

## WSR 24-02-062

## PERMANENT RULES

## DEPARTMENT OF HEALTH

(Board of Naturopathy)

[Filed December 29, 2023, 9:23 a.m., effective January 29, 2024]

Effective Date of Rule: Thirty-one days after filing.

Purpose: Continuing competency for naturopathic physicians. The board of naturopathy (board) has adopted amendments to WAC 246-836-080 Continuing competency program, to clarify continuing education (CE) requirements pertaining to pharmacology CE and to implement health equity CE requirements mandated by ESSB 5229 (chapter 276, Laws of 2021), codified as RCW 43.70.613.

The adopted amendments clarify acceptable forms of documentation to verify the pharmacology CE requirements and also implement the model health equity CE requirements, in accordance with RCW 43.70.613. The adopted rule regarding health equity does not change the total CE hours but requires two hours in health equity CE every four years which is absorbed into the existing number of CE hours required. The health equity CE requirement is counted under existing, unspecified CE requirements for the profession.

RCW 43.70.613 directs the rule-making authority for each health profession licensed under Title 18 RCW and subject to CE to adopt rules requiring a licensee to complete health equity CE training at least once every four years. The statute also directs the department of health (department) to establish model rules creating minimum standards for health equity CE training programs. The department adopted model rules on November 23, 2022, under WSR 22-24-167 requiring two hours of training every four years and creating four new sections in chapter 246-12 WAC to implement RCW 43.70.613; purpose, definitions, minimum health equity CE hours, and health equity CE training content.

The goal of health equity CE training is to equip health care workers with the skills to recognize and reduce health inequities in their daily work. The content of the health equity trainings includes instruction on skills to address structural factors, such as bias, racism, and poverty, that manifest as health inequities.

Citation of Rules Affected by this Order: Amending WAC 246-836-080.

Statutory Authority for Adoption: RCW 18.36A.160 and 43.70.613.

Adopted under notice filed as WSR 23-20-063 on September 28, 2023.

Changes Other than Editing from Proposed to Adopted Version: The board voted to remove the proposed amendments to WAC 246-836-080(5) that pertain to the expansion of accrediting organizations that are designated as a category one CE. Several amendments to WAC 246-836-080(5) will remain, as they were approved as clarifying changes to the rule and are considered nonsubstantive including amendments to WAC 246-836-080 (5)(a)(i), (c)(iii), and (c)(vi).

The final adopted rule includes the proposed amendments to WAC 246-836-080 (3) and (4) that pertain to pharmacology CE and health equity CE.

A final cost-benefit analysis is available by contacting Rachel Phipps, P.O. Box 47852, Olympia, WA 98504-7852, phone 564-233-1277, fax 360-236-2901, TTY 711, email naturopathy@doh.wa.gov.

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 1, 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 0.

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 0.

Date Adopted: December 28, 2023.

Krystal Richardson, ND, Chair  
Board of Naturopathy

## OTS-4620.6

AMENDATORY SECTION (Amending WSR 19-08-032, filed 3/27/19, effective 1/1/21)

**WAC 246-836-080 Continuing competency program.** (1) General provisions. Each licensed naturopathic physician must complete ~~((sixty))~~ 60 hours of continuing education related to the naturopathic scope of practice in Washington state every two years, as provided in chapter 246-12 WAC ~~((, Part 7))~~.

(2) (a) A license holder's first ~~((sixty))~~ 60 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))~~ 60 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) ~~((a))~~ A licensee ~~((s))~~ must complete a minimum of ~~((fifteen))~~ 15 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, but are not limited to:

~~((a))~~ (i) Legend substances as defined in RCW 69.41.010;

~~((b))~~ (ii) Controlled substances in chapter 69.50 RCW;

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

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

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

~~((f))~~ (vi) Other subjects approved by the board.

(b) Acceptable documentation is information included on course completion certificates, transcripts, course descriptions, course brochures, or course registration forms.

(c) Pharmacology hours may be fulfilled through courses meeting the requirements in any category in subsection (5) of this section.

(4) Required continuing education topics. The hours spent completing required topics under this subsection count toward meeting any applicable continuing education requirements. Nothing in this subsection is intended to expand or limit the naturopathic scope of practice.

(a) Suicide prevention requirements. As part of continuing education and in accordance with RCW 43.70.442, 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.~~

~~(e))~~ 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.))~~

(b) Health equity requirements. As part of continuing education and in accordance with RCW 43.70.613, a licensed naturopathic physician must complete a minimum of two hours of training in health equity to address health inequities such as bias, racism, and poverty. A naturopathic physician fulfills this by complying with the requirements in WAC 246-12-800, 246-12-810, 246-12-820, and 246-12-830. Such training must be completed once every four years, beginning with the first full continuing education cycle due on or after January 1, 2024.

(5) Categories of creditable continuing education.

(a) Category 1. A licensee is required to obtain a minimum of ~~((twenty))~~ 20 hours over two years in this category; however, all ~~((sixty))~~ 60 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~~) 60 hour 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~~) 40 hours worked 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))~~) (BLS), advanced cardiac life support (ACLS), neonatal resuscitation (NRP), or pediatric advanced life support (PALS);

(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 or virtual attendance at a board of naturopathy business meeting. Each meeting counts for one hour. Acceptable documentation is the licensee's presence as recorded in the board's minutes or transcript.

(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 include a detailed plan on how they will obtain the deficient hours. Hours obtained for an extension (~~can only be applied~~) only apply 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.