



Oregon

Tina Kotek, Governor

Board of Naturopathic Medicine
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April 30, 2025

To: Senator Deb Patterson, Chair - Senate Committee on Health Care
Senator Cedric Hayden, Vice Chair - Senate Committee on Health Care
Senator Wlnsvey Campos, Member - Senate Committee on Health Care
Senator Diane Linthicum, Member - Senate Committee on Health Care
Senator Lisa Reynolds, Member - Senate Committee on Health Care

From: Mary-Beth Baptista, JD, Executive Director, Oregon Board of Naturopathic Medicine

RE: OBNM Public Testimony HB 3042 – A – Thursday, May 1, 2025 @ 3pm

Oregon Board of Naturopathic Medicine (Board/OBNM): Agency Background / Scope of Practice

There are 1200 licensed naturopathic doctors (ND) in the State of Oregon. Oregon naturopathic doctors have one of the broadest scopes of practice in the United States and are defined as primary care physicians in Oregon statute, and engage in the prevention, diagnosis, management, and treatment of both acute and chronic health conditions. Naturopathic doctors may perform minor surgery, practice natural childbirth, and male and female reproductive health. Oregon naturopathic doctors also have the most expansive prescription rights the U.S. and prescribe from a formulary containing over 1700 drugs.

Per Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR), the Board may propose legislative concepts and draft administrative rules.

Complaint Investigation / Evidentiary Standard for Finding Violation of Statute or Rule / Imposing Discipline:

Per ORS 676.160 - 676.180, the Oregon Board of Naturopathic Medicine (OBNM/Board) is the intake point for all complaints regarding naturopathic doctors. Complaints may be submitted by patients or the public, the Board may also initiate an investigation per ORS 685.225

Board investigates all complaints submitted. The Board investigator summarizes the evidence for each allegation in a report for Board review at the bi-monthly Board meeting. Per statute and rule, the Board must find by the “preponderance of the evidence” (more likely than not) a licensee committed a violation of statute or rule, based on the “reasonable person standard” (would a reasonable ND have/have not engaged in the same or similar conduct in this context.) If the Board finds a licensee’s conduct was in violation of a statute or rule – the Board issues a “Notice of Proposed Discipline and Opportunity for Hearing” informing the licensee of their due process rights and that they are entitled to a hearing as provided by the Administrative Procedures Act (ORS Chapter 183).

House Bill (HB) 3042-A: HAS NO FISCAL IMPACT ON THE AGENCY

Reason for Introducing House Bill 3042-A/Projected Outcome: ORS 685.110 Grounds for Discipline have not been substantively changed in thirty-five years. The proposed changes set standards and expectations for licensees to ensure the highest medical standards, while enhancing transparency and clarity for patients and the public.

Support for HB 3042-A: Oregon Association of Naturopathic Physicians supports passage of HB 3042-A. The amendment directly addressed and ameliorated concerns submitted by some members of the naturopathic community in prior public comment and expressed by some Representatives.

Specific Changes in House Bill 3042-A:

1. (Page 1 / Line 9-10) (1) [Using fraud or deception in securing] Making misleading, deceptive or fraudulent representations in applying for a license.

- **Reason for the Statutory Change/Projected Outcome:** Replaced inapplicable terms in this statutory context with plain language for clarity and transparency for licensees.

2. (Page 2 / Lines 28-29) (23) Engaging in sexual misconduct and (24) Failing to maintain required confidentiality.

- **Reason for the Statutory Change/ Projected Outcome:** The Board currently relies on Board rules related to professional ethics. This change specifically and in plain language states that engaging in sexual misconduct and failing to maintain required confidentiality are grounds for discipline.

3. (Page 2 / Lines 30-32) (25) Providing substandard care as a naturopathic physician through a deliberate or negligent act or failure to act, regardless of whether injury to a patient occurs as a result of the act or failure to act.

- **Reason for the Statutory Change/ Projected Outcome:** No change to the current Board statutory authority but enhances transparency and clarity for patients and the public, stating in plain language patient injury or harm is not required for finding of violation.