specific third party.

[Statutory Authority: RCW 18.36A.110, 18.36A.150, and 18.36A.160. WSR 15-10-028, § 246-836-040, filed 4/27/15, effective 5/28/15. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-836-040, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.36A.060. WSR 88-14-009 (Order PM 742), § 308-34-130, filed 6/24/88.]

WAC 246-836-080 Continuing competency program. (1) General provisions. Each licensed naturopathic physician must complete sixty hours of continuing education every two years, as provided in chapter 246-12 WAC, Part 7.

(2)(a) A license holder's first sixty hour continuing education requirement is due on the third renewal date after the license is issued. After that, it is due every other year on the licensee's renewal date.

(b) A licensee may begin to accrue continuing education from the date of initial licensure and apply it toward the fulfillment of their first continuing education requirement.

(c) License reissuance. When applying for reissuance of an expired license, a naturopathic physician must attest to sixty hours of continuing education for the two years preceding the reissuance application. Upon reissuance, the licensee's continuing education sequence will resume based on the last active license continuing education cycle.

(3) Licensees must complete a minimum of fifteen continuing education hours over two years on the subject of pharmacology consistent with naturopathic scope of practice in this state. Course content, or a portion thereof, must be designated as pharmacology by an entity listed in subsection (5)(a)(i) or (b)(i) of this section. Examples of eligible pharmacology course content include:

(a) Legend substances as defined in RCW 69.41.010;

(b) Controlled substances in chapter 69.50 RCW;

(c) Biopharmacology, which is the study of medicinal or drug products manufactured in, extracted from, or semi-synthesized from biological sources;

(d) Pharmacognosy, which is the study of medicinal drugs derived from plants or other natural sources;

(e) Contraindications or interactions of drug-to-drug, drug-to-herb, or drug-to-nutrient; or

(f) Other subjects approved by the board.

(4) Suicide prevention requirements. As part of continuing education, a licensed naturopathic physician must complete a board-approved one-time training that is at least six hours long in suicide assessment, treatment, and management. This training must be completed by the end of the first full continuing education reporting period after

January 1, 2016, or the first full continuing education reporting period after initial licensure, whichever is later.

(a) Until July 1, 2017, a board-approved training must be an empirically supported training in suicide assessment, including screening and referral, suicide treatment, and suicide management, and meet any other requirement in RCW 43.70.442.

(b) Beginning July 1, 2017, training accepted by the board must be on the department's model list developed in accordance with rules adopted by the department that establish minimum standards for training programs. The establishment of the model list does not affect the validity of training completed prior to July 1, 2017.

(c) A board-approved training must be at least six hours in length and may be provided in one or more sessions.

(d) The hours spent completing the training in suicide assessment, treatment, and management under this subsection count toward meeting any applicable continuing education requirements.

(e) Nothing in this subsection is intended to expand or limit the naturopathic scope of practice.

(5) Categories of creditable continuing education.

(a) Category 1. A licensee is required to obtain a minimum of twenty hours over two years in this category; however, all sixty hours may be earned in this category. Category 1 credit hours and activities include:

(i) Live-attended, both in-person and remote-attendance, education related to the naturopathic scope of practice in this state approved or offered by the following sources:

(A) American Association of Naturopathic Physicians (AANP);

(B) Washington Association of Naturopathic Physicians (WANP);

(C) North American Naturopathic Continuing Education Accreditation Council (NANCEAC) through the Federation of Naturopathic Medicine Regulatory Authorities (FNMRA); or

(D) Naturopathic medicine academic institutions and scholarly organizations approved by the board according to WAC 246-836-150.

(ii) Prerecorded education meeting the requirement in (a)(i) of this subsection related to the naturopathic scope of practice in this state. To qualify for credit under this section the course must require the licensee to pass an examination in order to complete the course.

(iii) Completion of a one year residency accredited by the council on naturopathic medical education (CNME) meets the full two year continuing education requirement.

(iv) Licensees completing a medical marijuana continuing education course approved by the department may claim the hours designated by the course provider for this activity. This activity can only be claimed once during a two year continuing education cycle.

(v) Licensees completing the suicide prevention requirement in subsection (4) of this section may claim six hours for this activity. This activity can only be claimed once during a two year continuing education cycle.

(b) Category 2. Category 2 credit hours and activities include:

(i) Live-attended, both in-person and remote-attendance, education relevant to various other health professions, however licensees may only claim those hours that have content consistent with naturopathic scope of practice in this state. Hours must be obtained through an entity that is accredited or nationally recognized, examples of which include, but are not limited to, courses accredited by:

- (A) The accreditation council for continuing medical education (ACCME);
- (B) The American Nurses Credentialing Center (ANCC); or
- (C) The accreditation council for pharmacy education (ACPE).
- (ii) Prerecorded education meeting the requirement in (b)(i) of this subsection, however only content related to naturopathic scope of practice in this state may be claimed. To qualify for credit under this section the course must require the licensee to complete an examination in order to complete the course.
- (iii) Teaching, lecturing, or serving as a residency director, which shall equate one full-time work week to one continuing education hour.
- (iv) Publishing in a peer-reviewed, scientific journal or textbook. Ten credit hours may be claimed for each paper, exhibit, publication, or chapter. Credit shall be claimed as of the date materials were presented or published.
- (c) Category 3. A licensee may claim up to a maximum of five hours over two years in this category. Category 3 credit hours and activities include:
 - (i) Online study not otherwise specified above;
 - (ii) Multimedia education (CD/DVD);
 - (iii) Certification or recertification in basic life support (also known as cardiopulmonary resuscitation);
 - (iv) Self-study including, but not limited to, board examination preparation or reading papers and publications where an assessment tool is required upon completion; and
 - (v) Courses in nonclinical practice topics, such as:
 - (A) Health promotion;
 - (B) Health care cost management;
 - (C) Coding;
 - (D) Regulatory affairs; or
 - (E) Professional ethics, disciplinary prevention, or jurisprudence. Licensees completing the board's jurisprudence examination may claim two hours for this activity. This activity can only be claimed once during a two year continuing education reporting cycle.
 - (vi) In-person attendance at a board of naturopathy business meeting. Each meeting counts for one hour. Acceptable documentation is the licensee's presence recorded in the board's minutes.
- (6) Documentation. A licensee must submit documentation upon request or audit. Acceptable documentation includes:
 - (a) Certificates of completion;
 - (b) Transcripts;
 - (c) Letters from instructors; or
 - (d) Other records, which must include participant's name, course title, course content, dates, provider(s) name(s), and signature of sponsor or instructor.
 - (e) For self-study activities that do not offer documentation, licensees should keep lists with hours spent reading publications, papers, or articles; or hours spent preparing for specialty board examinations.
- (7) Waiver or extension. In emergent or unusual situations, such as personal or family illness, the board may waive all or part of the continuing education requirement for a particular continuing education reporting period for an individual licensee if the board determines there is good cause. The board may also grant the licensee an extension period in order to meet the full requirement if the board determines there is good cause. Licensees requesting an extension must in-

clude a detailed plan on how they will obtain the deficient hours. Hours obtained for an extension can only be applied to the extension and cannot be used for any other continuing education reporting cycle. The board may require verification of the emergent or unusual situation as is necessary.

[Statutory Authority: RCW 18.36A.160. WSR 19-08-032, § 246-836-080, filed 3/27/19, effective 1/1/21. Statutory Authority: RCW 18.36A.160 and 43.70.442 as amended in 2014 and 2015. WSR 16-06-008, § 246-836-080, filed 2/18/16, effective 3/20/16. Statutory Authority: RCW 18.36A.160, 2011 c 41, and 2011 c 40. WSR 12-13-104, § 246-836-080, filed 6/20/12, effective 7/21/12. Statutory Authority: RCW 43.70.280. WSR 98-05-060, § 246-836-080, filed 2/13/98, effective 3/16/98. Statutory Authority: RCW 18.36A.060. WSR 92-02-018 (Order 224), § 246-836-080, filed 12/23/91, effective 1/23/92. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-836-080, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.36A.060. WSR 88-14-009 (Order PM 742), § 308-34-180, filed 6/24/88.]

WAC 246-836-100 Applicants educated and/or licensed in another country. (1) Applicants for licensure educated in a country outside the United States or its territories shall meet the following requirements for licensure.

(a) Satisfactory completion of a basic naturopathic medical program in a naturopathic school or college officially approved by the country where the school is located.

(i) The naturopathic education program at the time of graduation shall be equivalent to or exceed the minimum required standards for Washington state approved colleges of naturopathic medicine.

(ii) Any deficiencies in the naturopathic medical program shall be satisfactorily completed in a Washington state approved college of naturopathic medicine.

(b) Applicants licensed under the laws of a country outside of the United States or its territories shall be required to take the current licensing examinations noted in WAC 246-836-030: Provided, That those persons meeting the requirements of WAC 246-836-110, (Licensing by endorsement), are exempt from this requirement.

(c) All other requirements of chapter 18.36A RCW and this chapter must be met, including the requirement that the applicant be of good moral character; not have engaged in unprofessional conduct; and not be unable to practice with reasonable skill and safety as a result of a physical or mental impairment.

(2) Applicants for examination shall:

(a) File with the board a completed notarized license application with the required fee at least sixty days prior to examination.

(b) Request the college of naturopathic medicine to submit an official transcript directly to the board.

(c) Request the licensing agency in the country of original license to submit evidence of licensure to the board.

(d) If the applicant's original documents (education and licensing) are on file in another state, the applicant may request that the other state send to the board notarized copies in lieu of the originals.

[Statutory Authority: RCW 18.36A.160, 2011 c 41, and 2011 c 40. WSR 12-13-104, § 246-836-100, filed 6/20/12, effective 7/21/12. Statutory Authority: RCW 18.36A.060. WSR 92-02-018 (Order 224), § 246-836-100, filed 12/23/91, effective 1/23/92. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-836-100, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.36A.060(1). WSR 89-02-051 (Order PM 815), § 308-34-310, filed 1/3/89.]

WAC 246-836-110 Licensing by endorsement. A license to practice as a naturopathic physician in the state of Washington may be issued without examination at the discretion of the board provided the applicant meets all of the requirements in WAC 246-836-020 except for the national examination requirement in subsection (3) of that section. The individual must:

- (1) Have graduated from a college of naturopathic medicine approved by the board;
- (2) Hold a current valid license in good standing to practice as a naturopathic physician in another state or jurisdiction. Official written verification of such licensure status must be received directly from the other state or jurisdiction;
- (3) Have successfully passed a naturopathic licensure examination in another state or jurisdiction prior to 1990 when the Naturopathic Physician Licensing Examination (NPLEX) became fully available. Written official verification of successful completion of the licensure examination must be received directly from the state or jurisdiction; and
- (4) Meet all other requirements of chapter 18.36A RCW and this chapter, including the requirement that the applicant be of good moral character; has not engaged in unprofessional conduct; and is able to practice with reasonable skill and safety.

[Statutory Authority: RCW 18.36A.110, 18.36A.150, and 18.36A.160. WSR 15-10-028, § 246-836-110, filed 4/27/15, effective 5/28/15. Statutory Authority: RCW 18.36A.160, 2011 c 41, and 2011 c 40. WSR 12-13-104, § 246-836-110, filed 6/20/12, effective 7/21/12. Statutory Authority: RCW 18.36A.060. WSR 92-02-018 (Order 224), § 246-836-110, filed 12/23/91, effective 1/23/92. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-836-110, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.36A.060(1). WSR 89-02-051 (Order PM 815), § 308-34-320, filed 1/3/89.]

WAC 246-836-120 Reciprocity or waiver of examination requirements. Reciprocity or waiver of examination requirements may be granted for certain examinations administered by the Oregon Board of Naturopathic Medicine in accordance with the reciprocal agreement with that state that was in effect at the time the individual took the examinations. These examinations must have included the clinical and the basic science sections. The minimum passing score must have been equivalent to or better than the score of seventy-five as required in WAC 246-836-030. The examinations acceptable in accordance with the Oregon reciprocal agreement are:

- (1) Individual basic and clinical examinations from 1927 through 1987 with scores as originally reported;

- (2) Individual basic and clinical science examinations given in January 1988 with scores as originally reported;
- (3) The basic science examination given in January 1989 with raw scores; and
- (4) The Naturopathic Physician Licensure Examinations (NPLEX) for all years prior to 1990 with raw scores as reported by the North American Board of Naturopathic Examiners (NABNE).

[Statutory Authority: RCW 18.36A.110, 18.36A.150, and 18.36A.160. WSR 15-10-028, § 246-836-120, filed 4/27/15, effective 5/28/15. Statutory Authority: RCW 18.36A.060. WSR 92-02-018 (Order 224), § 246-836-120, filed 12/23/91, effective 1/23/92. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-836-120, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.36A.060(1). WSR 89-02-051 (Order PM 815), § 308-34-330, filed 1/3/89.]

WAC 246-836-130 Approval of colleges of naturopathic medicine.

- (1) For the purposes of this chapter, "college" means a college, university, educational institution, or educational program.
- (2) The minimum educational requirement for licensure to practice naturopathic medicine in Washington is graduation from a naturopathic college approved by the board which teaches adequate courses in all subjects necessary to the practice of naturopathic medicine.
- (3) These rules provide the standards and procedures by which naturopathic colleges may obtain approval by the board in order that graduates of those schools may be permitted to take examinations for licensure.
- (4) The board determines the accreditation standards adopted June 2009 by the Council on Naturopathic Medical Education (CNME) to be substantially equivalent to the requirements of RCW 18.36A.100 and this chapter. Any naturopathic college holding current CNME accreditation shall be deemed to have met all requirements for approval.

[Statutory Authority: RCW 18.36A.160, 2011 c 41, and 2011 c 40. WSR 12-13-104, § 246-836-130, filed 6/20/12, effective 7/21/12. Statutory Authority: RCW 18.36A.060. WSR 92-02-018 (Order 224), § 246-836-130, filed 12/23/91, effective 1/23/92. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-836-130, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.36A.060(1). WSR 89-02-051 (Order PM 815), § 308-34-410, filed 1/3/89.]

WAC 246-836-140 Provisional approval of colleges of naturopathic medicine.

Provisional approval is approval given to an unapproved program while the program is undergoing the process of gaining full program approval. The board may grant provisional approval to a naturopathic college which has been in continuous operation for at least one year. Provisional approval may be granted for a period not to exceed two and one-half years and may not be renewed or extended. Provisional approval shall neither imply nor assure eventual full approval.

- (1) In order to obtain provisional approval, a naturopathic college must demonstrate compliance with, or adequate planning and resources to achieve compliance with, the standards contained in this chapter and RCW 18.36A.100.

(2) The procedures for application, examination, review and revocation of provisional approval shall be the same as those specified for full approval in this chapter.

[Statutory Authority: RCW 18.36A.160, 2011 c 41, and 2011 c 40. WSR 12-13-104, § 246-836-140, filed 6/20/12, effective 7/21/12. Statutory Authority: RCW 18.36A.060. WSR 92-02-018 (Order 224), § 246-836-140, filed 12/23/91, effective 1/23/92. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-836-140, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.36A.060(1). WSR 89-02-051 (Order PM 815), § 308-34-420, filed 1/3/89.]

WAC 246-836-150 Full approval of colleges of naturopathic medicine. (1) Full approval of a college of naturopathic medicine is the approval given by the board to a program that meets the requirements of RCW 18.36A.100 and this chapter.

(a) Colleges of naturopathic medicine that hold accreditation by the Council on Naturopathic Medical Education (CNME) as of February 2017 are exempt from the requirement to apply for full approval; however, such colleges shall be subject to all other provisions of this chapter. Colleges of naturopathic medicine that fail to maintain CNME accreditation must seek board approval as outlined in this chapter.

(b) Colleges of naturopathic medicine that do not hold CNME accreditation and seek full approval must apply to the board on a form and in a manner prescribed by the board.

(2) The board may grant full approval to naturopathic colleges which have demonstrated compliance with the standards contained in this chapter and RCW 18.36A.100.

(3) To be eligible for full approval a naturopathic college must have been in continuous operation for a period of at least three years.

(4) After approval by the board, periodic reports may be required. Failure to conform to or maintain established standards may result in loss of approval. With the exception of those schools that continue to maintain CNME accreditation as outlined in subsection (1)(a) of this section, no naturopathic college shall receive full approval for a period longer than five years. Prior to the expiration of the period of approval, the college must apply to the board for renewal of approval using the same criteria required under subsection (1) of this section. The responsibility for renewal rests solely with the naturopathic college. The board shall review the application and make a final decision of approval or disapproval in not more than one hundred twenty days.

(5) If a naturopathic college fails to maintain the required standards or fails to report significant institutional changes, including changes in location, within ninety days of the change, the board may revoke or suspend approval. The board may contact a naturopathic college at any time, either through an evaluation committee or representative, to audit, inspect or gather information concerning the college's compliance with the required standards.

(6) After suspension of approval of a naturopathic college, the board may reinstate approval upon receipt of satisfactory evidence that the college meets the standards of chapter 18.36A RCW and this chapter.

(7) After revocation of approval of a naturopathic college, a college may seek provisional approval, if otherwise qualified.

[Statutory Authority: RCW 18.36A.160 and 18.36A.100. WSR 19-08-033, § 246-836-150, filed 3/27/19, effective 4/27/19. Statutory Authority: RCW 18.36A.160, 2011 c 41, and 2011 c 40. WSR 12-13-104, § 246-836-150, filed 6/20/12, effective 7/21/12. Statutory Authority: RCW 18.36A.060. WSR 92-02-018 (Order 224), § 246-836-150, filed 12/23/91, effective 1/23/92. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-836-150, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.36A.060(1). WSR 89-02-051 (Order PM 815), § 308-34-430, filed 1/3/89.]

WAC 246-836-160 Unapproved college of naturopathic medicine.

(1) An "unapproved college of naturopathic medicine" is a program that has been removed from the board's list of approved colleges of naturopathic medicine for failure to meet the requirements of RCW 18.36A.100 and/or this chapter, or a program that has never been approved by the board.

(2) A naturopathic college may be removed from the board's list of approved colleges when they no longer hold current accreditation through the CNME. Any college failing to maintain CNME accreditation is required to apply for approval to the board in accordance with the requirements in WAC 246-836-150.

[Statutory Authority: RCW 18.36A.160, 2011 c 41, and 2011 c 40. WSR 12-13-104, § 246-836-160, filed 6/20/12, effective 7/21/12. Statutory Authority: RCW 18.36A.060. WSR 92-02-018 (Order 224), § 246-836-160, filed 12/23/91, effective 1/23/92. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-836-160, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.36A.060(1). WSR 89-02-051 (Order PM 815), § 308-34-440, filed 1/3/89.]

WAC 246-836-170 Appeal of board's decisions. A college of naturopathic medicine removed from the board's approved list may appeal that decision in writing within thirty calendar days of the decision. If the board denies the appeal, the college shall have the right to appeal the board's denial in accordance with the provisions of the Administrative Procedure Act, brief adjudicative proceedings, RCW 34.05.482 through 34.05.494.

[Statutory Authority: RCW 18.36A.160, 2011 c 41, and 2011 c 40. WSR 12-13-104, § 246-836-170, filed 6/20/12, effective 7/21/12. Statutory Authority: RCW 18.36A.060 and 34.05.220. WSR 92-02-018 (Order 224), § 246-836-170, filed 12/23/91, effective 1/23/92. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-836-170, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.36A.060(1). WSR 89-02-051 (Order PM 815), § 308-34-450, filed 1/3/89.]

WAC 246-836-180 Standards for approval of colleges of naturopathic medicine. The following standards shall be used by the board in considering a naturopathic college's application for approval:

(1) Objectives. The objectives of the college shall be clearly stated and address the preparation for the naturopathic physician to provide patient care. The implementation of the objectives should be

apparent in the administration of the college, individual course objectives, and in the total program leading to graduation.

(2) Organization.

(a) For independent naturopathic colleges, the institution shall be incorporated under the laws of the state of its residence as an education corporation. Control shall be vested in a board of directors composed of naturopathic physicians and others. No less than one-third plus one of the directors shall be naturopathic physicians. Under no circumstances shall more than one-third of the directors have administrative or instructional positions in the college. The directors must demonstrate their knowledge of the objectives of the college through policy decisions, support of college programs and active participation in college governance, and selection and oversight of the chief administrative officer.

(b) For naturopathic colleges governed by a multidiscipline university, the institution shall be incorporated under the laws of the state of its residence as an education corporation and control vested in a governing board of directors or trustees composed of qualified members with diverse professional backgrounds. At least one of the directors shall be a naturopathic physician. Under no circumstances shall more than one-third of the directors have administrative or instructional positions in the institute. The institute shall have an established means by which the college can formally, regularly, and effectively communicate to the governing body its needs for resources and provide input on relevant institutional and programmatic issues.

(3) Administration. The education and experience of directors, administrators, supervisors, and instructors should be sufficient to ensure that the student will receive educational services consistent with institutional objectives. The administration of the college shall be such that the lines of authority are clearly drawn. The college shall present with its application a catalog and a brief, narrative explanation of how the administration of the college is, or is to be, organized and how the administrative responsibility for each of the following is, or is to be, managed:

- (a) Faculty and staff recruitment;
- (b) Personnel records management;
- (c) Faculty pay scale and policies;
- (d) Standards and practices relating to evaluation, improvement of instruction, promotion, retention and tenure;
- (e) Admissions policies including procedures used to solicit students;
- (f) Development and administration of policies governing rejection and retention of students, job placement, and student counseling and advising services;
- (g) Curriculum requirements;
- (h) Tuition and fee policies; and
- (i) Financial management policies.

(4) Financial condition. The college shall demonstrate its financial stability by submitting certified audits once every three years and, reports, or other appropriate evidence annually.

(5) Records. The college shall maintain a detailed system of records for each student beginning with application credentials through the entire period of attendance. The records, including matriculation, attendance, grades, disciplinary action, and financial accounts, shall be the permanent property of the college, to be safeguarded from all hazards and not to be loaned or destroyed.

(6) Educational credentials.

(a) Upon satisfactory completion of the educational program, the student shall receive a degree from the college indicating that the course of study has been satisfactorily completed by the student.

(b) In addition, for each student who graduates or withdraws, the college shall prepare, permanently file, and make available a transcript which specifies all courses completed. Each course entry shall include a title, the number of credits awarded, and a grade. The transcript shall separately identify all credits awarded by transfer or by examination.

(c) Upon request, all student records and transcripts shall be made available to the board.

(7) Catalog. The college shall publish a current catalog at least every two years containing the following information:

(a) Name, mailing address, and physical address of the school;

(b) Date of publication;

(c) Admission requirements and procedures;

(d) A statement of tuition and other fees or charges for which a student is responsible and a statement on refund policies;

(e) A school calendar designating the beginning and ending dates of each term, vacation periods, holidays, and other dates of significance to students;

(f) Objectives of the college;

(g) A list of trustees (directors), administrative officers and faculty members including titles and academic qualifications;

(h) A statement of policy about standards of progress required of students, including the grading system, minimum satisfactory grades, conditions for interruption for unsatisfactory progress, probation, and reentry, if any;

(i) A description of each course indicating the number of hours and course content, and its place in the total program;

(j) A description of facilities and major equipment, including library, laboratory and clinical training facilities;

(k) Statements on the nature and availability of student financial assistance, counseling, housing, and placement services, if any;

(l) A statement indicating whether the college is recognized by other agencies or associations for the licensing or certification of naturopathic physicians; and

(m) Any other material facts concerning the college which are reasonably likely to affect the decision of the potential student.

(8) Admission policies and procedures. The college shall not deny admission to a prospective student because of gender, race, color, religion, physical handicap and/or ethnic origin.

(9) Attendance. The college shall have a written attendance policy.

(10) Curriculum. The curriculum of the college shall be designed and presented to meet or exceed the requirements of this chapter. Each student shall complete a minimum of three thousand hours instruction, which shall include no less than two hundred post-graduate hours in the study of mechanotherapy. Minimum clinical training shall be one thousand one hundred hours, of which no less than eight hundred hours shall be training with student actively involved in diagnosis and treatment in accordance with RCW 18.36A.050(3). The remainder, if any, may be preceptorships overseen by the college. The clinical training shall be in naturopathic procedures. The following standards are intended not as an exact description of a college's curriculum, but rather as a guide for the typical acceptable program. It is expected that the actual program taught by each naturopathic college will be

prepared by the academic departments of the college to meet the needs of their students and will exceed the outline present here. The board's policy is to preserve the autonomy and uniqueness of each naturopathic college, and to encourage innovative and experimental programs to enhance the quality of education in colleges of naturopathic medicine.

- (a) Basic science
 - Anatomy (includes histology and embryology)
 - Physiology
 - Pathology
 - Biochemistry
 - Public health (includes public health, genetics, microbiology, immunology)
 - Naturopathic philosophy
 - Pharmacology
- (b) Clinical sciences
 - (i) Diagnostic courses
 - Physical diagnosis
 - Clinical diagnosis
 - Laboratory diagnosis
 - Radiological diagnosis
 - (ii) Therapeutic courses
 - Materia medica (botanical medicine)
 - Homeopathy
 - Nutrition
 - Physical medicine
 - (includes mechanical and manual manipulation, hydrotherapy, and electrotherapy)
 - Psychological medicine
 - (iii) Specialty courses
 - Organ systems (cardiology, dermatology, endocrinology, EENT, gastroenterology)
 - Human development (gynecology, obstetrics, pediatrics, geriatrics)
 - State law and regulations as they relate to the practice of naturopathy
 - Medical emergencies
 - Office procedures
 - (iv) Clinical externship/preceptorship

(11) Academic standards. The college must regularly evaluate the quality of its instruction and have a clearly defined set of standards of competence required of its students. Promotion to each successive phase of the program and graduation shall be dependent on mastery of the knowledge and skills presented in the program.

(12) Faculty. Faculty members shall be qualified by training and experience to give effective instruction in the subject(s) taught; advanced degrees in their respective disciplines are expected. The faculty should participate in development and evaluation of curriculum instructional methods and facilities; student discipline, welfare, and counseling; establishment of administrative and educational policies; scholarly and professional growth. Provisions shall be made to allow and encourage faculty involvement in these noninstructional functions,

including a plan for peer observation and evaluation among faculty. The college shall not discriminate on the basis of gender, race, age, color, religion, physical handicap, or national or ethnic origin in the recruitment and hiring of faculty. The college shall have stated policies on faculty hiring, compensation, fringe benefits, tenure, re-tirement, firing, grievance, and appeals procedures. The college shall submit to the board for each faculty member a resume which includes the following information.

- (a) Academic rank or title;
- (b) Degree(s) held, the institution(s) that conferred the degree(s), the date(s) thereof, and whether earned or honorary;
- (c) Other qualifying training or experience;
- (d) Name and course number of each course taught;
- (e) Other noninstructional responsibilities, if any, and the proportion of the faculty member's time devoted to them; and
- (f) The length of time associated with the college.

(13) Library. The library shall be staffed, equipped, and organized to adequately support the instruction, and research of students and faculty.

(14) Clinical training. The clinical facilities shall be adequate in size, number, and resources to provide all aspects of naturopathic diagnosis and treatment. There shall be properly equipped rooms for consultation, physical examination and therapy, and a pharmacy, a laboratory, and radiological equipment each consistent with the definition of practice in chapter 18.36A RCW as now or hereafter amended. A licensed and adequately experienced naturopathic physician must be in direct supervision of and have final decision in the diagnosis and treatment of patients by students, and must be present in the clinic at all times when the clinic is open.

(15) Physical plant, materials and equipment. The college shall own or enjoy the full use of buildings and equipment adequate to accommodate the instruction of its students, and administrative and faculty offices. There shall be adequate facilities for the safekeeping of valuable records. The plant and grounds, equipment, and facilities shall be maintained in an efficient, sanitary, and presentable condition. All laws relating to safety, sanitation, and other regulations concerning public buildings shall be observed. There shall be sufficient personnel employed to carry out proper maintenance.

(16) Cancellation and refund policy. The college shall maintain a fair and equitable policy regarding refund of the unused portion of tuition fees and other charges in the event a student fails to enter the course, or withdraws at any time prior to completion of the course. Such a policy shall be in keeping with generally accepted practices of institutions of higher education.

(17) Other information. The applicant college shall provide any other information about the college and its programs as required by the board.

[Statutory Authority: RCW 18.36A.160, 2011 c 41, and 2011 c 40. WSR 12-13-104, § 246-836-180, filed 6/20/12, effective 7/21/12. Statutory Authority: RCW 18.36A.060. WSR 92-02-018 (Order 224), § 246-836-180, filed 12/23/91, effective 1/23/92. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-836-180, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.36A.060(1). WSR 89-02-051 (Order PM 815), § 308-34-460, filed 1/3/89.]

WAC 246-836-200 Site review procedures for approval of college of naturopathic medicine. (1) The board may send a representative or an examining or evaluation committee to inspect any college requesting approval or reapproval as a college of naturopathic medicine.

(2) Such inspections may be at any reasonable time during the normal operating hours of the college. The report of the representative or committee and the college's response shall be submitted as part of the documentation necessary for the board's action on the college's application for approval.

(3) Expenses incurred for the site review shall be the responsibility of the college requesting approval.

[Statutory Authority: RCW 18.36A.160, 2011 c 41, and 2011 c 40. WSR 12-13-104, § 246-836-200, filed 6/20/12, effective 7/21/12. Statutory Authority: RCW 18.36A.060. WSR 92-02-018 (Order 224), § 246-836-200, filed 12/23/91, effective 1/23/92. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-836-200, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.36A.060(1). WSR 89-02-051 (Order PM 815), § 308-34-480, filed 1/3/89.]

WAC 246-836-210 Authority to use, prescribe, dispense and order.

(1) Naturopathic medical practice includes the prescription, administration, dispensing, and use of:

(a) Nutrition and food science, physical modalities, minor office procedures, homeopathy, hygiene, and immunizations/vaccinations;

(b) Contraceptive devices;

(c) Nonlegend medicines including vitamins, minerals, botanical medicines, homeopathic medicines, and hormones;

(d) Legend drugs as defined under RCW 69.41.010 with the exception of Botulinum Toxin (commonly known as, among other names, Botox, Vistabel, Dysport, or Neurobloc) and inert substances used for cosmetic purposes; and

(e) Codeine and testosterone products that are contained within Schedules III, IV, and V in chapters 69.50 RCW and 246-887 WAC.

(2) In accordance with RCW 69.41.010(13), all prescriptions must be hand-printed, typewritten, or generated electronically.

(3) Prior to being allowed to administer, prescribe, dispense, or order controlled substances, a naturopathic physician must meet the requirements in WAC 246-836-211 and have obtained the appropriate registration issued by the Federal Drug Enforcement Administration.

(4) Naturopathic physicians may not treat malignancies except in collaboration with a practitioner licensed under chapter 18.57 or 18.71 RCW.

[Statutory Authority: RCW 18.36A.160, 2011 c 41, and 2011 c 40. WSR 12-13-104, § 246-836-210, filed 6/20/12, effective 7/21/12. Statutory Authority: RCW 18.130.050(1), 18.36A.060, and 2005 c 158. WSR 07-20-101, § 246-836-210, filed 10/2/07, effective 11/2/07. Statutory Authority: RCW 18.36A.060 [(1)](a). WSR 92-06-020 (Order 247), § 246-836-210, filed 2/25/92, effective 3/27/92.]

WAC 246-836-211 Authorization regarding controlled substances.

(1) Upon approval by the board, naturopathic physicians may obtain a current Federal Drug Enforcement Administration registration. The board may approve naturopathic physicians who have:

- (a) Provided documentation of a current Federal Drug Enforcement Administration registration from another state; or
 - (b) Submitted an attestation of at least four hours of instruction. Instruction must be part of a graduate level course from a school approved under chapter 18.36A, 18.71, 18.57, or 18.79 RCW. Instruction must include the following:
 - (i) Principles of medication selection;
 - (ii) Patient selection and therapeutics education;
 - (iii) Problem identification and assessment;
 - (iv) Knowledge of interactions, if any;
 - (v) Evaluation of outcome;
 - (vi) Recognition and management of complications and untoward reactions; and
 - (vii) Education in pain management and drug seeking behaviors.
- (2) The naturopathic physician must retain training documentation at least five years from attestation date.

[Statutory Authority: RCW 18.36A.160, 2011 c 41, and 2011 c 40. WSR 12-13-104, § 246-836-211, filed 6/20/12, effective 7/21/12. Statutory Authority: RCW 18.130.050(1), 18.36A.060, and 2005 c 158. WSR 07-20-101, § 246-836-211, filed 10/2/07, effective 11/2/07.]

WAC 246-836-220 Intramuscular, intravenous, subcutaneous, and intradermal injections. Naturopathic physicians may administer substances consistent with the practice of naturopathic medicine as indicated in WAC 246-836-210 through the means of intramuscular, intravenous, subcutaneous, and intradermal injections.

- (1) Naturopathic physicians may use intravenous therapy when they have submitted an attestation of training. Training must be at least sixteen hours of instruction. At least eight hours must be part of a graduate level course from a school approved under chapter 18.36A, 18.71, 18.57, or 18.79 RCW. Instruction must include the following:
 - (a) Indications;
 - (b) Contraindications;
 - (c) Formularies;
 - (d) Emergency protocols;
 - (e) Osmolarity calculation;
 - (f) Aseptic technique; and
 - (g) Proper documentation.
- (2) The naturopathic physician must retain training documentation at least five years from attestation date.
- (3) Intravenous chelation therapy is limited to use for heavy metal toxicity.
- (4) All naturopathic physicians who use injection therapy must have a plan to manage adverse events including sensitivity, allergy, overdose, or other unintended reactions.

[Statutory Authority: RCW 18.130.050(1), 18.36A.060, and 2005 c 158. WSR 07-20-101, § 246-836-220, filed 10/2/07, effective 11/2/07.]

WAC 246-836-330 Mandatory reporting. Any person including, but not limited to, a naturopathic physician, health care facility, or governmental agency shall always report in compliance with the uniform mandatory reporting rules found in WAC 246-16-200 through 246-16-270.

[Statutory Authority: RCW 18.36A.160 and 18.130.070. WSR 18-18-051, § 246-836-330, filed 8/29/18, effective 9/29/18. Statutory Authority: RCW 18.36A.160, 2011 c 41, and 2011 c 40. WSR 12-13-104, § 246-836-330, filed 6/20/12, effective 7/21/12. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-836-330, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.130.070. WSR 89-14-092 (Order PM 842), § 308-130-330, filed 6/30/89.]

WAC 246-836-410 AIDS prevention and information education requirements. Applicants must complete seven clock hours of AIDS education as required in chapter 246-12 WAC, Part 8.

[Statutory Authority: RCW 43.70.280. WSR 98-05-060, § 246-836-410, filed 2/13/98, effective 3/16/98. Statutory Authority: RCW 18.36A.060 and 70.24.270. WSR 92-02-018 (Order 224), § 246-836-410, filed 12/23/91, effective 1/23/92. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-836-410, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 70.24.270. WSR 88-22-077 (Order PM 786), § 308-130-410, filed 11/2/88.]

WAC 246-836-500 Sexual misconduct—Definitions. (1) "Health care information" means any information, whether oral or recorded in any form or medium that identifies or can readily be associated with the identity of, and relates to the health care of, a patient or client.

(2) "Key party" means immediate family members and others who would be reasonably expected to play a significant role in the health care decisions of the patient or client and includes, but is not limited to, the spouse, domestic partner, sibling, parent, child, guardian, and person authorized to make health care decisions of the patient or client.

(3) "Legitimate health care purpose" means activities for examination, diagnosis, treatment, and personal care of patients or clients, including palliative care, as consistent with community standards of practice for the naturopathic profession. The activity must be within the scope of practice of naturopathic medicine.

(4) "Patient" or "client" means an individual who receives health care from a naturopathic physician.

[Statutory Authority: RCW 18.36A.160, 2011 c 41, and 2011 c 40. WSR 12-13-104, § 246-836-500, filed 6/20/12, effective 7/21/12.]

WAC 246-836-510 Sexual misconduct. (1) A naturopathic physician shall not engage, or attempt to engage, in sexual misconduct with a current patient, client, or key party, inside or outside the health care setting. Sexual misconduct shall constitute grounds for disciplinary action. Sexual misconduct includes, but is not limited to:

(a) Sexual intercourse;

(b) Touching the breasts, genitals, anus, or any sexualized body part except as consistent with accepted community standards of prac-

tice for examination, diagnosis, and treatment and within the naturopathic physician's scope of practice;

- (c) Rubbing against a patient or client or key party for sexual gratification;
- (d) Kissing;
- (e) Hugging, touching, fondling, or caressing of a romantic or sexual nature;
- (f) Examination of or touching genitals without using gloves;
- (g) Not allowing a patient or client privacy to dress or undress except as may be necessary in emergencies or custodial situations;
- (h) Not providing the patient or client a gown or draping except as may be necessary in emergencies;
- (i) Dressing or undressing in the presence of the patient, client, or key party;
- (j) Removing patient or client's clothing or gown or draping without consent, emergent medical necessity, or being in a custodial setting;
- (k) Encouraging masturbation or other sex act in the presence of the naturopathic physician;
- (l) Masturbation or other sex act by the naturopathic physician in the presence of the patient, client, or key party;
- (m) Suggesting or discussing the possibility of a dating, sexual, or romantic relationship after the professional relationship ends;
- (n) Terminating a professional relationship for the purpose of dating or pursuing a romantic or sexual relationship;
- (o) Soliciting a date with a patient, client, or key party;
- (p) Discussing the sexual history, preferences, or fantasies of the naturopathic physician;
- (q) Any behavior, gestures, or expressions that may reasonably be interpreted as seductive or sexual;
- (r) Making statements regarding the patient, client, or key party's body, appearance, sexual history, or sexual orientation other than for legitimate health care purposes;
- (s) Sexually demeaning behavior including any verbal or physical contact which may reasonably be interpreted as demeaning, humiliating, embarrassing, threatening, or harming a patient, client, or key party;
- (t) Photographing or filming the body or any body part or pose of a patient, client, or key party, other than for legitimate health care purposes; and
- (u) Showing a patient, client, or key party sexually explicit photographs, other than for legitimate health care purposes.

(2) Sexual misconduct also includes sexual contact with any person involving force, intimidation, or lack of consent; or a conviction of a sex offense as defined in RCW 9.94A.030.

(3) A naturopathic physician shall not:

- (a) Offer to provide health care services in exchange for sexual favors;
- (b) Use health care information to contact the patient, client, or key party for the purpose of engaging in sexual misconduct; or
- (c) Use health care information or access to health care information to meet or attempt to meet the naturopathic physician's sexual needs.

(4) A naturopathic physician shall not engage, or attempt to engage, in activities listed in subsection (1) of this section with a former patient, client, or key party within two years after the provider-patient/client relationship ends.

(5) After the two-year period of time described in subsection (3) of this section, a naturopathic physician shall not engage, or attempt to engage, in the activities listed in subsection (1) of this section if:

(a) There is a significant likelihood that the patient, client, or key party will seek or require additional services from the naturopathic physician; or

(b) There is an imbalance of power, influence, opportunity, and/or special knowledge of the professional relationship.

(6) When evaluating whether a naturopathic physician is prohibited from engaging, or attempting to engage, in sexual misconduct, the board will consider factors including, but not limited to:

(a) Documentation of a formal termination and the circumstances of termination of the provider-patient relationship;

(b) Transfer of care to another health care provider;

(c) Duration of the provider-patient relationship;

(d) Amount of time that has passed since the last health care services to the patient or client;

(e) Communication between the naturopathic physician and the patient or client between the last health care services rendered and commencement of the personal relationship;

(f) Extent to which the patient's or client's personal or private information was shared with the naturopathic physician;

(g) Nature of the patient or client's health condition during and since the professional relationship;

(h) The patient or client's emotional dependence and vulnerability; and

(i) Normal revisit cycle for the profession and service.

(7) Patient, client, or key party initiation or consent does not excuse or negate the naturopathic physician's responsibility.

(8) These rules do not prohibit:

(a) Providing health care services in case of emergency where the services cannot or will not be provided by another health care provider;

(b) Contact that is necessary for a legitimate health care purpose and that meets the standard of care appropriate to naturopathic medicine; or

(c) Providing health care services for a legitimate health care purpose to a person who is in a preexisting, established personal relationship with the naturopathic physician where there is no evidence of, or potential for, exploiting the patient or client.

[Statutory Authority: RCW 18.36A.160, 18.130.050, 18.130.062, and Executive Order 06-03. WSR 16-12-049, § 246-836-510, filed 5/25/16, effective 6/25/16. Statutory Authority: RCW 18.36A.160, 2011 c 41, and 2011 c 40. WSR 12-13-104, § 246-836-510, filed 6/20/12, effective 7/21/12.]

WAC 246-836-600 How to obtain a temporary practice permit—National background check. Fingerprint-based national background checks may cause a delay in licensing. Individuals who satisfy all other licensing requirements and qualifications may receive a temporary practice permit while the national background check is completed.

(1) A temporary practice permit may be issued to an applicant who:

(a) Holds an unrestricted, active license as a naturopathic physician in another state that has substantially equivalent licensing standards to those in Washington state;

(b) Is not subject to denial of a license or issuance of a conditional or restricted license; and

(c) Does not have a criminal record in Washington state.

(2) A temporary practice permit grants the individual the full scope of practice under this chapter.

(3) A temporary practice permit will not be renewed, reissued, or extended. A temporary practice permit expires when any one of the following occurs:

(a) The license is granted;

(b) A notice of decision on application is mailed to the applicant, unless the notice of decision on application specifically extends the duration of the temporary practice permit; or

(c) One hundred eighty days after the temporary practice permit is issued.

(4) To receive a temporary practice permit, the applicant must:

(a) Submit the necessary application, fee(s), and documentation for the license;

(b) Meet all requirements and qualifications for the license, except for the results from a fingerprint-based national background check, if required;

(c) Provide verification of having an active unrestricted license as a naturopathic physician from another state that has substantially equivalent licensing standards as Washington state; and

(d) Submit the fingerprint card and a written request for a temporary practice permit when the department notifies the applicant the national background check is required.

[Statutory Authority: RCW 18.36A.160, 2011 c 41, and 2011 c 40. WSR 12-13-104, § 246-836-600, filed 6/20/12, effective 7/21/12.]

WAC 246-836-700 Temporary practice permit—Military spouse eligibility and issuance. A military spouse or state registered domestic partner of a military person may receive a temporary practice permit while completing any specific additional requirements that are not related to training or practice standards for naturopathic physicians. The board adopts the procedural rules as adopted by the department of health in WAC 246-12-051.

[Statutory Authority: RCW 18.36A.160 and 18.340.020. WSR 17-21-003, § 246-836-700, filed 10/5/17, effective 11/5/17.]

WAC 246-836-990 Naturopathic physician licensing fees and renewal cycle. (1) Licenses must be renewed every year on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2.

(2) The following nonrefundable fees will be charged:

Title of Fee	Amount
Original application	
State jurisprudence examination	\$100.00
Initial state license	270.00
UW online access fee (HEAL-WA)	16.00

Title of Fee	Amount
License renewal	
Renewal	440.00
Late renewal penalty	220.00
Expired license reissuance	65.00
UW online access fee (HEAL-WA)	16.00
Duplicate license	10.00
Verification of license	25.00
State jurisprudence examination	100.00

* The University of Washington HEAL-WA web portal access fee, required under RCW 43.70.110, is assessed with the initial application fee and the license renewal fee.

[Statutory Authority: RCW 43.70.250 and 43.70.280. WSR 17-24-014 and 17-22-088, § 246-836-990, filed 11/27/17 and 10/27/17, effective 3/1/18. Statutory Authority: RCW 43.70.110 (3)(c) and 43.70.250. WSR 12-19-088, § 246-836-990, filed 9/18/12, effective 11/1/12. Statutory Authority: RCW 18.36A.160, 2011 c 41, and 2011 c 40. WSR 12-13-104, § 246-836-990, filed 6/20/12, effective 7/21/12. Statutory Authority: RCW 43.70.110, 43.70.250, 2008 c 329. WSR 08-15-014, § 246-836-990, filed 7/7/08, effective 7/7/08. Statutory Authority: RCW 43.70.250, [43.70.]280 and 43.70.110. WSR 05-12-012, § 246-836-990, filed 5/20/05, effective 7/1/05. Statutory Authority: RCW 43.70.250. WSR 03-07-095, § 246-836-990, filed 3/19/03, effective 7/1/03. Statutory Authority: RCW 43.70.280. WSR 98-05-060, § 246-836-990, filed 2/13/98, effective 3/16/98. Statutory Authority: RCW 43.70.250. WSR 93-14-011, § 246-836-990, filed 6/24/93, effective 7/25/93. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-836-990, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.250. WSR 90-13-084 (Order 066), § 308-34-170, filed 6/20/90, effective 7/21/90; WSR 90-04-094 (Order 029), § 308-34-170, filed 2/7/90, effective 3/10/90. Statutory Authority: RCW 43.24.086. WSR 88-20-075 (Order 783), § 308-34-170, filed 10/5/88. Statutory Authority: RCW 18.36A.060. WSR 88-14-009 (Order PM 742), § 308-34-170, filed 6/24/88.]