

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass
Vote:	3 - 1 - 1
Yeas:	Monnes Anderson, Verger, Morrisette
Nays:	George G.
Exc.:	Kruse
Prepared By:	Ilana Weinbaum, Administrator
Meeting Dates:	2/14

WHAT THE MEASURE DOES: Authorizes the Board of Naturopathic Examiners (BNE) to contract for services for impaired naturopathic physicians. Allows the board to refer impaired naturopathic physicians to diversion programs approved by the board, in addition to, or instead of other disciplinary sanctions the board is authorized to impose. Allows the board to require a person to undergo certain evaluations when the board has reasonable grounds to believe the person is or may be unable to practice naturopathic medicine with reasonable skill and safety.

ISSUES DISCUSSED:

- Types of surgery performed by naturopathic physicians
- Pharmaceuticals prescribed by naturopathic physicians
- Other medical professional boards diversion program policies
- Meaning of “objectively reasonable grounds,” as related to the provisions of the statute
- Ability of persons to appeal an investigation by the Board of Naturopathic Examiners
- Importance of having a process by which a person can appeal an investigation
- Recourse for costs associated with investigations found to be false

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: “Naturopathic medicine” is defined in ORS 685.010 as the discipline that includes physiotherapy, natural healing processes, and minor surgery, and has as its objective the maintaining of the body in, or of restoring it to, a state of normal health. In order to be licensed as a naturopathic physician, a person must graduate from an approved naturopathic college that offers a resident four-year course, and meet the qualifications of the Oregon Board of Naturopathic Examiners (BNE), which include certain standards, education and conduct.

The Board of Naturopathic Examiners (BNE) is empowered to protect the public by licensing and regulating naturopathic physicians in Oregon. The board is authorized by law to examine, register, and license naturopathic physicians. The board enforces compliance with the naturopathic statute through administrative procedures, continuing education, discipline of licensees, and court actions. The BNE does not have authority at this time to address impaired licensees except through Board Orders that are public information.

The diversion program proposed by Senate Bill 207 is similar to that used by the Oregon Board of Medical Examiners. It would authorize the board to contract with programs for impaired physicians to self-refer to, allowing them an opportunity to correct the problems without formal discipline from the board. This would not prevent the board from taking formal action if harm has been caused. The bill would also allow the board to require a person to undergo mental, physical, chemical dependency or competency evaluations at the person’s expense as part of an investigation, when the board has reasonable grounds to believe that the person is or may be unable to practice naturopathic medicine with reasonable safety and skill.

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This summary has not been adopted or officially endorsed by action of the committee.