

## **ARTICLE 112-02 NATUROPATHIC LICENSURE**

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### **CHAPTER 112-02-01 ADMISSION TO PRACTICE NATUROPATHIC MEDICINE**

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#### **112-02-01-01. Definitions.**

Unless specifically stated otherwise, all definitions found in North Dakota Century Code chapter 43-58 are applicable to this title. In this title, unless the context or subject matter otherwise requires:

1. "Administration" means the intradermal, intramuscular, intravenous, oral, rectal, subcutaneous, sublingual, topical, auricular, nasal, ocular, or vaginal routes of administration in accordance with naturopathic medical training.
2. "Council" means the council on naturopathic medical education or its successor. The successor must be an accrediting agency recognized by the United States department of education.
3. "In accordance with naturopathic medical training" means the practice of naturopathic medicine by means that are consistent with the education of an approved naturopathic medical college, are generally recognized as safe and effective, and generally considered to be within the accepted practice standards for the naturopathic profession.
4. "Manipulation of the spine" means therapeutic osseous manipulation techniques to realign the cervical, thoracic, and lumbar vertebrae and sacrum.
5. "National board" means the North American board of naturopathic examiners or its successor.
6. "National board examinations" means the naturopathic physicians licensing examinations (NPLEX) or its successor.
7. "Nondrug prescription device" includes diabetic supplies, intrauterine devices, cold lasers, orthotics, and transcutaneous electrical stimulation units.
8. "Nonprescription topical drug" means a topical analgesic, antibacterial, antifungal, antiseptic, antipruritic, or hormone that is not a prescription drug.

9. "Prescription drug" means a legend drug as defined by section 503(b) of the Act of Congress entitled the Federal Food, Drug and Cosmetic Act [21 U.S.C. 353 et seq.] and under its definitions its label is required to state "Rx only".

**History:** Effective April 1, 2013.

**General Authority:** NDCC 28-32-02, 43-57-03

**Law Implemented:** NDCC 43-57-03

#### **112-02-01-02. Approval of schools.**

The board shall approve a naturopathic medical school if it meets the definition pursuant to North Dakota Century Code section 43-58-01 and is accredited by the council. The board shall maintain an updated list of approved naturopathic medical schools and make it available upon inquiry.

**History:** Effective April 1, 2013.

**General Authority:** NDCC 28-32-02, 43-57-03, 43-58-01

**Law Implemented:** NDCC 43-57-03

#### **112-02-01-03. Application for licensure.**

Application shall be made on the official form issued by the board.

1. Applicants seeking licensure pursuant to North Dakota Century Code section 43-58-05 shall be considered when all of the following have been received:
  - a. A signed and dated completed official application form.
  - b. An official transcript of the national board examinations sent directly to the board from the national board verifying satisfactory passage of both part one and part two.
  - c. An official complete transcript sent directly to the board from the approved naturopathic medical school from which the applicant graduated verifying date of graduation and completion of clinical training.
  - d. The application fee and the initial license fee.
2. Applicants seeking a license or limited license pursuant to North Dakota Century Code section 43-58-06 shall submit the following documents for consideration:
  - a. A signed and dated completed official application form.
  - b. An official school transcript verifying graduation from a school of naturopathy.
  - c. Documentation of supervised clinical training and practical postgraduate clinical experience, including dates, clinic contact information, and supervisor contact information for verification purposes.
  - d. Documentation of North Dakota residency throughout calendar year 2011.
  - e. Documentation of the practice of naturopathy in North Dakota in 2011.
  - f. The application fee and the licensing fee.

**History:** Effective April 1, 2013.

**General Authority:** NDCC 28-32-02, 43-57-03

**Law Implemented:** NDCC 43-58-04, 43-58-05, 43-58-06

#### **112-02-01-04. License by endorsement.**

An application for license by endorsement will be considered by the board if the following conditions are met:

1. The candidate has graduated from and holds a degree from an approved naturopathic medical school.
2. The candidate holds a current valid license in good standing to practice as a naturopath in another state or jurisdiction. Official written verification of licensure status must be received by the board from the other state or jurisdiction.
3. The examination requirements of the other state or jurisdiction are substantially similar as in North Dakota.
4. The candidate has filed with the board an official application for licensure by endorsement, a copy of the diploma from an approved naturopathic medical school, a copy of the current valid license, and the required application fee.

**History:** Effective April 1, 2013.

**General Authority:** NDCC 28-32-02, 43-57-03

**Law Implemented:** NDCC 43-58-07

#### **112-02-01-05. Photograph.**

An unmounted passport photograph of the applicant must be pasted in the space provided on the application before filing with the board. The photograph must have been taken within one year of the date of application.

**History:** Effective April 1, 2013.

**General Authority:** NDCC 28-32-02, 43-57-03

**Law Implemented:** NDCC 43-57-04, 43-58-06

#### **112-02-01-06. Examination requirements.**

1. Those applicants for licensure who have obtained a passing score on the naturopathic physicians licensing examinations (NPLEX) part one and part two or its successor shall be deemed to have met the examination requirement specified in North Dakota Century Code section 43-58-05.
2. The examination requirements for licensure must be successfully completed within four years from graduation. The board may grant an exception to this requirement for applicants who have concurrently pursued another graduate degree, and the applicant presents a verifiable, rational, and compelling explanation for not meeting the four-year time limit.
3. An applicant is permitted a maximum of three attempts to pass each part or component of the national board examination. If the applicant fails to pass each part or component of the national board examination after three attempts, the applicant must wait one year and reapply as a new applicant.

**History:** Effective April 1, 2013.

**General Authority:** NDCC 28-32-02, 43-57-03

**Law Implemented:** NDCC 43-58-05

#### **112-02-01-07. License issued.**

When it shall have been determined by the board that any candidate has successfully graduated from an approved school, passed the national board examination, and is a person of good moral character, there shall be issued to such candidate a license to practice naturopathy.

**History:** Effective April 1, 2013.

**General Authority:** NDCC 28-32-02, 43-57-06

**Law Implemented:** NDCC 43-57-05, 43-57-06

#### **112-02-01-08. Location of practice - License displayed.**

1. If a licensed naturopath moves from the naturopath's primary location, the office of the executive director must be notified of the change of location of the naturopath. A current certificate or duplicate certificate issued by the board must at all times be displayed in each office location of the naturopath. In case of loss or destruction, a duplicate certificate may be issued by the board upon receipt of satisfactory evidence of the loss or destruction.
2. A licensed naturopath providing temporary services in offsite locations must carry a duplicate license wallet card and show the card upon request.

**History:** Effective April 1, 2013.

**General Authority:** NDCC 28-32-02, 43-57-03

**Law Implemented:** NDCC 43-58-03

#### **112-02-01-09. License renewal.**

1. Every naturopath who has been licensed by the board shall renew the license by remitting a renewal fee on or before December thirty-first of each odd-numbered year and completing the questionnaire provided by the board. For applicants who receive an initial license after July first in an odd-numbered year, the license will be deemed to be automatically renewed on December thirty-first for an additional two years without payment of an additional renewal fee.
2. The applicant for renewal shall certify on the questionnaire that the continuing education requirements have been or will be met by December thirty-first. The applicant must keep records of completed continuing education. The board shall conduct random compliance audits of licensees. Failure to complete continuing education is considered unprofessional conduct.
3. A license renewal application received on or after January first of an even-numbered year is a late renewal and requires a new completed application form, the renewal fee, plus a late fee set by the board. Proof of appropriate continuing education hours must be presented. A license that has not been renewed by December thirty-first in an odd-numbered year is a lapsed license.

**History:** Effective April 1, 2013.

**General Authority:** NDCC 28-32-02, 43-57-03

**Law Implemented:** NDCC 43-57-06, 43-57-07, 43-58-03

#### **112-02-01-10. Lapsed licenses.**

Once a license has lapsed, the person who held the lapsed license may not practice naturopathic medicine or use a title reserved under state law for individuals who are licensed by the board until a new license is issued. A person whose license has lapsed but who continues to practice naturopathic medicine or use a restricted title violates state law and this chapter. Such a violation is grounds for denying an application by the former licensee for renewal of the lapsed license or for a new license.

**History:** Effective April 1, 2013.

**General Authority:** NDCC 43-57-03

**Law Implemented:** NDCC 43-57-11, 43-58-03

**112-02-01-11. Fees.**

The board charges the following nonrefundable fees:

1. **Application.** The fee for filing an application for an initial license is fifty dollars.
2. **Initial license.** The fee for an initial license is five hundred dollars. The licensing period is biennial, ending on December thirty-first every odd-numbered year. The initial license fee shall be prorated quarterly based upon the time period remaining in the two-year cycle at application.
3. **Temporary license.** The temporary license fee for naturopaths shall be one hundred dollars. The cost of the temporary license fee will be applied toward the initial license fee upon receipt of application for the initial license.
4. **Renewal.** Licenses renew on December thirty-first every odd-numbered year. The renewal fee is four hundred dollars for active status and two hundred dollars for inactive status.
5. **Change of status.** To change from inactive to active status, the fee shall be prorated on a quarterly basis on the time period remaining in the two-year cycle.
6. **Late filing.** An additional late filing fee will be charged on renewal applications not received by December thirty-first every odd-numbered year. The late filing fee for naturopaths is seventy-five dollars.
7. **Duplicate license.** The duplicate license fee for a naturopath license certificate is twenty-five dollars. The duplicate license fee for a naturopath license wallet card is twenty dollars.

**History:** Effective April 1, 2013.

**General Authority:** NDCC 43-57-03

**Law Implemented:** NDCC 43-57-03, 43-57-07, 43-58-05