

## **MEMORANDUM**

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TO: All Vermont Licensed Naturopathic Physicians  
FROM: Office of Professional Regulation  
RE: Naturopathic Physician and Licensing Statutes  
DA: August 6, 2008

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Effective July 1, 2008, the Legislature enacted statutory changes to several laws governing the licensed practice of Naturopathic Physicians. These changes were developed in consultation with the naturopathic physician advisors to the Office of Professional Regulation. Please visit the Office of Professional Regulation's webpage for Naturopathic Physicians at <http://vtprofessionals.org/opr1/naturopaths/> to find links to the statutes and rules governing licensed practice for Naturopathic Physicians. You can view the complete statutes governing Naturopathic Physicians at <http://www.leg.state.vt.us/statutes/fullchapter.cfm?Title=26&Chapter=81> or you can request a copy from this office.

The following is a summary of the significant amendments to Title 26, which are also available through the links listed above:

### **26 V.S.A. § 4121. Definitions**

This includes a new definition of "naturopathic formulary examination" to help clarify the difference between the formulary examination and the licensing examination required for initial licensure as a naturopathic physician.

### **26 V.S.A. § 4125. Director; duties**

This amendment clarifies the director's rulemaking authority including rules related to the formulary exam. The amendment allows the formulary to be updated annually in consultation with the Department of Health rather than subject to the Commissioner of Health's approval. The director is responsible for developing consultation protocols.

### **26 V.S.A. § 4127. Eligibility for licensure**

This section authorizes the Office of Professional Regulation to administer a formulary examination as a requirement for licensure and license renewal.

**26 V.S.A. § 4129. Licensing examination**

This amendment makes no substantive change to the law. The amendment only clarifies that the examination referenced in § 4129 relates to licensing and not to the formulary examination.

**26 V.S.A. § 4130. Biennial license renewal; continuing education**

This amendment permits the director to require a formulary examination of currently licensed naturopathic physicians in order for them to prescribe medication and as a condition of renewal of their licenses.

This past legislative session also saw changes to Title Three of the Vermont Statutes, which governs the manner in which the State regulates licensed professions through the Office of Professional Regulation. Some of the changes include:

**3 V.S.A. §123(c)**

This amendment authorized the OPR director to contract directly with licensing examination providers.

**3 V.S.A. § 129(c)**

This amendment allows retiring board members who are involved in hearing a contested case to continue to participate to the conclusion of the case.

**3 V.S.A. § 129(e)**

This amendment clarifies that a license has thirty (30) days to file an appeal to an adverse licensing decision.

A copy of this letter is posted on the website for Naturopathic Physicians at <http://vtprofessionals.org>