

DEC 17 2009

Secretary of State

**NOTICE OF PROPOSED RULEMAKING\***

A Statement of Need and Fiscal Impact accompanies this form.

<u>Board of Naturopathic Examiners</u>		<u>850</u>
Agency and Division		Administrative Rules Chapter Number
<u>Anne Walsh</u>	<u>800 NE Oregon St., Suite 407, Portland</u>	<u>971-673-0193</u>
Rules Coordinator	Address	Telephone

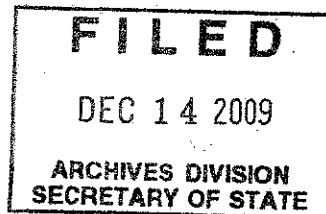
**RULE CAPTION**

2009 legislation allows naturopathic physicians to prescribe for Expedited Partner Therapy (EPT)  
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

**RULEMAKING ACTION**

**ADOPT:** Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

**AMEND:** **OAR 850-060-0220**  
**REPEAL:**



**RENUMBER:** Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

**AMEND & RENUMBER:** Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

ORS 685.125  
Stat. Auth.

Other Authority

ORS 685.010(5)

Stats. Implemented

**RULE SUMMARY**

**Will allow NDs to prescribe antibiotics to partners of patients diagnosed with a sexually transmitted disease without a patient visit by the partner of the patient for EPT**

A public rulemaking hearing may be requested in writing by 10 or more people, or by an association with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the *Oregon Bulletin* or 28 days from the date Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the *Oregon Bulletin* at least 14 days before the hearing.

ORS 183.335(2)(G) The agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

Signature 

January 29, 2010

Last Day for Public Comment  
Last day to submit written comments to the Rules Coordinator

Anne Walsh December 10, 2009  
Printed name Date

\*The *Oregon Bulletin* is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00pm on the preceding workday. ARC 923-2005

Secretary of State  
**STATEMENT OF NEED AND FISCAL IMPACT**  
A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Oregon Board of Naturopathic Examiners  
Agency and Division

850  
Administrative Rules Chapter Number

In the Matter of: OAR 850-60-0220

Statutory Authority: ORS 685.125

Other Authority:

Statutes Implemented: ORS 685.010

Need for the Rule(s): meet legislative authority to prescribe antibiotics for sexually transmitted disease to the partner of a patient without first seeing the partner for EPT

Documents Relied Upon: Department of Human Services documents

Fiscal and Economic Impact: No

Administrative Rule Advisory Committee consulted?:

If not, why?: Statutory mandate

Anne Walsh

Printed name



12/10/09

The law regarding Expedited Partner Therapy has been passed. Now the OBNE (soon to be the OBNM) has to write a rule to this effect. Following in bold and underlined is the language I have drafted for consideration prior to rule making for *OAR 850-060-0220 Authority to Prescribe*.

**850-060-0220**

**Authority to Prescribe, Dispense, and Order**

Naturopathic physicians shall be allowed to prescribe, dispense, and order the following:

(1) All substances recommended by the Formulary Council and approved by the Board,

(a) All biological substances including extracts and/or their products and residues,

(b) All topical preparations,

(2) All vitamins, minerals, trace minerals, enzymes, and food,

(3) All mechanical devices, except those that require major surgical intervention,

(4) All homeopathic preparations,

(5) All laboratory and diagnostic procedures,

**(6) Antibiotics to partner(s) of patients diagnosed with a sexually transmitted disease**

**without a patient visit by the partner of the patient for Expedited Partner Therapy (EPT)**

**per OAR 855-041-8000 to 855-041-8005 of the Department of Human Services.**

Stat. Auth.: ORS 685.125

Stats. Implemented: 685.030

Hist.: NE 2-1984, f. & ef. 2-28-84; BNE 2-2005, f. & cert. ef. 2-4-05; Renumbered from 850-010-0220, BNE 8-2005, f. & cert. ef. 10-27-05