



Federation of  
Naturopathic Medicine  
Regulatory Authorities

October 22, 2018

Board Counsel  
State Board of Medicine  
P.O. Box 66523  
Harrisburg, PA 66523

RE: Proposed Regulation 16-4953-ND

Dear Board Counsel of Members of the Board of Medicine,

The Federation of Naturopathic Medicine Regulatory Authorities (FNMRA) supports regulation of naturopathic medicine in Pennsylvania. Regulation is integral to the promotion of safe naturopathic medical practice and protection of the public.

The FNMRA's mission is to protect the public by connecting regulatory authorities and promoting standards of excellence in the regulation of naturopathic medicine. The Federation supports new and existing regulatory organizations in fulfilling their statutory obligations to regulate the profession in the interest of public protection. The FNMRA envisions a coordinated regulatory system for naturopathic medicine throughout the United States.

The Federation appreciates this opportunity to comment on the exposure draft for Proposed Regulation 16-4953-ND. While the FNMRA supports the majority of the language in the exposure draft, there two areas we see as problematic for proper regulation of naturopathic doctors in the Commonwealth:

1. The use of terminology that is inconsistent with naturopathic medical education, scope of practice, and regulation as outlined in HB 516.
2. The informed consent and advertising section of the exposure draft that does not allow registered naturopathic doctors (N.Ds) to say they practice medicine or use the terms "physician, medicine or medical" in their advertising. This language is contrary to the education and competence of qualified naturopathic doctors.

### **1. Use of terminology should be consistent with HB 516**

HB 516, as written, uses the terms "naturopathic medicine", the "practice of naturopathic medicine", and "patients". This terminology use is consistent with other states which license/register naturopathic doctors. Section 203 (A) of HB 516 states that a qualified applicant shall receive "a registration entitling the applicant to practice naturopathic medicine in this Commonwealth." The bill indicates that whoever is registered as a naturopathic doctor (N.D.) in the Commonwealth is given authority to practice *naturopathic medicine* on patients in the Commonwealth.

The exposure draft, however, uses the terms "naturopathy", "practice of naturopathy" and "clients", which the FNMRA believes to be inconsistent with the terms used in HB 516 and is potentially confusing to the public and consumers. The purpose of HB 516 is to register qualified naturopathic doctors for the purpose of protecting the public. This protection is provided by the use of proper title (naturopathic doctor), proper informed consent (difference between naturopathic doctor and medical or osteopathic doctor), and by excluding unqualified persons from practicing naturopathic medicine.

If the term "naturopathy" and "client" are used in the regulations, the public could be easily misled by unregulated practitioners, which defeats the purpose of the regulations. For example, an unregistered individual using *naturopathy* on their *client* might be interpreted by the consumer to be similar to a registered N.D. using *naturopathy* on their *client*. Conversely, a consumer would not be misled by a registered N.D. practicing *naturopathic medicine* on their *patient*. The term "patient" implies being a recipient of health care services by a licensed/registered health care provider.

It is in the best interest of the public and regulators to use terminology that is consistent with HB 516 and to use terminology that will provide clarity to consumers.

## **2. Informed consent and advertising requirements**

The FNMRA supports informed consent and advertising that distinguishes between naturopathic doctors, medical doctors, osteopathic doctors, and other health professionals. Consumers are best served when they are fully informed about an N.D.'s scope of practice and qualifications.

Qualified N.D.s, those who have graduated from a CNME-accredited naturopathic medical school and who have passed competency-based national naturopathic licensing examination, are educated as primary-care providers and have demonstrated that they are competent to practice naturopathic medicine.

In section 18.908 (a), the exposure draft requires the naturopathic doctor to notify the patient that s/he "is not authorized to practice medicine." Section 18.910 prohibits the use the terms "physician, medicine or medical" in an N.D's advertising. Both sections of the exposure draft listed above are inconsistent with the language and contrary to purpose of HB 516 section 203 (A), which states that a qualified applicant shall receive "a registration entitling the applicant to practice naturopathic medicine in this Commonwealth."

We thank you for the opportunity to share our comments and hope this information, and any future dialogue between the Federation of Naturopathic Medicine Regulatory Authorities and the Pennsylvania Board of Medicine, will lead to the establishment of regulations that promote safe practice of naturopathic medicine with clear terminology for consumers.

If you have any questions, please call me at 503-244-7189.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Braden ND", with a horizontal line extending to the right.

Shannon Braden, ND  
FNMRA Program Director