

TITLE 54
PROFESSIONS, VOCATIONS, AND BUSINESSES

CHAPTER 51
NATUROPATHIC MEDICINE LICENSING

54-5101. DEFINITIONS. As used in this chapter:

(1) "Approved naturopathic medical program" means a naturopathic medical education program in the United States or Canada that provides the degree of doctor of naturopathy or doctor of naturopathic medicine, that includes graduate level, full-time, didactic, and supervised clinical training, and is either accredited or has achieved candidacy status for accreditation by the nationally recognized accrediting body for naturopathic medical programs.

(2) "Board" means the Idaho board of medicine.

(3) "Minor office procedures" means the use of operative, electrical, or other methods for the repair and care incidental to superficial lacerations and abrasions, superficial lesions, and the removal of foreign bodies located in the superficial tissues and the use of antiseptics and local topical anesthetics in connection with such methods.

(4) "Naturopathic medical board" means an advisory naturopathic licensure board established by this chapter to accept applications under this chapter, to make recommendations and consult with the board, and to perform such other duties as may be required or authorized in this chapter or by the board.

(5) "Naturopathic medical doctor" means a person authorized and licensed to practice naturopathic medicine under this chapter.

(6) "Naturopathic medical formulary" means the prescription medicines used by naturopathic medical doctors, as set forth in rule, which may include legend medications excluding scheduled controlled substances except for testosterone.

(7) "Naturopathic medicine" means a distinct and comprehensive system of primary health care practiced by a naturopathic medical doctor.

[54-5101, added 2019, ch. 208, sec. 1, p. 634.]

54-5102. SCOPE OF PRACTICE. (1) Naturopathic medical doctors provide primary care, including but not limited to the following services:

(a) Naturopathic medical doctors may use physical and laboratory examinations consistent with naturopathic medical education and training for diagnostic purposes. Naturopathic medical doctors may order and perform diagnostic and imaging tests consistent with naturopathic medical education and training. All diagnostic and imaging tests not consistent with naturopathic medical education and training must be referred to an appropriately licensed health care professional for treatment and interpretation.

(b) Naturopathic medical doctors are authorized to dispense, administer, and prescribe prescription drugs and medical devices as authorized by the naturopathic medical formulary as set forth in rule.

(c) Naturopathic medical doctors may perform minor office procedures.

(d) Naturopathic medical doctors may perform those therapies for which they are trained and educated, consistent with the provisions of this chapter.

(e) Naturopathic medical doctors may admit patients to a hospital at which they are credentialed and privileged to do so.

(2) The practice of naturopathic medicine does not include the practice of obstetrics.

(3) This section shall take effect on July 1, 2020.

[54-5102, added 2019, ch. 208, sec. 1, p. 635.]

54-5103. EXEMPTIONS FROM LICENSURE. This chapter is not intended to and does not prohibit, restrict, or apply to:

(1) The practice of a profession by individuals who are licensed, certified, registered, or otherwise authorized under other laws of this state and are performing services within the authorized scope of practice;

(2) The practice of naturopathic medicine by an individual employed by the federal government while the individual is engaged in the performance of duties prescribed by the laws and regulations of the United States;

(3) An individual rendering aid in an emergency, when no fee or other consideration for the service is charged, received, expected, or contemplated;

(4) An individual engaged in the sale of vitamins, health foods, over-the-counter homeopathic products, dietary supplements, herbs, or other products of nature, the sale of which is not otherwise prohibited under state or federal law;

(5) The practice by a licensed naturopathic physician duly licensed in another state, territory, or the District of Columbia when that licensed naturopathic physician is called into this state for consultation with a physician licensed pursuant to this chapter or [chapter 18, title 54](#), Idaho Code;

(6) The practice of naturopathic medicine by a student enrolled in an approved naturopathic medical program. Services shall be performed pursuant to a course of instruction or assignments from an instructor and under the supervision and observation of the instructor or a naturopathic medical doctor; or

(7) The practice of the complementary and alternative healing methods and treatments as described in section [54-1804](#)(1)(j), Idaho Code.

(8) This section shall take effect on July 1, 2020.

[54-5103, added 2019, ch. 208, sec. 1, p. 635.]

54-5104. NATUROPATHIC MEDICAL BOARD. (1) There is hereby established a naturopathic medical board.

(2) The naturopathic medical board shall consist of five (5) members appointed by the board, all of whom shall be residents of Idaho, three (3) of whom shall be licensed pursuant to this chapter, one (1) of whom shall be a physician licensed pursuant to [chapter 18, title 54](#), Idaho Code, and one (1) of whom shall be a public member. The initial naturopathic medical board shall be appointed for staggered terms, the longer of which will not exceed four (4) years. After the initial appointments, all terms shall be for three (3) years, and no member of the naturopathic medical board shall serve more than three (3) terms.

(3) The initial three (3) naturopathic medical doctor members shall have at least two (2) years of experience in the practice of naturopathic medicine and shall be eligible to become licensed pursuant to this chapter.

(4) After initial naturopathic medical board members are appointed, the three (3) naturopathic medical board members who are naturopathic medical doctors shall be licensed pursuant to this chapter and shall actively practice naturopathic medicine in the state of Idaho for the duration of their appointment.

(5) In the event of death, resignation, or removal of any naturopathic medical board member before the expiration of the term to which he is appointed, the vacancy shall be filled for the unexpired portion of the term in the same manner as the original appointment.

(6) The board may, upon recommendation of the naturopathic medical board, or upon its own motion, remove any member of the naturopathic medical board for cause prior to the expiration of the member's term.

(7) The naturopathic medical board shall, within thirty (30) days after its appointment, and at least semiannually thereafter, hold a meeting and elect a chairperson. The naturopathic medical board may hold additional meetings on the call of the chairperson or at the written request of any two (2) members of the naturopathic medical board. The naturopathic medical board may appoint such committees as it considers necessary to carry out its duties. A majority of the members of the naturopathic medical board shall constitute a quorum.

(8) Each member of the naturopathic medical board shall be compensated as provided in section [59-509](#)(n), Idaho Code.

[54-5104, added 2019, ch. 208, sec. 1, p. 636.]

54-5105. BOARD OF MEDICINE AND NATUROPATHIC MEDICAL BOARD -- POWERS AND DUTIES -- FUNDS. (1) The board of medicine shall administer, coordinate, and enforce the provisions of this chapter and, for that purpose, may hire such employees as may be necessary. The naturopathic medical board shall make recommendations to, and consult with, the board concerning qualification of applicants for licensure, issuance of licenses, renewal of licenses, discipline of licensees, and rules to be promulgated under this chapter.

(2) The board of medicine may, upon recommendation of the naturopathic medical board, or by its own motion, adopt rules pursuant to [chapter 52, title 67](#), Idaho Code, necessary to implement the provisions of this chapter, including but not limited to rules relating to professional licensure examination, the establishment of ethical standards of practice, disciplinary proceedings, and license suspension, revocation, or restriction for persons holding a license to practice naturopathic medicine in this state.

(3) The naturopathic medical board shall hold meetings, conduct hearings, and keep records and minutes as are necessary to carry out its functions.

(4) All fees received under the provisions of this chapter shall be deposited in the state treasury to the credit of the state board of medicine fund created in section [54-1809](#), Idaho Code, and all costs and expenses incurred by the board and naturopathic medical board under the provisions of this chapter shall be a charge against and paid from said fund for such purposes, and the funds collected hereunder shall be immediately available for the administration of this chapter. In no instance shall the state board of medicine fund be obligated to pay any claims which, in aggregate with claims already allowed, exceed the income to the state board of medicine fund that has been derived from the application of this chapter. Money paid into the state board of medicine fund pursuant to this chapter is hereby continuously appropriated to the board for expenditure in the manner prescribed in this

section to defray the expenses of the board and naturopathic medical board in carrying out and enforcing the provisions of this chapter.

[54-5105, added 2019, ch. 208, sec. 1, p. 636.]

54-5106. QUALIFICATIONS FOR LICENSURE. To be eligible for a license to practice as a naturopathic medical doctor in the state of Idaho, the applicant shall submit an application, pay the fee, and fulfill the following requirements:

(1) The applicant must be a graduate of an approved naturopathic medical program as defined in this chapter.

(2) The applicant must provide proof of having received a passing grade on the naturopathic physicians licensing examinations administered by the approved national board of naturopathic examiners.

(3) The board may require an applicant to be personally interviewed by the board, the naturopathic medical board, or by a designated committee of the board. Such an interview shall be limited to a review of the applicant's qualifications and professional credentials.

(4) The application shall require a fingerprint-based criminal history check of the Idaho central criminal database and the federal bureau of investigation criminal history database. Each applicant must submit a full set of the applicant's fingerprints on forms supplied by the board, which shall be forwarded to the Idaho state police and the federal bureau of investigation identification division for this purpose. The board shall not disseminate data acquired from a fingerprint-based criminal history check except as allowed by law.

(5) This section shall take effect on July 1, 2020.

[54-5106, added 2019, ch. 208, sec. 1, p. 637.]

54-5107. ENDORSEMENT. The naturopathic medical board may waive the examination, education, or experience requirements and grant a license by endorsement to any applicant who:

(1) Presents proof of a current license in good standing to engage in the practice of naturopathic medicine in another state or the District of Columbia that requires standards for licensure considered by the board to be equivalent to the requirements for licensure pursuant to this chapter; and

(2) Does not have any disciplinary action, whether past, pending, public or confidential, by any licensing board, licensing authority, professional association, hospital, or institution in any state or district. The standards for licensure of applicants who are licensed in another jurisdiction shall not be less than the qualifications for licensure in this chapter.

(3) This section shall take effect on July 1, 2020.

[54-5107, added 2019, ch. 208, sec. 1, p. 637.]

54-5108. LICENSE EXPIRATION AND RENEWAL. (1) A license issued under the provisions of this chapter shall be subject to annual or biennial renewal and shall expire unless renewed in the manner prescribed by the rules of the naturopathic medical board, upon payment of a renewal fee.

(2) The board shall establish the following fees relating to licensing, which fees shall be established in an amount sufficient to defray all costs necessary for the administration of this chapter:

(a) Initial license and examination fee;

- (b) Renewal of license fee;
- (c) Inactive license fee; and
- (d) Late renewal fees.

(3) No license expired for more than twenty-four (24) months may be renewed. The applicant shall comply with the requirements of section [54-5106](#), Idaho Code, for obtaining an initial license.

(4) This section shall take effect on July 1, 2020.

[54-5108, added 2019, ch. 208, sec. 1, p. 637.]

54-5109. GROUNDS FOR DISCIPLINE OR DENIAL OF A LICENSE. (1) The board, upon recommendation of the naturopathic medical board, or on its own motion, may refuse to issue or renew a license or may revoke, suspend, or otherwise discipline a license holder for any of the following grounds:

- (a) The use of fraud or deceit in obtaining a license under this chapter or in connection with services rendered as a naturopathic medical doctor;
- (b) A legal finding of mental incompetence;
- (c) Aiding or abetting a person, not duly licensed under this chapter, in claiming to be a naturopathic medical doctor or in practicing naturopathic medicine;
- (d) Gross negligence, incompetence, or misconduct in the performance of naturopathic medicine;
- (e) Conviction of a felony or the entering of a plea of guilty or the finding of guilt by a jury or court of commission of a felony;
- (f) Providing health care that fails to meet 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;
- (g) Violating any law or rule pursuant to this chapter;
- (h) Engaging in any conduct that constitutes an abuse or exploitation of a patient arising out of the trust and confidence placed in the naturopathic physician by the patient;
- (i) Having a license to practice naturopathic medicine or other health care license or certificate refused, revoked, suspended, or otherwise disciplined by any state, territory, district of the United States, or Canada;
- (j) Prescribing, dispensing, or administering any controlled substance or device except as authorized by this chapter, or as authorized by the medical practice act in section [54-1804](#)(1)(g), Idaho Code;
- (k) Performing surgical procedures, except those minor office procedures authorized by this chapter;
- (l) Administering ionizing radioactive substances for therapeutic purposes;
- (m) Performing surgical procedures using a laser device;
- (n) Inducing or performing an abortion;
- (o) Failure to comply with a board order; or
- (p) Committing an act that constitutes a felony.

(2) The board may reinstate any revoked or suspended license on such terms as it may determine upon recommendation of the naturopathic medical board or upon its own motion.

(3) This section shall take effect on July 1, 2020.

[54-5109, added 2019, ch. 208, sec. 1, p. 638.]

54-5110. CERTAIN ACTS PROHIBITED. It shall be unlawful and a misdemeanor for any person to engage in any of the following acts:

(1) To practice, attempt, or offer to practice naturopathic medicine as defined in this chapter without a valid, unexpired, unrevoked, and unsuspended license issued under this chapter; or

(2) To represent oneself as licensed to practice naturopathic medicine under this chapter or to use the title or designation "licensed naturopathic physician," "physician of naturopathic medicine," "naturopathic medical doctor," or "NMD," unless such person is so licensed. The use of the term "naturopath," "naturopathic doctor," or "ND" by persons not licensed under this chapter shall not be restricted.

(3) This section shall take effect on July 1, 2020.

[54-5110, added 2019, ch. 208, sec. 1, p. 638.]

54-5111. PREEMPTION OF LOCAL REGULATION. Beginning July 1, 2020, licensure of naturopathic medical doctors shall occur pursuant only to this chapter.

[54-5111, added 2019, ch. 208, sec. 1, p. 639.]