

BOARD OF MEDICINE – DOCKET NO. 22-0107-1901

Mr. Chairman, Members of the Committee, thank you for the opportunity to be here today.

My name is Anne Lawler and I am the Executive Director of the Idaho State Board of Medicine. I am here on behalf of the Board of Medicine to present pending rule docket No. 22-0107-1901, Rules for the Licensure of Naturopathic Medical Doctors, which starts on page 463 of your Pending Fee Rules Review Book.

The Idaho State Board of Medicine is a self-governing agency operated with dedicated funds from licensure fees. The Board has primary responsibility for licensure and regulation of physicians (including both MDs and DOs), physician assistants, athletic trainers, dietitians, respiratory therapists, and soon, Naturopathic Medical Doctors.

The Board's mission is to protect and enhance the public's health, safety and welfare by establishing and maintaining standards of excellence used in regulating the practice of medicine and ensuring quality health care for the citizens of Idaho through licensure, discipline, and education.

To recap the Naturopathic Medical Doctor licensure law that came into effect July 2019, Title 54, Chapter 51, the Board of Medicine is authorized to license Naturopathic Medical Doctors who have completed an accredited four-year, post-graduate naturopathic medical school. There are seven such programs accredited in North America. In addition, all successful applicants for licensure will have passed the NPLEX, the National Board Examination for naturopathic medical doctors.

The naturopathic medical doctors licensed under this statute and under these rules will provide primary care services to the citizens of Idaho, expanding access to primary care across the state.

Turning to the Docket before you, number 22-0107-1901, this pending rule provides more detail to the new law.

- 1) Subsection 010 defines relevant organizations for accreditation and the national qualifying examination, along with defining “primary care”;
- 2) Subsections 020 and 021 set forth the requirements for licensure;
- 3) Subsection 022 outlines the authority to prescribe, dispense, administer and order medications, lab tests, and diagnostic procedures, along with defining the naturopathic formulary and exceptions thereto;
- 4) Subsection 032 outlines grounds for discipline or denial of a license, consistent with the Board of Medicine’s other rules chapters;
- 5) Subsection 033 defines continuing medical education requirements; and
- 6) Subsection 041 provides the fee table.

In keeping with the Red Tape Reduction Act, these rules do not repeat any language that is already set forth in the authorizing statute.

Three negotiated rulemaking sessions were conducted by the Board on August 12, September 16, and October 7, 2019. The proposed rules were approved by the Naturopathic Board in an open meeting on October 7, 2019. The complete text of the proposed rules was published in the November 6, 2019 Bulletin.

Negotiations continued through the comment period. Several meetings were conducted with stakeholders and the draft rules were available on the Board of Medicine website for review and comment. The Board of Medicine conducted a formal public hearing on these rules on November 7, 2019, during which it heard testimony from the public. Following the November public hearing, the Board adopted the final version of these Pending Rules. The updated Pending Rules were published in the January 1, 2020 Bulletin with the following changes:

- 1) Removing the waiver option for taking the national pharmacology exam; and

- 2) Removing language regarding determining if an applicant is lawfully present in the U.S., which has now been deleted by the Board in all its rules.

The Board sought input on these and all the Board's pending rules from the Idaho Chapter of the American Association of Naturopathic Physicians (IDAANP), Idaho Medical Association, the Idaho Academy of Physician Assistants, the Idaho Hospital Association, the Idaho Boards of Nursing, Pharmacy, and Dentistry, along with the Bureau of Occupational Licenses and the public.

There is no fiscal impact to the General Fund and there will be a modest increase in the agency's dedicated fund as a result of issuing licenses beginning July 1, 2020.

Mr. Chairman, Members of the Committee, on behalf of the Board of Medicine, I respectfully ask that the Committee approve pending rule docket 22-0107-1901.

Thank you for your time today and I am happy to stand for any questions.