

Part 8 Practice Standards

58-71-801 Disclosure of financial interest by licensee.

- (1) Except as provided in Subsections (2) and (5), licensees under this chapter may not own, directly or indirectly:
 - (a) any pharmacy or pharmaceutical facility as defined in Section 58-17b-102; or
 - (b) a retail store, wholesaler, distributor, manufacturer, or facility of any other kind located in this state that is engaged in the sale, dispensing, delivery, distribution, or manufacture of homeopathic remedies, dietary supplements, or natural medicines.
- (2) A licensee may own or control less than 5% of the outstanding stock of a corporation whose ownership is prohibited under Subsection (1), if the stock of the corporation is publicly traded.
- (3) Licensees under this chapter may not refer patients, clients, or customers to any clinical laboratory, ambulatory or surgical care facilities, or other treatment or rehabilitation services such as physical therapy, cardiac rehabilitation, or radiology services in which the licensee or a member of the licensee's immediate family has any financial relationship as that term is described in 42 U.S.C. 1395nn, unless the licensee at the time of making the referral discloses that relationship, in writing, to the patient, client, or customer.
- (4) The written disclosure under Subsection (3) shall also state the patient may choose any facility or service center for purpose of having the laboratory work or treatment service performed.
- (5) Licensees under this chapter may sell from their offices homeopathic remedies or dietary supplements as defined in the Federal Food Drug and Cosmetic Act consistent with division rule.

Amended by Chapter 17, 2005 General Session

58-71-802 Form of practice.

- (1) A naturopathic physician licensed under this chapter may engage in practice as a naturopathic physician, or in the practice of naturopathic medicine only as an individual licensee; but as an individual licensee, he may be:
 - (a) an individual operating as a business proprietor;
 - (b) an employee of another person;
 - (c) a partner in a lawfully organized partnership;
 - (d) a lawfully formed professional corporation;
 - (e) a lawfully organized limited liability company;
 - (f) a lawfully organized business corporation; or
 - (g) any other form of organization recognized by the state which is not prohibited by rule adopted by division rules made in collaboration with the board.
- (2) Regardless of the form in which a licensee engages in the practice of medicine, the licensee may only permit the practice of medicine in that form of practice to be conducted by an individual:
 - (a) licensed in Utah as a naturopathic physician under Section 58-71-301, a physician and surgeon, or as an osteopathic physician and surgeon; and
 - (b) who is able to lawfully and competently engage in the practice of medicine.

Enacted by Chapter 282, 1996 General Session

58-71-803 Medical records -- Electronic records.

- (1) Medical records maintained by a licensee shall:
 - (a) meet the standards and ethics of the profession; and
 - (b) be maintained in accordance with division rules made in collaboration with the board.
- (2) Medical records under this section may be maintained by an electronic means if the records comply with Subsection (1).

Enacted by Chapter 282, 1996 General Session

58-71-804 Insurance coverage not mandated.

- (1) This chapter does not mandate health insurance coverage for naturopathic medical services.
- (2) This chapter does not establish a class of health care providers for the purposes of Section 31A-22-618.
- (3) This chapter does not mandate health insurance coverage for the prescription or administration of testosterone, as described in Subsection 58-71-102(8)(e), by a naturopathic physician.

Amended by Chapter 42, 2009 General Session