

Secretary of State
Certificate and Order for Filing
PERMANENT ADMINISTRATIVE RULES

I certify that the attached copies* are true, full and correct copies of the PERMANENT Rule(s) adopted on [December 12, 2011]
by the

Oregon Board of Naturopathic Medicine

Date prior to or same as filing date
850

Agency and Division

Administrative Rules Chapter Number

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to become effective [December 23, 2011]. Rulemaking Notice was published in the [December 2011] Oregon Bulletin.**
Date upon filing or later Month and Year

RULE CAPTION

Change required bring Agency in compliance with ORS 676.150

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

RULEMAKING ACTION

List each rule number separately (000-000-0000)

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

ADOPT:

AMEND: OAR 850-050-0120 Illegal Practice; Duty to Self-Report

REPEAL:

RENUMBER:

AMEND & RENUMBER:

Stat. Auth.: ORS 685.125

Other Auth.:

Stats. Implemented: ORS 685.110



RULE SUMMARY

OAR 850-050-0120 Clarifies the duty of Licensees and non-licensed person to report to the Board any violation of any law within 10 business days of the violation.

OAR 850-050-0120 Is not in compliance with statute on self-reporting: ORS 676.150676.150 Duty to report prohibited or unprofessional conduct, arrests and convictions

(2) Unless state or federal laws relating to confidentiality or the protection of health information prohibit disclosure, a licensee who has reasonable cause to believe that another licensee has engaged in prohibited or unprofessional conduct shall report the conduct to the board responsible for the licensee who is believed to have engaged in the conduct. The reporting licensee shall report the conduct without undue delay, but in no event later than 10 working days after the reporting licensee learns of the conduct.

(3) A licensee who is convicted of a misdemeanor or felony or who is arrested for a felony crime shall report the conviction or arrest to the licensee's board within 10 days after the conviction or arrest.

Authorized Signer

Printed name

Date

*With this original, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules. **The Oregon Bulletin is published the 1st of each month and updates rules found in the OAR Compilation. For publication in Bulletin, rule and notice filings must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, when filings are accepted until 5:00 pm on the preceding workday.

ARC 930-2005

850-050-0120

Illegal Practice; Duty to Self-Report

(1) No person, including a graduate of any naturopathic medicine program, other than a licensee complying with the provisions of ORS Chapter 685 shall:

- (a) practice naturopathic medicine or naturopathy in Oregon, or
- (b) advertise, hold out to the public or represent in any manner that the person is authorized to practice naturopathy or naturopathic medicine in Oregon, or
- (c) use the terms “naturopathic practitioner,” “naturopathic healer,” “naturopathic doctor,” “naturopathic consultant” or any other terms that convey intent to practice naturopathy or naturopathic medicine.

(2) Any person convicted of practicing illegally in Oregon or any person who, without a license, makes a diagnosis shall not be admitted to examination by the Board at any time.

(3) It shall be the duty of all Board licensees, in the interests of both the public and the profession, to inform the Board, in writing, of anyone practicing naturopathy or naturopathic medicine in Oregon without a license or otherwise in violations of the law.

(4) For the purpose of this rule, naturopathic treatment shall be considered as practicing naturopathy or naturopathic medicine within the meaning of ORS 685.010(5), unless under the direct supervision of a licensee of the Board.

(5) Each Board licensee must self-report to the Board in writing as soon as possible, but no later than 10 business days after official action taken against the licensee, of any of the following:

- (a) Any arrest, citation or conviction of the licensee for driving under the influence of intoxicants or reckless driving that is related to the use of an intoxicant;
- (b) Any arrest or conviction of the licensee for a felony violation or criminal conduct;
- (c) Any action brought against the licensee by a health regulatory agency; and
- (d) Any action brought against the licensee by a patient, former patient, or health care facility, based upon allegations or findings of medical incompetence, malpractice, unprofessional conduct or licensee impairment.

Stat. Auth.: ORS 685

Stats. Implemented: ORS 685.220, ORS 685.110, ORS 676.150

Hist.: NE 2, f. 6-7-59; BNE 4-2004, f. & cert. ef. 6-10-04; Renumbered from 850-010-0120, BNE 8-2005, f. & cert. ef. 10-27-05; BNE 5-2008, f. & cert. ef. 6-11-08