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Testimony before the Board  of Registration in Naturopathy

Public Hearing 12/9/19

 BORND:  273 CMR

Good afternoon,

My name is Dr. Amy Rothenberg. I am the immediate past president of the Massachusetts Society of Naturopathic Doctors, the affiliate organization of the American Association of Naturopathic Physicians (AANP). Today I am representing this state membership-based organization. I am the recipient of the 2017 Physician of the Year Award from the AANP.

I want to thank you for the painstaking and time-consuming effort of interpreting our licensing law and promulgating the rules and regulations over the last 2 years. We are so grateful to be licensed in the state and look forward to attaining licenses through the process described.

I have two comments about the proposed rules and regulations I would like to share verbally and others I will include in my written testimony.

*Section 3.04.(3) The first comment is about Reciprocity. Reciprocity is supposed to make attaining a MA license easier, not harder.*

In the original bill, Section 271 related to reciprocity we read: *The board may grant license reciprocity to a registered, certified or licensed naturopathic doctor from another jurisdiction; provided, however, that the requirements for registration, certification or licensing in the other jurisdictions are, in the opinion of the board, substantially equivalent to the requirements in section 269. The board shall promulgate rules and regulations as may be necessary to implement this section.*

But as interpreted, in section 3.04 (3) the section related to reciprocity application, the route contains every single requirement for a new license by examination, *in addition* to the requirement for a letter of good standing from the jurisdiction from where the prospective licensee is currently licensed. Oddly, this makes the process of reciprocity longer and more arduous than licensing by examination and even licensing without examination, which simply cannot be the intent of the law. It takes the easiest route and makes it the hardest. In other licensed states, being the granting of reciprocity is more welcoming. We do not want to be perceived as a state that is unwelcoming to other licensed doctors moving and practicing here.

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*I have put in this written testimony which pieces would need to be kept and which removed for your review and hope you will see that creating a reciprocity clause that is more accessible makes good sense.*

*As interpreted:*

1. Eligibility by reciprocity. An applicant for a license as a naturopathic doctor *by reciprocity*, shall submit a complete and signed application on forms provided by the Board for that purpose, accompanied by the following documentation:
   * + 1. A letter of good standing from the jurisdiction in which the applicant is licensed; ( SHOULD REMAIN)
       2. An authorization signed by the applicant, which authorizes the NABNE to release such information as the Board may deem necessary to verify that the applicant has passed the NPLEX; ( REMOVE)
       3. An official transcript, or other official documentation satisfactory to the Board, verifying that the applicant has graduated from a naturopathic education program that meets the requirements of 273 CMR 3.03(2)(a); ( REMOVE)
       4. An official transcript, or other official documentation satisfactory to the Board, verifying that the applicant holds a baccalaureate degree or higher that meets the requirements of 273 CMR 3.03(1); (REMOVE)
       5. Curriculum vitae; (REMOVE)

(f) Proof satisfactory to the Board of good moral character; (SHOULD REMAIN)

(g) An attestation, signed under pains and penalties of perjury, that the applicant has complied with all state tax laws and child support laws pursuant to M.G.L. c. 62C, § 49A; and (SHOULD REMAIN)

(h) A valid form of payment made payable to the Commonwealth of Massachusetts for the amount of any application and license fees, as determined by the Executive Office of Administration and Finance pursuant to M.G.L. c. 7, § 3B, unless waived in accordance with M.G.L. c. 112, § 1B. (SHOULD REMAIN)

* 1. 2b & 3.04

And a short bit of history. Before the national exam was created in 1987, licensure by exam happened via state board exams. For those who graduated from an accredited school before the national exam existed, they should be able to be licensed if they passed the state board exam which predated the national exam. It’s important to understand that the word *equivalent* here means that the state or provincial exam *is equivalent* to the national exam otherwise the sentence in the law does not makes sense.

I have a number of other thoughts about definitions which I will submit here in writing. We believe the next items should be further clarified for all naturopathic providers in the state.

1. We would like the Minor Office Procedures to mean the treatment of superficial lacerations, lesions, and abrasions, and the removal of foreign bodies located in superficial structures not including the eye; and the topical use of substances consistent with the practice of naturopathic medicine
2. We would like non-invasive as to examinations, to mean conducting physical and orificial examinations of oral, nasal, auricular, ocular, rectal and vaginal cavities. Non-invasive should also include routes of administration via oral, nasal, auricular, ocular, rectal, vaginal, topical, transdermal, intradermal, subcutaneous, and intramuscular routes.
3. We would like physiologic testing to mean testing and collecting data on the functioning of the body including but not limited to blood pressure, ECG, and spirometry.
4. Likewise, radiography should mean the ordering of image studies, including but not limited to computed tomography scans, x-rays, magnetic resonance imaging, positron emission tomography scans, mammograms, bone densitometry, and ultrasounds.

Thank you for your ongoing work to create an excellent set of regulations for this new profession in the state. Our state association looks forward to working with you in the coming years to educate the medical community and the general public about the naturopathic profession and we are committed to ensuring all licensees practice in accordance with the rules and regulations provided.

If I can personally be of any help going forward, please feel free to reach out.

Sincerely,

Amy Rothenberg ND