

Secretary of State  
**NOTICE OF PROPOSED RULEMAKING\***  
A Statement of Need and Fiscal Impact accompanies this form

**FILED**  
7-12-16 1:14 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE

Oregon Board of Naturopathic Medicine 850  
Agency and Division Administrative Rules Chapter Number  
Anne Walsh (971) 673-0193  
Rules Coordinator Telephone  
Oregon Board of Naturopathic Medicine, 800 NE Oregon St., Suite 407, Portland, OR 97232  
Address

**RULE CAPTION**

List formulary items currently excluded from prescribing authority by Naturopathic physicians and remove unnecessary rule.

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

**RULEMAKING ACTION**

Secure approval of rule numbers with the Administrative Rules Unit prior to filing

**ADOPT:**

850-060-0223

**AMEND:**

**REPEAL:**

850-060-0225

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

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

**Statutory Authority:**

685.125

**Other Authority:**

**Statutes Implemented:**

685.145

**RULE SUMMARY**

adds a new rule 850-060-0223 listing the formulary compendium exclusions  
removes 850-060-0225 which is no longer relevant since all items can be found by classification in 850-060-0226.

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.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

09-01-2016 3:00 p.m. Anne Walsh Anne.Walsh@state.or.us  
Last Day (m/d/yyyy) and Time Rules Coordinator Name Email Address  
for public comment

\*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation.

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Oregon Board of Naturopathic Medicine  
Agency and Division

850  
Administrative Rules Chapter Number

List formulary items currently excluded from prescribing authority by Naturopathic physicians and remove unnecessary rule.

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of:

850-060-0223

850-060-0225

**Statutory Authority:**

685.125

**Other Authority:**

**Statutes Implemented:**

685.145

**Need for the Rule(s):**

Clarify ORS 685.145 formulary as part of Naturopathic scope of practice.

**Documents Relied Upon, and where they are available:**

ORS 685 (found on OBNM website: <http://www.oregon.gov/obnm/rules/Chapter%20685%202015-2017.pdf> )

**Fiscal and Economic Impact:**

n/a

**Statement of Cost of Compliance:**

**1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):**

n/a

**2. Cost of compliance effect on small business (ORS 183.336):**

**a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:**

n/a

**b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:**

n/a

**c. Equipment, supplies, labor and increased administration required for compliance:**

n/a

**How were small businesses involved in the development of this rule?**

n/a

**Administrative Rule Advisory Committee consulted?:No**

**If not, why?:**

all interested parties are notified and provided with an opportunity to comment.

09-01-2016 3:00 p.m.	Anne Walsh	Anne.Walsh@state.or.us
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address

### **850-060-0223 Formulary Compendium Exclusions**

The Formulary Council has approved substances as listed by classification in 850-060-0226 for use by Naturopathic physicians in accordance with professional standards of care.

(1) This authority does not supersede the education and training requirement established in 850-060-0212 for administration of IV agents or any other education and training required to prescribe, dispense, administer or order all legend or controlled substances.

(2) Additionally, the following substances may not be prescribed by licensees of this Board without approved specialized education and training.

(a) Barbiturates as defined in 850-060-0226(8)(f);

(b) Systemic oncology agents with the exception of the following antineoplastic agents (oral and topical only) as found in 850-060-226(3)

(A) 5FU;

(B) Anastrozole;

(C) Letrozole;

(D) Mechlorethamine;

(E) Megestrol;

(F) Mercaptopurine;

(G) Methotrexate;

(H) Tamoxifen;

(I) Tretinoin.

(c) General anesthetics;

(d) Oxytocics as an abortifacient;

(e) Any other substance not listed in 850-060-0226 classification or meeting prior approval of the Board.