

NOTICE OF PROPOSED RULEMAKING

CHAPTER 850

OREGON BOARD OF NATUROPATHIC MEDICINE

FILING CAPTION: Criteria for Structured Continuing Education Course Approval, Activities Eligible for Approval, Required Documentation and Limitations

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 02/12/2024 1:00 PM

NEED FOR THE RULE(S):

Approval process for CE program approval is exceeding OBNM staff resources and Board members available time, leading to inconsistent education and inequitable approval process. Need established criteria for approval and application limitations.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

OBNM public session board meeting minutes OBNM website

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE:

The rule will not affect racial equity in Oregon

FISCAL AND ECONOMIC IMPACT:

The rule does not have a fiscal or economic impact

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

There is no cost of compliance and does not affect small businesses

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Small businesses are not impacted and not involved

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT? Rule discussed at multiple public sessions of Board meetings.

CONTACT:

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AMEND: 850-040-0230

RULE TITLE: Criteria for Structured Continuing Education Course Approval, Activities Eligible for Approval, Required Documentation and Limitations

RULE SUMMARY: Sets Criteria for Structured Continuing Education Course Approval, Activities Eligible for Approval, Required Documentation and Limitations

RULE TEXT:

(1) Structured Program Approval: Programs must meet the following criteria per subject area for approval:

(a) Pharmacology: Structured programs for physicians with course curriculum that includes at least one of the following topic areas:

(A) Properties and actions of pharmaceutical drugs and dosage forms,

(B) Pharmaceuticals for therapy and prevention of disease states,

(C) Maintain and enhance competence applicable to prescribing off the formulary compendium,

(D) Pharmaceutical medication error prevention, prevention of events that may cause or lead to inappropriate pharmaceutical medication use or patient harm,

(E) General topics related to pharmaceutical management

(b) Professional ethics, boundaries, and communication: Structured programs for physicians and health care professionals focused on ethical practices, that offer concrete advice on how health care professionals should interact with patients and address critical decisions within their practice.

(c) Suicide prevention: Structured programs for physicians and health care professionals on suicide risk assessment, treatment, and management consistent with Applied Suicide Intervention Skills Training (ASIST)

(d) Cultural competency: Structured programs for physicians and health care professionals that meet the skill requirements established by the Oregon Health Authority under ORS 413.450 (Continuing education in cultural competency)

(e) Pain management: Structured program for physicians and health care professionals with course curriculum that includes at least one of the following topic areas:

(A) Current perspectives on the neuroscience and complex biopsychosocial nature of pain

(B) International Association for the Study of Pain (IASP) Guidelines

(C) Center for Disease Control (CDC) Opioid Prescribing Guidelines.

(D) Oregon Health Authority Opioid Prescribing Guidelines

(f) General Education:

(A) Presented by naturopathic physicians, other physicians, or other professionally acknowledged health care educators with expertise in the subject matter

(B) Support, develop, and increase the knowledge, skills, and professionalism of naturopathic physicians

(C) In the scope of practice of naturopathic medicine in the State of Oregon

(2) General Education Activity Approval: Licensees may annually submit a total of ten (10) approved continuing education hours from a combination of the following activities. Activities must meet the following criteria and approval is limited to maximum hours stated per activity. Licensees must submit the required documentation for approval no later than 30 calendar days after the date of completion of the activity.

(a) Structured business management and practice development programs, maximum of two (2) total hours. Program must support, educate, and enhance practice management skills and responsible practice development. Licensee must submit materials required in 850-040-0220(1).

(b) Peer reviewed publication, authorship, or review, maximum of three (3) total hours. Subject of the article must be in the scope of practice of naturopathic medicine in the State of Oregon. Licensees must provide the Board with the following:

(A) Authorship:

(i) Copy or excerpt (up to ten (10) pages maximum) of the published article, including the name and issue of the peer reviewed publication,

(ii) Written description (up to five (5) pages maximum) of how research, development and content of the published article support, develop, and increase the knowledge, skills, and professionalism of naturopathic physicians.

(iii) Written record of the number of hours spent on research, development and writing the publication

(iv) Additional information or materials at the request of the Board

(B) Review and Report:

(i) Copy or excerpt (up to ten (10) pages maximum) of the published article, including the name and issue of the peer reviewed publication

(ii) Written summary (up to five (5) pages) describing how the content of the article supports, develops, and increases the knowledge, skills, and professionalism of naturopathic physicians

(iii) Written record of the dates and number of the hours spent reviewing and summarizing material,

(iv) Additional information or materials at the request of the Board

(c) Formal protocol writing for a health care facility or government health care agency, maximum of three (3) total hours. Subject of the formal protocol must be in the scope of practice of naturopathic medicine in the State of Oregon. Licensees must submit the following:

(A) Copy or excerpt (up to ten (10) pages maximum) of the completed formal protocol

(B) Written description (up to five (5) pages maximum) of how the research, development, content and writing of the formal protocol supports, develops, and increases the knowledge, skills, and professionalism of naturopathic physicians

(C) Certificate/letter of completion with date protocol was finished, total number of hours spent on research, development, and protocol writing signed by licensee's supervisor, submitted

(D) Additional information or materials at the request of the Board

(d) Naturopathic Physicians Licensing Examinations (NPLEX) Committee for the development and writing of the NPLEX examinations, maximum three (3) total hours. Licensees must submit the following:

(A) Written description (up to five (5) pages maximum) of how exam research, development and writing support, develop, and increase the knowledge, skills, and professionalism of naturopathic physicians

(B) Certificate/letter of completion with date of completion, and total number of hours spent on research, development, and writing signed by licensee's supervisor or NPLEX designee,

(C) Additional information or materials at the request of the Board

(e) Research related to the advancement of naturopathic medicine, for a recognized educational or medical institution or organization; maximum of six (6) total hours. Licensee must submit the following:

(A) Attestation Licensee does not have financial conflicts or fiduciary relationships with the educational or medical institution or organization where licensee is conducting the research

(B) Written description (maximum ten (10) pages) how licensees research is in the scope of practice of naturopathic medicine in the State of Oregon, and supports, develops, and increases the knowledge, skills of naturopathic physicians

(C) Certificate/letter of completion with date research was completed, total number of hours spent on research and development, signed by licensee's supervisor,

(D) Additional information or materials at the request of the Board

(f) Presentation of a structured continuing education program in the scope of practice of naturopathic medicine in the State of Oregon; maximum of six (6) total hours. Licensee must submit the following:

(A) Declaration the presentation was developed and created in the calendar year applying for credit, and no portion of the presentation has been used in previous years.

(B) Excerpt of presentation materials (up to ten (10) pages maximum), agenda, schedule, and total length of the presentation

(C) Written description (up to ten (10) pages maximum) how research, development and content of the presentation supports, develops, and increases the knowledge, skills, and professionalism of naturopathic physicians

(D) Written record of hours spent researching, developing the content of the presentation, and length of presentation submitted total number of hours spent on research and development, signed by licensee's supervisor

(E) Addition information or materials at the request of the Board

(g) Teaching an accredited graduate level course in the scope of practice of naturopathic medicine in the State of Oregon; maximum six (6) total hours. Licensee must submit the following:

(A) Declaration the course material was developed and created in the calendar year applying for credit, and no portion of the course material has been used in previous years.

(B) Excerpt of course materials (up to ten (10) pages maximum), syllabus, schedule, with the name of the accredited institution and faculty supervisor

(C) Written description (up to ten (10) pages maximum) how research, development and content of the course supports, develops, and increases the knowledge, skills, and professionalism of naturopathic physicians

(D) Certificate/letter of completion with total number of hours spent on research and development of course, signed by licensee's faculty supervisor

(E) Addition information or materials at the request of the Board

(h) Preceptorship with an Oregon licensed naturopathic physician or doctorate level clinician with a minimum of five (5) years of clinical experience, maximum six (6) total hours. Preceptorship must be in scope of practice of naturopathic medicine in the State of Oregon. Licensee must submit the

following:

(A) Name of medical facility, preceptor, and licensee's direct supervisor

(B) Certificate/letter of completion with a record of attendance and total hours licensee participated in the preceptor program, signed by licensee's preceptor/ supervisor,

(C) Additional information or materials at the request of the Board

(3) Courses and Activities Not Eligible for Board approval:

(a) Programs or activities proprietary in nature, promoting exclusive services, companies or products.

(b) Programs or activities presented by a lay person(s) and directed to the general public.

(c) Programs or activities outside the scope of practice of naturopathic medicine in the State of Oregon

(d) Programs or activities that do not support, develop, and increase the knowledge, skills of naturopathic physicians

STATUTORY/OTHER AUTHORITY: ORS 685.125

STATUTES/OTHER IMPLEMENTED: ORS 685.102

OFFICE OF THE SECRETARY OF STATE

LAVONNE GRIFFIN-VALADE
SECRETARY OF STATE

CHERYL MYERS
DEPUTY SECRETARY OF STATE
AND TRIBAL LIAISON



ARCHIVES DIVISION

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NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 850
OREGON BOARD OF NATUROPATHIC MEDICINE

FILED

12/27/2023 3:34 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Criteria for Structured Continuing Education Course Approval, Activities Eligible for Approval, Required Documentation and Limitations

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 02/12/2024 1:00 PM

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.

A public rulemaking hearing may be requested in writing by 10 or more people, or by a group 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 the 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.

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Portland, OR 97232

Filed By:
Mary-Beth Baptista
Rules Coordinator

NEED FOR THE RULE(S)

Approval process for CE program approval is exceeding OBNM staff resources and Board members available time, leading to inconsistent education and inequitable approval process. Need established criteria for approval and application limitations.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

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STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

The rule will not affect racial equity in Oregon

FISCAL AND ECONOMIC IMPACT:

The rule does not have a fiscal or economic impact

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

There is no cost of compliance and does not affect small businesses

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Small businesses are not impacted and not involved

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

Rule discussed at multiple public sessions of Board meetings.

AMEND: 850-040-0230

RULE SUMMARY: Sets Criteria for Structured Continuing Education Course Approval, Activities Eligible for Approval, Required Documentation and Limitations

CHANGES TO RULE:

850-040-0230

Criteria for Structured Continuing Education Course Approval: Licensee Submit, Activities Eligible for Approval, Required Documentation and Limitations ¶¶

~~Board approval is required for the following continuing education programs and activities. For approval, Applicants shall submit to the Board the following documentation: (1) Structured Program Approval: Programs must meet the following criteria per subject area for approval: ¶¶~~

~~(a) Pharmacology: Structured programs for physicians with course curriculum that includes at least one of the following topic areas: ¶¶~~

~~(A) Properties and actions of pharmaceutical drugs and dosage forms.¶¶~~

~~(B) Pharmaceuticals for therapy and prevention of disease states.¶¶~~

~~(C) Maintain and enhance competence applicable to prescribing off the formulary compendium.¶¶~~

~~(D) Pharmaceutical medication error prevention, prevention of events that may cause or lead to inappropriate pharmaceutical medication use or patient harm.¶¶~~

~~(E) General topics related to pharmaceutical management¶¶~~

~~(b) Professional ethics, boundaries, and communication: Structured programs for physicians and health care professionals focused on ethical practices, that offer concrete advice on how health care professionals should interact with patients and address critical decisions within their practice.¶¶~~

~~(1c) Video, audio, live or web-based education: documentation required 850-040-0210(6)¶¶~~

~~(2) CPR Certification: copy of certification with date earned, must be earned in the reporting year. Suicide prevention: Structured programs for physicians and health care professionals on suicide risk assessment, treatment, and management consistent with Applied Suicide Intervention Skills Training (ASIST)¶¶~~

~~(d) Cultural competency: Structured programs for physicians and health care professionals that meet the skill requirements established by the Oregon Health Authority under ORS 413.450 (Continuing education in cultural competency)¶¶~~

~~(e) Pain management: Structured program for physicians and health care professionals with course curriculum that includes at least one of the following topic areas: ¶¶~~

~~(A) Current perspectives on the neuroscience and complex biopsychosocial nature of pain¶¶~~

~~(B) International Association for the Study of Pain (IASP) Guidelines¶¶~~

~~(3C) Review Peer-Reviewed PubliCenter for Disease Control (CDC) Opioid Prescribing Guidelines.¶¶~~

~~(D) Oregon Health Authority Opioid Prescribing Guidelines¶¶~~

~~(f) General Educations: ¶¶~~

~~(aA) A copy of the material reviewed, Presented by naturopathic physicians, other physicians, or other professionally acknowledged health care educators with expertise in the subject material must be related to the¶¶~~

~~(B) Support, develop, and increase the knowledge, skills, and professionalism of naturopathic physicians¶¶~~

~~(C) In the scope of practice of naturopathic medicine in the State of Oregon¶¶~~

~~(b2) A written summary of material reviewed, including a description of the complexity of the content of the material ¶¶~~

~~(c) Written record of the number of hours spent reviewing and summarizing material General Education Activity Approval: Licensees may annually submit a total of ten (10) approved continuing education hours from a combination of the following activities. Activities must meet the following criteria and approval is limited to maximum hours stated per activity. Licensees must submit the required documentation for approval no later than 30 calendar days after the date of completion of the activity. ¶¶~~

~~(a) Structured business management and practice development programs, maximum of two (2) total hours. Program must support, educate, and enhance practice management skills and responsible practice development. Licensee must submit materials required in 850-040-0220(1). ¶¶~~

(db) For publications without prior Board approval, licensees may obtain up to Peer reviewed publication, authorship, or review, maximum of three (3) credit hours for publication review.

(4) total hours. Subject of the article must be in the scope of practice of naturopathic medicine in the State of Oregon. Licensees must provide the Board with the following:

(A) Authorship:

(a) A copy or sample of the publication, publication must be completed in the reporting year excerpt (up to ten (10) pages maximum) of the published article, including the name and issue of the peer reviewed publication.

(ii) Written description (up to five (5) pages maximum) of how research, development and content of the published article support, develop, and related to the practice increase the knowledge, skills, and professionalism of naturopathic medicine;

(b) A description of the complexity of researching and writing the content of the publication

(c) A written description of the complexity of researching and writing the content of the publication

(iii) Written record of the number of hours spent on research, development and writing the publication

(iv) Additional information or materials at the request of the Board

(B) Review and Report:

(i) Copy or excerpt (up to ten (10) pages maximum) of the published article, including the name and issue of the peer reviewed publication

(ii) Written summary (up to five (5) pages) describing how the content of the article supports, develops, and increases the knowledge, skills, and professionalism of naturopathic physicians

(iii) Written record of the dates and number of the hours spent researching and summarizing publication material

(iv) Additional information or materials at the request of the Board

(5c) Formal Protocol Writing:

(a) Names and addresses of the institutions or agencies, must be associated with an accredited health care facility or government health care agency, maximum of three (3) total hours. Subject of the formal protocol must be in the scope of practice of naturopathic medicine in the State of Oregon. Licensees must submit the following:

(A) Copy or excerpt (up to ten (10) pages maximum) of the care institution or government health care agency completed formal protocol

(B) Written description (up to five (5) pages maximum) of how the research, development, content and writing of the formal protocol supports, develops, and increases the knowledge, skills, and professionalism of naturopathic physicians

(C) A certificate/letter of completion written record of hours of date protocol was finished, total number of hours spent on research, development, and research-protocol writing signed by licensee's supervisor, submitted

(D) Name and signature of supervisors verifying qualified hours; Additional information or materials at the request of the Board

(d) Naturopathic Physicians Licensing Examinations (NPLEX) Committee for the development and writing of the NPLEX examinations, maximum three (3) total hours. Licensees must submit the following:

(6A) Research:

(a) A summary of research, including the type and purpose of the research conducted, must be written description (up to five (5) pages maximum) of how exam research, development and writing support, develop, and increase the knowledge, skills, and professionalism of naturopathic physicians

(B) Certificate/letter of completion with date of completion, and total number of hours spent on research, development, and writing signed by licensee's supervisor or NPLEX designee.

(C) Additional information or materials at the request of the Board

(e) Research related to the advancement of naturopathic medicine, for a recognized educational or medical institution or organization; maximum of self-directed: six (6) total hours. Licensee must submit the following:

(a) A written record of dates and hours spent on the research

(c) Disclosure of any Attestation Licensee does not have financial conflicts or fiduciary relationships;

(7) Presentation:

(a) Outline or sample of presentation; must be related to the practice and or advancement of naturopathic medicine;

(b) Presentation schedule, length of presentation with the educational or medical institution or organization where licensee is conducting the research

(B) Written description (maximum ten (10) pages) how licensees research is in the scope of practice of naturopathic medicine in the State of Oregon, and supports, develops, and increases the knowledge, skills of naturopathic physicians

(c) Written record of hours spent preparing the presentation; Certificate/letter of completion with date research was completed, total number of hours spent on research and development, signed by licensee's supervisor

three (3) credit hours per hour of presentation. ¶

(8) Professional Health Education: ¶

(a) Name and address of the institution ¶

(b) Outline of course, must be relevant to the practice of naturopathic medicine ¶

(c) Record of dates and hours teaching course, supervisor, ¶

(D) Additional information or materials at the request of the Board ¶

(f) Presentation of a structured continuing education program in the scope of practice of naturopathic medicine in the State of Oregon; maximum of six (6) total hours. Licensee must submit the following: ¶

(A) Declaration the presentation was developed and created in the calendar year applying for credit, and no portion of the presentation has been used in previous years. ¶

(9B) Graduate Level Education: ¶

(a) Name and addresses of the institution; must be an accredited graduate level health related program Excerpt of presentation materials (up to ten (10) pages maximum), agenda, schedule, and total length of the presentation ¶

(C) Written description (up to ten (10) pages maximum) how research, development and content of the presentation supports, develops, and increases the knowledge, skills, and professionalism of naturopathic physicians ¶

(bD) Outline Written record of e) course, must be relevant to the practice of naturopathic medicine; spent researching, developing the content of the presentation, and length of presentation submitted total number of hours spent on research and development, signed by licensee's supervisor ¶

(eE) Written record of dates and hours teaching course. ¶

(10) Naturopathic Physicians Licensing Examinations (NPLEX) Committee for the Addition information or materials at the request of the Board ¶

(g) Teaching an accredited graduate level course in the scope of practice of naturopathic medicine in the State of Oregon; maximum six (6) total hours. Licensee must submit the following: ¶

(A) Declaration the course material was developed and writing of the NPLEX examinations: record of dates and hours of participation. ¶

created in the calendar year applying for credit, and no portion of the course material has been used in previous years. ¶

(B) Excerpt of course materials (up to ten (10) pages maximum) Residency: ¶

(a) Name and addresses of the medical facility (up to ten (10) pages maximum), syllabus, schedule, with the name of the accredited institution and faculty supervisor ¶

(bC) Outline of areas of study and practice Written description (up to ten (10) pages maximum) how research, development and content of the course supports, develops, and increases the knowledge, skills, and professionalism of naturopathic physicians ¶

(eD) Written record of dates and Certificate/letter of completion with total number of hours spent during the residency. ¶

(d) Name and signature of supervisors verifying residency hours ¶

(12) Fellowship: ¶

(a) Names and addresses of the institution on research and development of course, signed by licensee's faculty supervisor ¶

(E) Addition information or materials at the request of the Board ¶

(h) Preceptorship with an Oregon licensed naturopathic physician or organization ¶

(b) Outline of areas of study and practice ¶

(c) Written record of qualifying hours doctorate level clinician with a minimum of five (5) years of clinical experience, maximum six (6) total hours. Preceptorship must be in scope of practice of naturopathic medicine in the State of Oregon. Licensee must submit the following: ¶

(dA) Name and signature of of medical facility, preceptor, and licensee's direct supervisor. ¶

(B) Certifying qualified hours; ¶

(13) Preceptorship: cate/letter of completion with a record of attendance and total hours licensee participated in the preceptor program, signed by licensee's preceptor/ supervisor. ¶

(aC) Name and address Additional information or materials at the request of the medical facility ¶

(b) Outline of areas of study and practice ¶

(c) Record of dates and hours spent during the preceptorship. Board ¶

(3) Courses and Activities Not Eligible for Board approval: ¶

(a) Programs or activities proprietary in nature, promoting exclusive services, companies or products. ¶

(b) Programs or activities presented by a lay person(s) and directed to the general public. ¶

(dc) Name and signature of supervisor(s) verifying preceptorship hour Programs or activities outside the scope of practice of naturopathic medicine in the State of Oregon ¶

(d) Programs or activities that do not support, develop, and increase the knowledge, skills of naturopathic

physicians

Statutory/Other Authority: ORS 685.125

Statutes/Other Implemented: ORS 685.102