

## 273 CMR: BOARD OF REGISTRATION IN NATUROPATHY

### 273 CMR 4.00: SCOPE OF PRACTICE

#### Section

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#### 4.01: Purpose

273 CMR 4.00 governs the scope of practice of naturopathic health care in Massachusetts by establishing the procedures that licensed naturopathic doctors may conduct to diagnose or treat injuries, illnesses and conditions of the human body, and sets forth the requirements of practicing naturopathic health care.

#### 4.02: Scope of Practice

- (1) The practice of naturopathic health care shall include, but is not limited to:
  - (a) The prevention and treatment of human illness, injury or disease through education, dietary or nutritional advice and the promotion of healthy ways of living.
  - (b) The performance of noninvasive physical examinations and the ordering of clinical and laboratory procedures from licensed clinics or laboratories to evaluate injuries, illnesses and conditions in the human body.
  - (c) Dispensing, administering, ordering and prescribing natural medicines of mineral, animal or botanical origin, including food products or extracts, vitamins, minerals, enzymes, digestive aids, natural hormones, plant substances, homeopathic preparations, natural antibiotics, topical medicines and nonprescription drugs, therapeutic devices and barrier contraceptives to prevent or treat illnesses, injuries and conditions of the human body.
  - (d) The use of manual mechanical manipulation of body structures or tissues in accordance with naturopathic principles.
  - (e) The use of naturopathic physical medicine to maintain or restore physiological functioning of the human body.
- (2) The practice of naturopathic healthcare shall not include:
  - (a) The performance of surgeries or invasive procedures or examinations, abortions or the use of radiation, radioactive substances or local, general or spinal anesthesia.
  - (b) The prescribing, dispensing or administering a drug classified as a controlled substance or prescription drug under M.G.L. c. 94C.
  - (c) The practice of acupuncture or traditional Chinese medicine.
  - (d) The practice of emergency medicine, except as a person rendering gratuitous services in an emergency or for the care of minor injuries.

#### 4.03: Practice Requirements

- (1) Informed Consent. A naturopathic doctor shall obtain a signed informed consent from the patient upon establishing care and after advising the patient of the licensee's scope of practice and qualifications.
- (2) Patient Records.
  - (a) A naturopathic doctor shall maintain a patient's medical record for a minimum of seven years from the date of the patient's last treatment. The medical record of a minor shall be retained for a minimum of seven years from the date of the patient's last treatment or three years from the date the patient reaches eighteen years old, whichever is later.
  - (b) All patient records shall be confidential, maintained securely according to accepted standards and contain, but not be limited to, the following:
    1. A copy of the informed consent;
    2. Evidence of a patient interview regarding the patient's medical history and current physical condition;
    3. Evidence of all material naturopathic treatment facts and options provided to the patient or patient's legal representative and treatment recommendations made according to standards of good naturopathic medical practice.

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4. Evidence of an examination and assessment;
  5. Record of the treatment provided; and
  6. A copy of all instructions and referrals for testing or further assessment of another healthcare provider.
- (c) A naturopathic doctor shall provide upon written request by a patient or patient's authorized person, a complete copy of the patient's medical record in accordance with M.G.L. c. 112, §12CC. A copy of the patient record shall be provided no later than 30 calendar days from the date of the request. A licensee may charge a reasonable fee for providing a copy of the patient's medical record consistent with M.G.L. c. 111, § 70.
- (3) Practice Locations.
- (a) A naturopathic doctor may practice in all clinical care settings without limitation.
  - (b) A naturopathic doctor shall notify the Board in writing immediately and in no case after five business days of any change of practice location and address.
  - (c) A naturopathic doctor shall notify the Board of the licensee's current residential address and any subsequent change of that address within 30 days of such change.
- (4) Mandatory Tracking.
- (a) A naturopathic doctor shall track and document in the medical record the immunization status of a patient under 18 years old.
  - (b) A naturopathic doctor shall refer a patient under 18 years old to a primary care or collaborative care physician where evidence exists that the individual has not been immunized.

REGULATORY AUTHORITY

273 CMR 4.00: M.G.L. c. 112, §§ 266-274; St. 2016, c. 400, § 2.