



# Washington State Board of Naturopathy Newsletter

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## Board Members

Chad Aschtgen, ND, Chair  
Deborah Wright, Public Member  
Amira Ahdut, ND, LAc, Vice-Chair  
Joanne Hillary, ND  
Marsha Moody, Public Member  
Dean Neary, ND  
Libby Cope, ND

## Message from the Chair

-Chad Aschtgen, ND, Chair

Greetings from the Board of Naturopathy (board). In addition to the articles in this edition of the board's newsletter, I want to highlight some additional information:

### Staff Changes

The board now has a new executive director on staff at the Department of Health (department). Her name is Renee Fullerton, MPH. The previous executive director, Blake Maresh, took a promotional opportunity to become the Deputy Director for the department's Office of Health Professions. Ms. Fullerton started with the board on July 1, 2019, and came from the department's Rural Health Section where she worked as the Workforce Programs Manager. Join me in welcoming Renee to her new position.

### Board Member Reappointments

The board recently had two members coming to the end their terms: myself, Chad Aschtgen, ND, and Amira Ahdut, ND, LAc. I'm happy to report Governor Inslee has reappointed us both to the board through August 1, 2023.

I invite you to read through this edition of the newsletter and visit the board's website to stay on top of issues related to the naturopathic profession: <https://www.doh.wa.gov/licensespermitsandcertificates/professionsnewreneworupdate/naturopathicphysician>.

## Mission and Purpose

The mission of the Board of Naturopathy (board) is to protect the public health and enhance patient safety and the integrity of the naturopathic physician profession through licensing, disciplinary action, rulemaking, and education. The board's purpose is to establish, monitor, and enforce qualifications for licensure, consistent standards of practice, and continuing competency. Rules, policies, and procedures developed by the board promote the delivery of quality healthcare to people in Washington. The board values collaborative partnerships with other boards, commissions, agencies, and organizations.

## NEW LAW RELATED TO SEXUAL MISCONDUCT VIOLATIONS

During the 2019 legislative session, Substitute House Bill 1198 passed that adds requirements to health care practitioners sanctioned for sexual misconduct. This Bill becomes effective October 1, 2019.

When a health care practitioner has action taken against their license for unprofessional conduct involving sexual misconduct, they are required to notify any patient scheduled for an appointment with that license holder. This is required during the time the health care practitioner is under the formal disciplinary Order or Stipulation to Informal Disposition. The patient notification must include a copy of the Order or STID, a description of the sanctions, how long the license holder will be under the Order or STID, and information on how the patient can get more information.

## SAFE MEDICATION RETURN

The Department of Health (the department) has adopted the new chapter 246-480 WAC, establishing administrative standards and a system of regulation for safe and secure collection and disposal of unwanted medicines through a uniform safe medication return program.

The enabling legislation ([chapter 69.48 RCW](#)) is very prescriptive in how the drug take-back program is to be established and executed, including the functions that the department must perform. The rules only touch on parts of the law in need of more clarity. The rules primarily address administrative and oversight details and include:

- A process to identify covered manufacturers who must pay into the drug take-back program.
- The type of budget information required in the program operator's proposal submitted to the program for approval, as well as budget information submitted by the program operator with each annual report.
- The process to appeal department decisions.
- How to determine areas in the state underserved by the drug take-back program.
- Setting department fees.

The adopted rules were filed on July 1, 2019. Copies of the adopted rules and program proposal application form can be found on the department's website at the following URL: <https://www.doh.wa.gov/ForPublicHealthandHealthcareProviders/HealthcareProfessionsandFacilities/SafeMedicationReturnProgram>.

## RULEMAKING ACTIVITIES

The Board of Naturopathy is currently working on rulemaking regarding Non-surgical Cosmetic Procedures. Information on this rule project—and more—can be found on the department's [Rule-Making Activities webpage](#) and the board's [website](#).



**Are you curious about guidelines or practice topics the board may have already tackled?** Visit the board's [Guidelines and Practice Information webpage](#) for information useful to your practice.

## USE OF PROFESSIONAL TITLES

The board received an inquiry as to whether a naturopathic physician may use “NMD” after their name to designate their professional title. Some states, such as Arizona, have statutes that expressly allow a naturopathic physician licensed in that state to use the term “NMD”<sup>1</sup>. Other state legislatures, such as Washington and Oregon<sup>2</sup>, have not included the title “NMD” in their statutes.

Washington law states that a person represents themselves as a naturopathic physician when using one or more of the following terms: “Naturopath, naturopathy, naturopathic physician, ND, or doctor of naturopathic medicine.”<sup>3</sup> Naturopathic physicians licensed by the state of Washington may use any of these terms to designate their professional title. In addition, Washington licensed naturopathic physicians may use terms that are substantially equivalent to the terms identified above, such as “doctor of naturopathy” or “naturopathic doctor”. These terms are not found in Washington law, but are functionally equivalent to the terms listed in the statute and are unlikely to create confusion as to the provider’s credential. In addition, all licensees are prohibited from “all advertising that is false, fraudulent, or misleading” under [RCW 18.130.180\(3\)](#).

The term “NMD”, however, would not be a permissible title as “NMD” suggests multiple credentials; i.e. a credential to practice naturopathy under Chapter 18.36A RCW as well as a credential to practice allopathic medicine under Chapter 18.71 RCW.

**Conclusion:** It is the board’s position that naturopathic physicians licensed by the state of Washington may use the terms designated in state law governing naturopathic physicians, or alternatively may use another reasonable variation of the terms listed in statute to designate their professional title, provided that this designation does not create confusion to a member of the public.

1 Arizona statute AZ 32-1555(A)(2) permits a naturopathic physician to “use the designation ‘doctor of naturopathic medicine,’ or the abbreviation ‘N.M.D.’, ‘doctor of naturopathy’, or the abbreviation ‘N.D.’, or ‘naturopathic physician’”... See <https://www.azleg.gov/viewDocument/?docName=http://www.azleg.gov/ars/32/01555.htm>

2 Oregon statute, ORS 685.020(2), states “Only licensees under this chapter may use any or all of the following terms, consistent with academic degrees earned: “Doctor of Naturopathy” or its abbreviation, “N.D.,” “Naturopath” or Naturopathic Physician.” Available at <https://www.oregonlaws.org/ors/685.020>

3 RCW 18.36A.030(2); available at <https://app.leg.wa.gov/rcw/default.aspx?cite=18.36A.030>

Please note, neither the board nor its members are attorneys and cannot provide legal advice. If you have specific questions regarding whether a treatment modality, prescriptive substance, or device is within the scope of practice for a naturopathic physician, please consult with a private attorney who is familiar with Washington law. It may also be beneficial to check with your malpractice carrier regarding liability coverage.



## USE OF CANNABIS INFUSED PRODUCTS



According to [RCW 69.50.575](#), items containing 0.3% THC or less are considered a cannabis health and beauty aid (CHABA). These products are legal for all health care practitioners to use in their practice. It’s not within the scope of practice for health care practitioners in Washington State to use any products, including topical lotions and oils that contain more than 0.3% THC on their clients—regardless of being medical or recreational, and regardless of whether the client provides the product. In applying cannabis oils or lotions as part of therapy, the health care practitioner would be illegally administering a Schedule I drug. Please see the department’s [medical marijuana webpage](#) for more information.

## COLON HYDROTHERAPY

The board received a request regarding delegation of colon hydrotherapy to medical assistants. The scope of practice for medical assistants is found in [RCW 18.360.050](#). Since the scope of practice is set out by the legislature, the law would need to be modified in order to specifically authorize colon hydrotherapy in medical assistant scope of practice. Changes to law require legislative action.

Also provided in law, [RCW 18.360.060](#), are the determinations a health care practitioner must make before delegating a task to a medical assistant. It is the responsibility of the delegating healthcare practitioner to ensure that all requirements are met in [RCW 18.360.060](#) before any task is delegated to a medical assistant.

In the case of colon hydrotherapy, this requires a review of the delegation requirements, along with the Department of Health's definitions and descriptions of the colon hydrotherapy procedure as laid out in the [Sunrise Review](#) report of January 2009. This Sunrise Review was performed in order to determine whether a new credential should be created specific to performing colon hydrotherapy. That report details the colon hydrotherapy procedure, along with the risks of performing the procedure.

The Sunrise Review states in part on page 6:

“Colon hydrotherapy can cause adverse effects and injury if not properly administered. Someone receiving frequent treatments can absorb too much water into the bloodstream. This can lead to electrolyte imbalances in the blood, nausea, vomiting, heart failure, fluid in the lungs, abnormal heart rhythms, or coma. The risk of bowel perforation is rare, but complications are serious when this occurs. Infection can result when the equipment used is not properly cleaned or is not FDA-approved. Death and serious injury have followed colon hydrotherapy treatment performed without physician involvement.”

In addition, the 6<sup>th</sup> dot-point under “Findings” on page 8 of the Sunrise Review states, “There are numerous medical contraindications for colon hydrotherapy.”

Considering the findings in the Sunrise Review of risks for possible adverse effects, such as death or serious injury, with administering colon hydrotherapy (as well as the need for judgments, complex observations, or critical decisions), it would not be permissible to delegate colon hydrotherapy to a medical assistant per [RCW 18.360.060](#)(1). This section of law states, in part: “(f) That the task itself is one that should be appropriately delegated when considering the following factors:

- **That the task can be performed without requiring the exercise of judgment based on clinical knowledge;**
- The results of the task are reasonably predictable;
- **That the task can be performed without a need for complex observations or critical decisions;**
- That the task can be performed without repeated clinical assessments; and
- **(A) For a medical assistant other than a medical assistant-hemodialysis technician, that the task, if performed improperly, would not present life-threatening consequences or the danger of immediate and serious harm to the patient;”** [emphasis added]

Therefore it is not permissible to delegate colon hydrotherapy to a medical assistant.

Please note, neither the board nor its members are attorneys and cannot provide legal advice. If you have specific questions regarding whether a treatment modality, prescriptive substance, or device is within the scope of practice for a naturopathic physician, please consult with a private attorney who is familiar with Washington law. It may also be beneficial to check with your malpractice carrier regarding liability coverage.

## NEW CONTINUING EDUCATION RULES CHANGES COMING IN 2021

- ✓ The CE cycle will change to a two year cycle.\*
- ✓ The number of hours required will increase to sixty over the two year cycle, with fifteen of those hours required to be in pharmacology.
- ✓ These changes expand and add more avenues for fulfilling the new CE requirements.

The Board of Naturopathy (board) has adopted changes the continuing education (CE) rules. Those changes include moving the reporting cycle from an annual requirement to being due every two years. In addition, the board has increased the amount of CE credit hours naturopathic physicians must get. Starting January 1, 2021, licensed naturopathic physicians will need to be able to attest to having completed sixty (60) hours of CE for the previous two years. The board also added a requirement that fifteen (15) of those sixty hours must be in pharmacology.

The adopted rules also set separate categories of creditable CE:

- Category 1: This category requires licensees to obtain a minimum of 20 hours in content specific to naturopathic medicine.
- Category 2: This category allows courses related to other health professions so long as the content covered is within naturopathic scope of practice.
- Category 3: This category includes self-study and other classifications but is limited to a total of 5 hours per two year cycle.

Additional information can be found on the board's website: <https://www.doh.wa.gov/LicensesPermitsandCertificates/ProfessionsNewReneworUpdate/NaturopathicPhysician>.

\* **NOTE:** This DOES NOT change your renewal cycle—you will still need to renew your license every year on your birthday.





# Statistics



License Statistics through July 2019	
Active Licenses	1,472
Applications Pending	20
Expired Licenses	881
Deceased	34
Denied	1
Licenses Revoked	5
Licenses Surrender	10
Licenses Suspended	12

Access naturopathic medicine laws and rules here:

[RCW 18.36A](#) [WAC 246-836](#)

Other laws and rules for the health professions:

[RCW 18.130](#) [RCW 70.02](#)

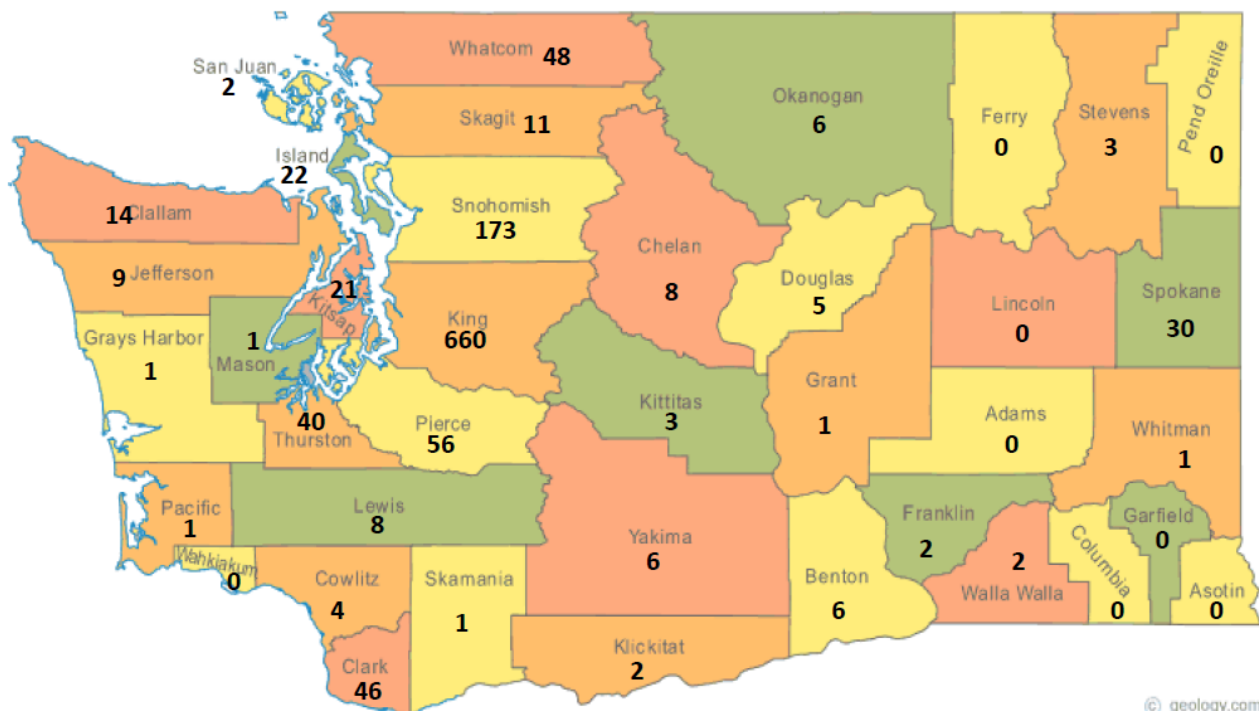
[WAC 246-12](#) [WAC 246-16](#)



Look up any healthcare provider credential on the Department of Health [Provider Credential Search page](#).

## Naturopathic Physicians in Washington State by County

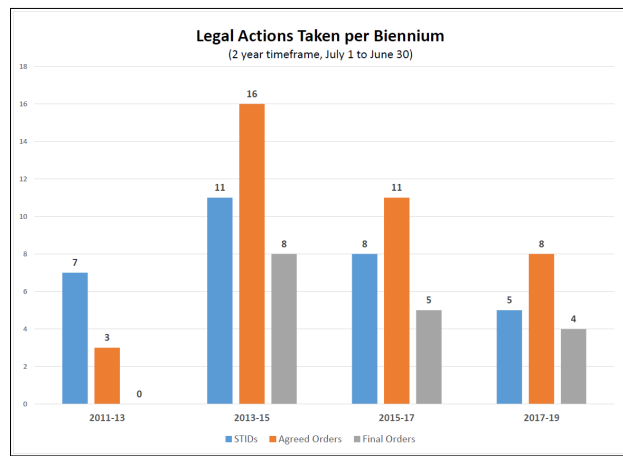
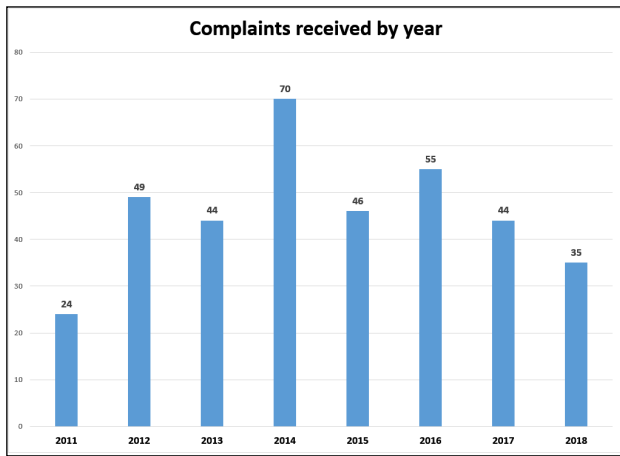
(Total Active Licensees = 1,472; as of 7/24/2019)



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Out of State = 234  
Unknown = 45

## Statistics—continued



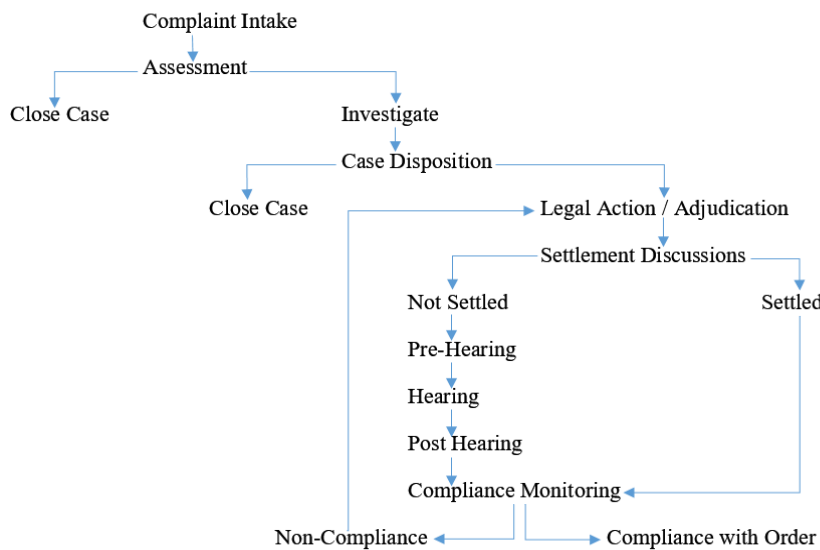
### Disciplinary Process

The Department of Health works to protect the public by investigating reports of violations of laws, and by taking disciplinary action when there is enough evidence of unprofessional conduct. Disciplinary action can include remedial training, practice restrictions, or rehabilitation. In some cases, suspension or revocation of a practitioner’s license is necessary to protect the public. Below is a flowchart of the disciplinary process from the point of receiving a complaint to the conclusion. A glossary of the terms used below is on the department’s [website](#).



#### How to avoid a complaint:

Communicate and document all communication and treatment provided or recommended. These actions alone may not prevent a complaint being filed but will assist the board when evaluating whether a violation of law has occurred. Know your law.



**Stipulated Findings of Fact, Conclusions of Law and Agreed Order:** a settlement resolving a Statement of Charges. This order is an agreement to comply with certain terms and conditions to protect the public.

**Stipulated Findings of Fact, Conclusions of Law and Final Order:** an order issued after a formal hearing before the board.

**Stipulation to Informal Disposition (STID):** a document stating that allegations have been made, and containing an agreement by the licensee to be subject to sanctions, including terms and conditions to resolve the concerns raised by the allegations.

## Renew Your Credential Online

Naturopathic physicians who are within 90 days of their license expiration date, are able to renew their active status licenses, registrations or certifications online.

To renew online, you must register with Secure Access Washington and sign-in to the Department of Health Online Services. Go to the [Secure Access Washington \(SAW\) website](#). Here is a link to [online renewal frequently asked questions](#).

If you're having problems with the Department of Health Online Services site, [contact our Customer Service Office by email](#) or by telephone at 360-236-4700.



## Reader Input



The board is looking for reader input. If you want to read about something specific, [please let us know](#).

The board is now using [GovDelivery](#) to deliver notifications to subscribers. *GovDelivery* affords the user more control over topics of interest, when and how often the messages are received. To join, go to: <https://public.govdelivery.com/accounts/WADOH/subscriber/new>

### How Can I...?

[File a Complaint](#)  
[Look Up a Healthcare Provider](#)  
[Update My Contact Information](#)



Board Staff  
 Contact Information  
 Department of Health  
 PO Box 47852  
 Olympia, WA 98504-7852

[Renee Fullerton](#)  
 Executive Director

[Susan Gragg](#)  
 Program Manager

[Davis Hylkema](#)  
 Admin. Assistant

[Kitty Slater](#)  
 Case Manager

Customer Service  
 360-236-4700

[www.doh.wa.gov](http://www.doh.wa.gov)  
[Board website](#)

## Board Meeting Dates

**February 14, 2020**  
 20425 72nd Ave So  
 Kent, WA

**May 15, 2020**  
 Bastyr University  
 Kenmore, WA

**August 14, 2020**  
 20425 72nd Ave So  
 Kent, WA

**November 20, 2020**  
 111 Israel Road SE  
 Tumwater, WA

**Public Health - Always  
 Working for a Safer and  
 Healthier Washington.**