

STATEMENT OF SCOPE

NATUROPATHIC MEDICINE EXAMINING BOARD

Rule No.: Nat Med 1 to 10

Relating to: Naturopathic Doctors

Rule Type: Permanent

1. Finding/nature of emergency (Emergency Rule only):

N/A

2. Detailed description of the objective of the proposed rule:

The objective of the proposed rules is to implement the statutory changes from 2021 Wisconsin Act 130 to allow for the licensure, discipline, and practice of Naturopathic Doctors.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

2021 Wisconsin Act 130 creates the Naturopathic Medicine Examining Board for the practice of naturopathic medicine. The board must establish all Administrative Code chapters necessary to regulate the practice and licensing of Naturopathic Medicine.

If these new rules are not implemented, the Naturopathic Medicine Examining Board will not be in compliance with the Statutes, which will create confusion and may adversely affect the ability of Naturopathic Doctors to fully practice in Wisconsin.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

Section 15.08 (5) (b), Stats., provides an examining board “[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.”

Section 227.11 (2) (a), Stats., states that “[e]ach agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute...”

Section 466.03 (1), Stats., states that the Naturopathic Medicine Examining Board shall establish administrative rules to determine a code of ethics governing professional conduct, standards of practice, continuing education requirements, and examination standards.

Section 466.03 (2), Stats., states that the Naturopathic Medicine Examining Board may establish administrative rules to further interpret s. 466.01 (6) (a) and (c) to identify diagnostic, therapeutic, or other practices or procedures that may be used by naturopathic doctors; prohibit diagnostic, therapeutic, or other practices; establish character and fitness requirements for initial licensure or renewal of a license; establish physical and mental competency requirements for initial licensure or renewal of a license; establish evidence of professional competency requirements for initial licensure or renewal of a license; establish additional clinical, practical, or residency requirements for initial licensure; and adopt minimum malpractice insurance requirements for naturopathic doctors and limited-scope naturopathic doctors.

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

120 hours

6. List with description of all entities that may be affected by the proposed rule:

Naturopathic Doctor credential holders and those looking to enter the profession in Wisconsin.

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:

None.

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

The proposed rule is likely to have minimal or no economic impact on small businesses and the state's economy as a whole.

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