

NOTICE OF PROPOSED RULEMAKING

CHAPTER 850

OREGON BOARD OF NATUROPATHIC MEDICINE

FILING CAPTION: Annual CE for Licensure Renewal, Programs Accepted, Criteria for Program Approval and Compliance

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 06/21/2024 1:00 PM

NEED FOR THE RULE(S):

Annual Continuing Education Hours for Licensure Renewal. Clarify and consolidate rules regarding CE Programs Accepted, and course criteria for program approval and compliance

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

Board meeting minutes and public comment are available on the OBNM website.

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

The amended rule will expand Continuing Education opportunities to naturopathic doctors in the State of Oregon.

FISCAL AND ECONOMIC IMPACT:

The amended rule will have a positive impact on the Board budget and therefore a positive economic impact on all licensed naturopathic physicians in the State of Oregon. The Board is currently overwhelmed with applications for CE approval from out of state / for-profit CE program providers, draining funds from the budget due to the staff and Board time required to process applications that have minimal to no benefit to the vast majority of Oregon Licensees.

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 for the Board or licensees; or Oregon based CE program providers hosting programs for the benefit of Oregon licensees.

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

The Board considered all public comment received by small business, weighed against the excessive costs and resources required from Board staff, Board members, and the imminent need to raise

licensure fees to maintain the budget limitation, without making the amendments to this rule. This rule amendment has minimal to no financial impact for Oregon based CE providers or Oregon small businesses providing continuing education for the benefit of Oregon licensees. This rule increases board efficiency and equitably benefits Oregon licensees.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?The Board discussed the rule changes in several public meetings, attended by interested parties, and posted all minutes from those meetings to the Board website. The Board also considered all public comment received on the previous drafts to further amend this rule.

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RULE TITLE: Annual Continuing Education Hours for Licensure Renewal, CE Programs Accepted, Course Criteria for Program Approval and Compliance

RULE SUMMARY: Annual Continuing Education Hours for Licensure Renewal. Clarifies and consolidates rules regarding CE programs accepted by the Board, course criteria for program approval and compliance.

RULE TEXT:

(1) Active License: Licensees must annually submit certificates of completion for a total of thirty-two (32) hours of approved continuing education (CE) as follows:

(a) Annual Mandatory Continuing Education Requirements:

(A) Ten (10) hours of pharmacology

(B) Two (2) hours of either professional ethics, boundaries and communication; or suicide intervention and prevention

(C) One (1) hour of cultural competency education every even number calendar year

(D) One (1) credit hour of pain management every odd number calendar year

(b) General Education: Remainder of annually required continuing education hours may be fulfilled through general education

(2) Inactive License: Licensees must annually submit certificates of completion for a total of ten (10) hours of approved continuing education.

(3) Continuing education criteria per subject area:

(a) Pharmacology: Structured programs for physicians, course curriculum must include 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) Professional Development: Limited to (2) hours of general education annually, structured program for physicians and health care professionals with course curriculum that includes at least one of the following topic areas:

(A) Licensee physical and mental wellness, managing stress and setting boundaries, implementing ADA productivity enhancers, reducing physician burn out, increasing career satisfaction, promote workplace civility and positive patient interaction.

(B) Enhance practice management skills and develop practice resiliency strategies to meet health-care priorities, challenges, and crises, adapt and respond to the evolving needs of diverse patient populations.

(C) Best practices for ensuring patient confidentiality and public safety in the digital clinic environment, effective charting, records access and transparency, record management, incorporating telemedicine in primary care.

(g) 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

(4) Continuing education that meets the criteria in Section 3 will be accepted from:

(a) American Association of Naturopathic Physicians (AANP) - Annual / Bi-annual / Quarterly Conferences only

(b) Accreditation Council for Continuing Medical Education (ACCME)

(c) American Council on Pharmaceutical Education (ACPE),

(d) Council on Naturopathic Medical Education (CNME)

(e) North American Naturopathic Continuing Education Accreditation Council (NANCEAC)

(f) Oregon Association of Naturopathic Physicians (OANP) - Annual / Bi-annual / Quarterly Conferences only

(g) Oregon Board of Pharmacy

(h) Oregon Health Authority

(i) Oregon Medical Board - Medical, Osteopathic approved education only

(5) Continuing education that meets the requirements in Section 3, may be accepted by Board from the following providers. Program providers must submit approval requests to the Board no more than 30 days prior to the program date.

(a) American Association of Naturopathic Physicians (AANP)

(b) National University of Naturopathic Medicine

(c) Oregon Association of Naturopathic Physicians (OANP)

(d) Program Providers may apply for Board approval for the following programs:

(A) Program must be hosted in the State of Oregon.

(B) Program must be live –no audio or videotaped presentations, slides, programmed instruction, or computer-assisted instruction will be accepted per this section of the rule.

(C) Program must have Oregon licensee in-person and / or synchronous remote attendees.

(D) Provider must provide documentation of compliance with criteria set forth as requested by the Board.

(E) Failure to adhere to the criteria or provide documentation requested by the Board may result in withdrawal of credit, prohibition from applying for approval of future programs, and licensee discipline.

(6) Continuing Education will not be accepted in following program areas:

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

(b) Business Related Programming:

(A) Accounting, tax liability, financial planning, money management

(B) Marketing, public relations, social media, media, outreach, and branding

(C) Strategies related profitability, income streams, funding

(D) Contracts, leases, employment matters, human resource functions

(E) Business ownership, determining business model or practice type

(c) Insurance matters, including but not limited to billing practices and disputes.

(d) Programs presented by a lay person(s) or directed to the public.

(e) Programs that are not related to the scope of practice of naturopathic medicine.

(7) Licensees must retain proof of continuing education hours earned for a minimum of five calendar years.

STATUTORY/OTHER AUTHORITY: ORS 685.125

STATUTES/OTHER IMPLEMENTED: ORS 685.102, ORS 413.590

