

**R156. Commerce, Occupational and Professional Licensing.**

**R156-71. Naturopathic Physician Practice Act Rule.**

**R156-71-101. Title.**

This rule is known as the "Naturopathic Physician Practice Act Rule."

**R156-71-102. Definitions.**

In addition to the definitions in Title 58, Chapter 1, Division of Occupational and Professional Licensing Act, and Title 58, Chapter 71, Naturopathic Physician Practice Act, the following rule definitions supplement the statutory definitions:

(1) "Approved clinical experience program" or "residency program" as used in Subsections 58-71-302(1)(d) and 58-71-304.2(1)(b), mean a residency program that is:

(a) at least one year in length; and

(b) approved by the Council of Naturopathic Medical Education (CNME), meaning it is under the auspices of a CNME-accredited or CNME candidate Naturopathic Doctor program that is recognized by the CNME as a residency program sponsor.

(2) "Direct supervision" as used in Subsection 58-71-304.2(1)(b), means the supervising naturopathic physician, physician and surgeon, or osteopathic physician is:

(a) responsible for the naturopathic activities and services performed by the naturopathic physician intern; and

(b) normally present in the facility, and when not present in the facility is available by voice communication to direct and control the naturopathic activities and services performed by the naturopathic physician intern.

(3) "Direct and immediate supervision" of a medical naturopathic assistant as used in Subsections 58-71-102(6) and 58-71-305(7), means that the licensed naturopathic physician is:

(a) responsible for the activities and services performed by the medical naturopathic assistant; and

(b) present in the facility and immediately available for advice, direction and consultation.

(4) "Distance learning" means the acquisition of knowledge and skills through information and instruction encompassing technologies and other forms of learning at a distance, including internet, audio-visual recordings, mail, or other correspondence.

(5) "Naturopathic physician intern" or "intern" means an individual who qualifies for a temporary license under Section 58-71-304.2 to engage in a naturopathic physician residency program recognized by the Division under the direct supervision of an approved naturopathic physician, physician and surgeon, or osteopathic physician.

(6) "NPLEX" means the Naturopathic Physicians Licensing Examinations.

(7) "Primary health care" as referenced in Subsection 58-71-102(12), means basic or general health care provided at the patient's first contact with the naturopathic physician.

(8) "Qualified continuing education" means continuing education that meets the standards in Section R156-71-304.

(9) "Unprofessional conduct" as defined in Title 58, Chapter 1, Division of Occupational and Professional Licensing Act, and Chapter 71, Naturopathic Physician Practice Act, is further defined under Subsection 58-1-203(1)(e) and 58-71-102(17), in Section R156-71-502.

**R156-71-103. Authority - Purpose.**

This rule is adopted by the Division under the authority of Subsection 58-1-106(1)(a) to enable the Division to administer Title 58, Chapter 71, Naturopathic Physician Practice Act.

**R156-71-104. Organization - Relationship to Rule R156-1.**

The organization of this rule and its relationship to Rule R156-1 is as described in Section R156-1-107.

**R156-71-202. Naturopathic Physician Formulary.**

(1)(a) Under Subsections 58-71-102(8)(d) and 58-71-102(12)(a), the naturopathic physician formulary noncontrolled substance legend medications appropriate for the primary health care of patients within the scope of practice of naturopathic physicians, the prescription of which is approved by the Division in collaboration with the Naturopathic Formulary Advisory Peer Committee under Section 58-71-202, are identified in Subsection (1)(b).

(b) The following noncontrolled substance legend medications are listed by category, with reference numbers identified in the American Hospital Formulary Service (AHFS) Drug Information, 2021 edition, published by the American Society of Hospital Pharmacists, available at <http://www.ahfsdruginformation.com>:

4:00 Antihistamines

8:08 Anthelmintics

8:12 Antibacterials, limited to oral, topical and intramuscular administration

8:14 Antifungals, oral and topical forms

8:16.92 Miscellaneous Antimycobacterials

8:18 Antivirals limited to oral and topical dosage forms, excluding:

8:18:08 Antiretrovirals

8:18:20 Interferons

8:18:24 Monoclonal Antibodies

8:18:32 Nucleosides and Nucleotides

8:30.04 Amebicides

8:30.92 Miscellaneous Antiprotozoals excluding those whose primary indication is the treatment of infection in immunosuppressed patients, such as Pentamidine and Trimetrexate

8:36 Urinary anti-infectives

12:12.08.12 Selective Beta 2 Adrenergic Agonists

12:12.12 Alpha and Beta Adrenergic Agonists

12:16 Sympatholytic Adrenergic Blocking AB Agents, limited to ergot derivatives

12:20 Skeletal Muscle Relaxants, excluding scheduled medications

20:12.04.16 Heparins

20:24 Hemorrhologic Agents

24:04.08 Cardiotonic Agents - limited to Digoxin

24:06 Antilipemic Agents

24:08 Hypotensive Agents - limited to oral dosage forms

24:20 Alpha Adrenergic Blocking Agents

24:24 Beta Adrenergic Blocking Agents - limited to oral dosage forms

24:28 Calcium Channel Blocking Agents - limited to oral dosage forms

24:32 Renin-Angiotensin-Aldosterone System Inhibitors - limited to oral dosage forms

28:08 Analgesics and Antipyretics, excluding scheduled medications

28:10 Opiate Antagonists

28:16.04.16 Selective Serotonin - and Norepinephrine-Reuptake Inhibitors

28:16.04.20 Selective Serotonin Reuptake Inhibitors

28:16.04.24 Serotonin Modulators

28:16.04.28 Tricyclics and Other Norepinephrine-Reuptake Inhibitors

28:16.04.92 Antidepressants, Miscellaneous

28:32.28 Selective Serotonin Agonists

40:00 Electrolytic, Caloric, and Water Balance

40:18.92 Other Ion-removing Agents

40:28 Diuretics

44:00 Enzymes, limited to digestive and proteolytic

48:10.24 Leukotriene Modifiers

48:10.32 Mast-Cell Stabilizers

48:16 Expectorants

52:08 Corticosteroids (oral, topical, and injectable), Anti-Inflammatory Agents and DMARDS

52:24 Mydriatics

56:22 Antiemetics

56:28 H<sub>2</sub> Blockers, Anti-ulcer Agents and Acid Suppressants

56:36 Anti-inflammatory Agents

64:00 Heavy Metal Antagonists, in addition to DMPS (2,3-Dimercapto-1-propanesulfonic acid)

68:04 Adrenals

68:12 Contraceptives, except implants and injections

68:16.04 Estrogens

68:16.08 Antiestrogens, limited to Anastrozole for use in the setting of hormone replacement therapy

68:16.12 Estrogen Agonists-Antagonists, limited to Raloxifene

68:18 Gonadotropins; limited to Gonadotropin, Chorionic

68:20.02 Alpha-Glucosidase Inhibitors

68:20.04 Biguanides

68:20.08 Insulins

68:20.20 Sulfonylureas

68:24 Parathyroid

68:32 Progestins

68:36 Thyroid and Antithyroid Agents, including Thyroid of glandular extract

72:00 Local Anesthetics

76:00 Oxytocics, limited to Oxytocin

80:00 Serums, Toxoids, Vaccines

84:00 Skin and Mucous Membrane Agents, excluding Depigmenting and Pigmenting Agents (reference number 84:50)

84:92 Skin and Mucous Membrane Agents, Miscellaneous, excluding Isotretinoin

88:00 Vitamins

92:00 Miscellaneous Therapeutic Agents, limited to Botulinum Toxin type A, and limited to superficial injections

92:08 5-Alpha-Reductase Inhibitors

92:16 Antigout Agents

(2) Under Subsections 58-71-102(8) and 58-71-102(12)(a), the naturopathic physician formulary includes the following items or substances, for the primary health care of patients within the scope of practice of naturopathic physicians:

(a) Amino Acids;

- (b) Minerals;
- (c) Oxygen;
- (d) Silver Nitrate;
- (e) DHEA (dihydroepiandrosterone);
- (f) Pregnenolone; and
- (g) Allergy Testing Agents.

(3) Under Subsections 58-71-102(8)(e) and 58-71-102(12)(a) and Section 58-71-202, the naturopathic physician formulary includes the following controlled substance with the reference number identified in the AHFS Drug Information, 2021 edition, published by the American Society of Hospital Pharmacists, available at <http://www.ahfsdruginformation.com>:  
68:08 Testosterone.

(4) A licensed naturopathic physician may not prescribe or administer a new category or class of drugs until the category or class is approved as part of the naturopathic physician formulary.

(5) A licensed naturopathic physician shall be knowledgeable about the medications and natural medicine being prescribed or administered.

#### **R156-71-302. Qualifications for Licensure.**

(1) Under Subsection 58-71-302(1)(a)(i), submissions by the applicant of information maintained by practitioner data banks shall include the following:

- (a) Federation Credentials Verification (FCVS) report; and
- (b) National Practitioner Data Bank Report of Action.

(2) Under Subsections 58-71-302(1)(e) and 58-71-302(2)(a)(iii), the licensing examination sequence required for licensure is as follows:

- (a)(i) NPLEX Basic Science Series;
- (ii) State of Washington Basic Science Series; or
- (iii) State of Oregon Basic Science Series;
- (b) NPLEX Clinical Series; and
- (c) NPLEX Minor Surgery.

(3) Under Subsection 58-71-302(2)(b), satisfactory documentation of compliance with the licensure education requirements for graduates of naturopathic physician programs or schools in a foreign country or district or territory of the United States, shall be a report submitted to the Division by the International Credentialing Associates, Inc. (ICA) confirming that the applicant's naturopathic physician program or school has met the accreditation standards.

#### **R156-71-303. License Term, Renewal, and Reinstatement Procedures.**

(1) Under Subsection 58-1-308(1) and Section 58-71-303, the renewal date for the two-year renewal cycle for licensees under Title 58, Chapter 71, Naturopathic Physician Practice Act, is established in Subsection R156-1-308a(1).

(2) Renewal and reinstatement procedures shall be in accordance with Sections R156-1-308c through R156-1-308l, except as provided in Subsection (3).

(3) Under Subsections 58-71-303(3) and 58-1-308(5)(a)(ii)(B), an applicant whose license was active and in good standing at the time of expiration may apply for reinstatement between two years and five years after the date of expiration by:

- (a) submitting a reinstatement application demonstrating compliance with requirements and condition of license renewal;
- (b) paying license renewal and reinstatement fees for the current renewal period; and
- (c) submitting documentation that the applicant has successfully completed:
  - (i) at least 48 hours of qualified continuing professional education for the current two-year licensure cycle; and
  - (ii) any additional hours of qualified continuing professional education determined necessary by the Division in collaboration with the Board to clearly demonstrate the applicant is currently competent to engage in naturopathic medicine.

#### **R156-71-304. Qualified Continuing Professional Education.**

(1) Under Section 58-71-304, qualified continuing professional education requirements are established in this section.

(2) A continuing education course shall meet the following standards:

(a) consist of clinically oriented seminars, lectures, conferences, workshops, mediated instruction, or programmed learning provided by:

- (i) a professional health care licensing agency, hospital, or institution accredited by the Accreditation Council of Continuing Medical Education (ACCME);
- (ii) a program sponsored by the American Council of Pharmaceutical Education (ACPE);
- (iii) an accredited college or university;
- (iv) a professional association or organization representing a licensed profession whose program objectives are related to naturopathic training; or

(v) any other provider providing a program related to naturopathic education, if the provider has submitted an application to and received approval from the Utah Naturopathic Physicians Licensing Board;

- (b) have reasonably and clearly stated learning objectives;
- (c) have clearly stated and appropriate teaching methods;
- (d) have faculty qualified both in experience and in teaching expertise;

- (e) have a written post course or program evaluation;
  - (f) provide documentation of attendance; and
  - (g) have content relevant to naturopathic practice, and consistent with Utah laws and rules.
- (3)(a) Each licensee shall complete 48 hours of qualified continuing professional education during each two-year licensure cycle.
- (b)(i) At least 20 of the 48 continuing professional education hours shall be specific to pharmacy or pharmacology as it pertains to the Naturopathic Physician Formulary, Section R156-71-202.
  - (ii) A minimum of ten of the 20 hours specific to pharmacy or pharmacology shall be recognized as category 1 credit hours as established by the ACCME.
- (c) Up to 20 hours of continuing professional education in each two-year licensure cycle may be through distance learning.
- (4) A licensee shall maintain documentation sufficient to prove compliance with this section, for a period of two years after the end of the renewal cycle for which the continuing professional education is due.
- (5) The Division in collaboration with the Board may defer or waive continuing professional education requirements for a licensee pursuant to Section R156-1-308d, for a period of up to four years.

**R156-71-502. Unprofessional Conduct.**

"Unprofessional conduct" includes failure to comply with the approved naturopathic physician formulary in Section R156-71-202.

**KEY: licensing, naturopaths, naturopathic physician**

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**Authorizing, and Implemented or Interpreted Law: 58-71-101; 58-1-106(1)(a); 58-1-202(1)(a)**