

Part 3 Licensing

58-71-301 Licensure required -- License classifications.

- (1) A license is required to engage in the practice of naturopathic medicine, on or for any person in Utah, as a naturopathic physician.
- (2) The division shall issue to a person who qualifies under this chapter a license in the classification of naturopathic physician.

Enacted by Chapter 282, 1996 General Session

58-71-302 Qualifications for licensure.

- (1) An applicant for licensure as a naturopathic physician, except as set forth in Subsection (2), shall:
 - (a) submit an application in a form prescribed by the division, which may include:
 - (i) submissions by the applicant of information maintained by practitioner data banks, as designated by division rule, with respect to the applicant; and
 - (ii) a record of professional liability claims made against the applicant and settlements paid by or in behalf of the applicant;
 - (b) pay a fee determined by the department under Section 63J-1-504;
 - (c) be of good moral character;
 - (d) provide satisfactory documentation of having successfully completed a program of professional education preparing an individual as a naturopathic physician, as evidenced by having received an earned degree of doctor of naturopathic medicine from:
 - (i) a naturopathic medical school or college accredited by the Council of Naturopathic Medical Education or its successor organization approved by the division;
 - (ii) a naturopathic medical school or college that is a candidate for accreditation by the Council of Naturopathic Medical Education or its successor organization, and is approved by the division in collaboration with the board, upon a finding there is reasonable expectation the school or college will be accredited; or
 - (iii) a naturopathic medical school or college which, at the time of the applicant's graduation, met current criteria for accreditation by the Council of Naturopathic Medical Education or its successor organization approved by the division;
 - (e) provide satisfactory documentation of having successfully completed, after successful completion of the education requirements set forth in Subsection (1)(d), 12 months of clinical experience in naturopathic medicine in a residency program recognized by the division and associated with an accredited school or college of naturopathic medicine, and under the preceptorship of a licensed naturopathic physician, physician and surgeon, or osteopathic physician;
 - (f) pass the licensing examination sequence required by division rule established in collaboration with the board;
 - (g) be able to read, write, speak, understand, and be understood in the English language and demonstrate proficiency to the satisfaction of the board if requested by the board; and
 - (h) meet with the board and representatives of the division, if requested, for the purpose of evaluating the applicant's qualifications for licensure.
- (2)

- (a) In accordance with Subsection (2)(b), an applicant for licensure as a naturopathic physician under the endorsement provision of Section 58-1-302 shall:
 - (i) meet the requirements of Section 58-1-302;
 - (ii) document having met all requirements for licensure under Subsection (1) except the clinical experience requirement of Subsection (1)(e);
 - (iii) have passed the examination requirements established under Subsection (1)(f) which:
 - (A) the applicant has not passed in connection with licensure in another state or jurisdiction; and
 - (B) are available to the applicant to take without requiring additional professional education;
 - (iv) have been actively engaged in the practice of a naturopathic physician for not less than 6,000 hours during the five years immediately preceding the date of application for licensure in Utah; and
 - (v) meet with the board and representatives of the division for the purpose of evaluating the applicant's qualifications for licensure.
- (b) The division may rely, either wholly or in part, on one or more credentialing associations designated by division rule, made in collaboration with the board, to document and certify in writing to the satisfaction of the division that an applicant has met each of the requirements of this Subsection (2), including the requirements of Section 58-1-302 that:
 - (i) the applicant holds a current license;
 - (ii) the education, experience, and examination requirements of the foreign country or the state, district, or territory of the United States that issued the applicant's license are, or were at the time the license was issued, equal to those of this state for licensure as a naturopathic physician; and
 - (iii) the applicant has produced evidence satisfactory to the division of the applicant's qualifications, identity, and good standing as a naturopathic physician.

Amended by Chapter 183, 2009 General Session

58-71-303 Term of license -- Expiration -- Renewal.

- (1)
 - (a) The division shall issue each license under this chapter in accordance with a two-year renewal cycle established by division rule.
 - (b) The division may by rule extend or shorten a renewal period by as much as one year to stagger the renewal cycles it administers.
- (2) At the time of renewal, the licensee shall show compliance with continuing education renewal requirements.
- (3) Each license issued under this chapter expires on the expiration date shown on the license unless renewed in accordance with Section 58-1-308.

Amended by Chapter 268, 2001 General Session

58-71-304 License renewal requirements.

- (1) As a condition precedent for license renewal, each licensee shall, during each two-year licensure cycle or other cycle defined by division rule, complete qualified continuing professional education requirements in accordance with the number of hours and standards defined by division rule made in collaboration with the board.
- (2) If a renewal period is extended or shortened under Section 58-71-303, the continuing education hours required for license renewal under this section are increased or decreased proportionally.

Amended by Chapter 268, 2001 General Session

58-71-304.2 Temporary license.

- (1) The division may issue a temporary license to an individual who:
 - (a) meets all qualifications for licensure except completion of the 12 month clinical experience required under Section 58-71-302; and
 - (b) presents a plan acceptable to the division and the board under which the applicant will practice under the direct supervision of a licensed naturopathic physician, physician and surgeon, or osteopathic physician, who supervises not more than three naturopathic physicians in an approved clinical experience program.
- (2) A temporary license issued under this section expires on the date the licensee completes the clinical experience program, but not more than 18 months from the original date of issue.
- (3) A temporary license under this section may be issued only once to an individual.

Enacted by Chapter 282, 1996 General Session

58-71-305 Exemptions from licensure.

In addition to the exemptions from licensure in Section 58-1-307, the following individuals may engage in the described acts or practices without being licensed under this chapter:

- (1) an individual rendering aid in an emergency, when no fee or other consideration of value for the service is charged, received, expected, or contemplated;
- (2) an individual administering a domestic or family remedy;
- (3) a person engaged in the sale of vitamins, health foods, dietary supplements, herbs, or other products of nature, the sale of which is not otherwise prohibited under state or federal law, but this subsection does not:
 - (a) allow a person to diagnose any human disease, ailment, injury, infirmity, deformity, pain, or other condition; or
 - (b) prohibit providing truthful and nonmisleading information regarding any of the products under this subsection;
- (4) a person engaged in good faith in the practice of the religious tenets of any church or religious belief, without the use of prescription drugs;
- (5) a person acting in good faith for religious reasons as a matter of conscience or based on a personal belief when obtaining or providing information regarding health care and the use of any product under Subsection (3);
- (6) an individual authorized by the Department of Health under Section 26-1-30, to draw blood pursuant to Subsection 41-6a-523(1)(a)(vi), 53-10-405(2)(a)(vi), or 72-10-502(5)(a)(vi);
- (7) a naturopathic medical assistant while working under the direct and immediate supervision of a licensed naturopathic physician to the extent the medical assistant is engaged in tasks appropriately delegated by the supervisor in accordance with the standards and ethics of the practice of naturopathic medicine; and
- (8) an individual who has completed all requirements for licensure under this chapter except the clinical experience required under Section 58-71-302, for a period of one year while that individual is completing that clinical experience requirement and who is working under the provisions of a temporary license issued by the division.

Amended by Chapter 267, 2012 General Session

58-71-306 Status of licenses held on the effective date of this chapter.

An individual holding a current license as a naturopathic physician that was issued under prior Utah law is considered to hold a current license and retains the scope of practice authorized under this title prior to the enactment of this chapter.

Enacted by Chapter 282, 1996 General Session