

273 CMR: BOARD OF REGISTRATION IN NATUROPATHY

273 CMR 5.00: PROFESSIONAL AND ETHICAL STANDARDS OF CONDUCT

Section

5.01: Purpose

5.02: Professional and Ethical Standards of Conduct for Naturopathic Doctors

5.01: Purpose

273 CMR 5.00 defines the standards of conduct for all naturopathic doctors licensed by the Board of Registration in Naturopathy.

5.02: Professional and Ethical Standards of Conduct for Naturopathic Doctors

The standards of conduct for naturopathic doctors include:

- (1) Use of Title. A naturopathic doctor shall only identify himself or herself as a naturopathic doctor while in possession of a current license.
- (2) Misrepresentation of Credentials. A naturopathic doctor shall not misrepresent his or her credentials related to the practice of naturopathic health care including, but not limited to, education, type of license, professional experience, or any other credential related to his or her work as a naturopathic doctor. A naturopathic doctor shall not use the term physician nor assume the character or appearance of a primary care provider.
- (3) Practice under a False or Different Name. A naturopathic doctor shall engage in the practice of naturopathic health care only under the name in which such license has been issued.
- (4) Acts within Scope of Practice. A naturopathic doctor shall only perform acts within the scope of practice of naturopathic health care, as set forth in 273 CMR 4.00: *Scope of Practice*.
- (5) Competency. A naturopathic doctor shall only assume those duties and responsibilities within his or her scope of practice and for which he or she has acquired and maintained necessary knowledge, skills, and abilities.
- (6) Responsibility and Accountability. A naturopathic doctor shall be responsible and accountable for his or her judgments, actions, and competency when engaging in the practice of naturopathic health care.
- (7) Documentation. A naturopathic doctor shall make complete, accurate, and legible entries in all records required by federal, state and local laws and regulations.
- (8) Falsification of Information. A naturopathic doctor shall not knowingly falsify, or attempt to falsify, any documentation or information related to any aspect of licensure as a naturopathic doctor, the practice of naturopathic health care or the delivery of naturopathic health care services.
- (9) Alteration or Destruction of Records. A naturopathic doctor shall not inappropriately destroy or alter any record related to his or her work as a naturopathic doctor.
- (10) Discrimination. A naturopathic doctor shall not withhold or deny care or services based on age, ancestry, marital status, sex, sexual orientation, gender identity, race, color, religious creed, national origin, diagnosis, or mental or physical disability.
- (11) Patient Abuse, Neglect, Mistreatment, or Other Harm. A naturopathic doctor shall not abuse, neglect, mistreat, or otherwise harm a patient.
- (12) Infection Control. A naturopathic doctor shall not place a patient, himself or herself, or others at undue risk for the transmission of infectious diseases.

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- (13) Patient Dignity and Privacy. A naturopathic doctor shall safeguard a patient's dignity and right to privacy.
- (14) Patient Confidential Information. A naturopathic doctor shall safeguard patient information from any person or entity not entitled to such information. A naturopathic doctor shall share appropriate information only as required by law or authorized by the patient for the well-being or protection of the patient.
- (15) Sexual Contact. A naturopathic doctor shall not have sexual contact with any patient with whom he or she has a current naturopathic doctor-patient relationship or with any former patient who may be vulnerable by virtue of disability, age, illness, or cognitive ability.
- (16) Professional Boundaries. A naturopathic doctor shall establish and observe professional boundaries with respect to any patient with whom he or she has a current naturopathic doctor-patient relationship. A naturopathic doctor shall continue to observe professional boundaries with his or her former patients who may be vulnerable by virtue of disability, age, illness, or cognitive ability.
- (17) Exercise of Undue Influence. A naturopathic doctor shall not exercise undue influence on a patient, including the promotion or sale of services, goods, appliances or drugs, in such a manner as to exploit the patient for financial gain for the benefit of the naturopathic doctor or a third-party.
- (18) Borrowing from Patients. A naturopathic doctor shall not borrow money, materials, or other property from any patient.
- (19) Undue Benefit or Gain. A naturopathic doctor shall interact with patients without undue benefit or gain to the naturopathic doctor or a third-party.
- (20) Relationship Affecting Professional Judgment. A naturopathic doctor shall not initiate or maintain a naturopathic doctor-patient relationship that is likely to adversely affect the naturopathic doctor's professional judgment.
- (21) Advertising. A naturopathic doctor shall not engage in false, deceptive, or misleading advertising related to naturopathic health care.
- (22) Fraudulent Practices. A naturopathic doctor shall not engage in any fraudulent practice including, but not limited to, billing for services not rendered or submitting false claims for reimbursement.
- (23) Compensation for Unlicensed Services. A naturopathic doctor shall not collect payment or compensation for services rendered, and shall not bring any action in any court to recover compensation for services rendered, unless he or she held a current license issued by the Board at the time that the act or service was provided.
- (24) Impersonation. A naturopathic doctor shall not impersonate another naturopathic doctor or other health care provider, or knowingly allow or enable another person to impersonate him or her.
- (25) Aiding Unlawful Activity. A naturopathic doctor shall not aid any person in performing any act prohibited by law or regulation.
- (26) Circumvention of Law. A naturopathic doctor shall not receive from, or offer, give, or promise anything of value or benefit to, any official to circumvent any federal, state or local laws or regulations.
- (27) Practice While Impaired. A naturopathic doctor shall not act as a naturopathic doctor while impaired.

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(28) Unlawful Acquisition and Possession of Controlled Substances. A naturopathic doctor shall not unlawfully obtain or possess controlled substances.

(29) Duty to Report to the Board. A naturopathic doctor has a duty to report to the Board if he or she directly observes another naturopathic doctor:

- (a) abuse a patient;
- (b) practice naturopathic health care while impaired; or
- (c) divert controlled substances.

(30) Violence. A naturopathic doctor shall not endanger the safety of the public, patients, or coworkers by making actual or implied threats of violence, or carrying out an act of violence.

(31) Compliance with Agreements and Orders. A naturopathic doctor shall comply with all provisions contained:

- (a) in any agreement he or she has entered into with the Board; or
- (b) in any order issued to him or her by the Board.

REGULATORY AUTHORITY

273 CMR 5.00: M.G.L. c. 112, §§ 266-274, St. 2016, c. 400, § 2