

**WSR 24-11-122
PERMANENT RULES
DEPARTMENT OF
LABOR AND INDUSTRIES**

[Filed May 21, 2024, 8:43 a.m., effective July 1, 2024]

Effective Date of Rule: July 1, 2024.

Purpose: This adoption updates billing and coding requirements for naturopathic physicians to support consistency with other payers and other attending provider types.

WAC 296-23-205 General instructions—Naturopathic physicians, removes references to existing local billing codes and clarifies references to other relevant sections of rule (WAC) for naturopaths.

WAC 296-23-215 Office visits and special services—Naturopathic physicians, is repealed.

Citation of Rules Affected by this Order: Repealing WAC 296-23-215; and amending WAC 296-23-205.

Statutory Authority for Adoption: RCW 51.04.020(1) and 51.04.030.

Adopted under notice filed as WSR 24-04-089 on February 6, 2024.

Changes Other than Editing from Proposed to Adopted Version: For clarification and further consolidation, the following language was moved under subsection (1): (7) (a) Which refers to reporting requirements, (7) (b) which refers to the definition of "proper and necessary" care, and (6) which refers to treatment not authorized. Although redundant, the intent is to highlight these important references within the reference range already obligated to naturopathic physicians under subsection (1).

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 1, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 1.

Date Adopted: May 21, 2024.

Joel Sacks
Director

OTS-5107.5

AMENDATORY SECTION (Amending WSR 93-16-072, filed 8/1/93, effective 9/1/93)

WAC 296-23-205 General instructions—Naturopathic physicians.
General instructions for naturopathic physicians:

(1) Refer to WAC 296-20-010 through 296-20-125 (~~regarding~~) for general rules and billing procedures including, but not limited to:

(a) WAC 296-20-06101 for reporting requirements.

(b) WAC 296-20-01002 for the definition of "proper and necessary" health care services.

(c) WAC 296-20-03002 for treatment not authorized by the department.

(2) Refer to WAC 296-20-132 and 296-20-135 regarding the use of conversion factors.

(3) (~~In addition to general rules found in WAC 296-20-010 through 296-20-125, the following rules apply to naturopathic physicians:~~

~~(a) If the naturopathic physician is dual licensed, all treatment rendered by the practitioner must be billed as "treatment of the day." Further, the practitioner must elect and notify the department or self-insurer, which type of treatment he is providing for the injured worker, and abide by rules pertaining to area of elected treatment.~~

~~(b) Naturopathic physicians utilizing hydro-; mechano-; and/or electro-therapy modalities cannot bill for those services in addition to office visit services. Office visit includes treatment of the day.~~

~~(c) No more than one office visit will be allowed per day, except on the initial and next two subsequent visits. The attending doctor must submit a detailed report regarding the need for the additional treatment.~~

~~(d) If necessary, X-rays may be taken immediately prior to and following the initial naturopathic physician treatment without prior authorization.~~

~~(e) X-rays immediately prior to and following each subsequent naturopathic physician treatment will be disallowed, unless previously authorized.~~

~~(f) Prior authorization must be obtained for X-rays subsequent to initial treatment.~~

~~(g) Payment will not be made for excessive or unnecessary X-rays. No payment will be made for X-rays taken on rejected or closed claims, except those taken in conjunction with a reopening application.~~

~~(h) See chapter 296-23 WAC for custody requirements for X-rays.~~

~~(4) Drugless therapy as a maintenance or supportive measure will not be authorized or paid.~~

~~(5) Treatment beyond the first twenty treatments or sixty days, whichever occurs first, will not be authorized without submission of a consultation report or a comprehensive comparative exam report regarding need for further care.) Refer to WAC 296-23-135 through 296-23-145 and 296-20-121 for requirements for X-rays.~~

(4) Refer to chapter 246-836 WAC for scope of practice including prescribing authority and injection requirements.

(5) Refer to WAC 296-21-290 for physical medicine limitations for attending doctors.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 296-23-215	Office visits and special services— Naturopathic physicians.
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