

CHAPTER 466

NATUROPATHIC DOCTORS

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466.01 Definitions. In this chapter:

(1) “Board” means the naturopathic medicine examining board.

(2) “Drug” has the meaning given in s. 450.01 (10).

(3) “Limited-scope naturopathic doctor” means an individual licensed under s. 466.04 (2).

(4) “Minor office procedure” includes the methods for the repair and care incidental to superficial lacerations, superficial abrasions, and superficial lesions and the removal of foreign bodies located in the superficial tissues.

(5) “Naturopathic doctor” means an individual licensed under s. 466.04 (1).

(6) (a) “Naturopathic medicine” means, except as provided in par. (c), a system of primary health care for the prevention, diagnosis, and treatment of human health conditions, injury, and disease; the promotion or restoration of health; and the support and stimulation of a patient’s inherent self-healing processes through patient education and the use of naturopathic therapies and therapeutic substances, including all of the following:

1. Ordering and performing physical and laboratory examinations, for diagnostic purposes, consistent with naturopathic education and training, including all of the following:

- Diagnostic or evaluation methods.
- Physical examinations.
- Clinical laboratory tests.
- Diagnostic sonography.
- Electrocardiography.
- Phlebotomy.

2. Ordering diagnostic imaging studies.

3. Dispensing, administering, ordering, or performing any of the following:

- Health education and health counseling.
- Food, extracts of food, nutraceuticals, vitamins, amino acids, minerals, enzymes, botanical medicines, homeopathic medicines, and dietary supplements.

c. Hot or cold hydrotherapy, naturopathic physical medicine, the use of therapeutic medical equipment, and therapeutic exercise.

d. Devices, including therapeutic devices, barrier contraception, and durable medical equipment.

4. Recommending, dispensing, and administering nonprescription drug products.

5. Performing minor office procedures.

6. Signing and attesting to any certificates, cards, forms or other required documentation that a physician may sign, so long as it is within the naturopathic doctor’s scope of practice. This subdivision does not supersede any federal or state statute, rule, or regulation.

(b) “Naturopathic medicine” includes ordering or performing any other diagnostic, therapeutic, or other procedure or practice identified in rules promulgated under s. 466.03 (2) (a).

(c) “Naturopathic medicine” does not include any of the following:

1. Performing any surgical procedure other than a minor office procedure.

2. Using general or spinal anesthetics.

3. Administering ionizing radioactive substances for therapeutic purposes.

4. Performing surgical procedures involving the eye, ear, tendons, nerves, veins, or arteries that extend beyond superficial tissue.

5. Performing any procedure or practice that is prohibited by the board by rule under s. 466.03 (2) (a) or that is excluded from the definition of naturopathic physical medicine under sub. (7) (b).

(d) “Naturopathic medicine” is distinct from the practice of medicine and surgery, as defined in s. 448.01 (9).

(7) (a) “Naturopathic physical medicine” includes, except as provided in par. (b), manually administering mechanical treatment of body structures or tissues for the purpose of restoring normal physiological function to the body by normalizing and balancing the musculoskeletal system of the body, such as massage, stretching, resistance, or joint play examination.

(b) “Naturopathic physical medicine” does not include any of the following:

1. The employment or application of chiropractic or spinal adjustments and the principles or techniques of chiropractic science as described in s. 446.01 (2) (b).

2. The manipulation or adjustment of the spine or extremity joints of the human body beyond the elastic barrier, including small amplitude movement at or beyond the end range of normal joint motion.

(8) “Nonprescription drug product” has the meaning given in s. 450.01 (13m).

History: 2021 a. 130.

466.02 License required; use of titles. (1) (a) Except as provided in subs. (2) (a) and (b) and (3), no person may practice naturopathic medicine or make a representation that he or she is authorized to do so unless the person is licensed under this chapter.

(b) 1. Except as provided in subs. (2) (b) and (3), no person may designate himself or herself as a naturopathic doctor or doctor of naturopathic medicine; use or assume the title “naturopathic doctor,” “doctor of naturopathic medicine,” or “doctor of naturopathy”; use the words “naturopathic medicine” or “naturopathic health care” in connection with his or her practice; append to the person’s name the letters “N.D.” or “ND”; use any other titles, words, letters, abbreviations, insignia, or designation that would imply that the individual is licensed, certified, or registered as a naturopathic doctor or doctor of naturopathic medicine; or claim to render naturopathic medicine or naturopathic health care services unless the person is licensed under s. 466.04 (1) or (2).

2. This paragraph does not prohibit or restrict a person from

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designating himself or herself as a naturopath or from using or assuming the title “naturopath” if that designation or use does not otherwise violate subd. 1.

(2) (a) Subsection (1) (a) does not require a license for any of the following:

1. Any person lawfully practicing within the scope of a license, permit, registration, or certification granted by this state or the federal government.

2. The provision of information in connection with the sale of vitamins or herbs.

3. The provision of advice regarding the use of a therapy, including herbal medicine, homeopathy, nutrition, or other nondrug or nonsurgical therapy.

4. Any individual acting under an exemption from the requirement to obtain a license to practice medicine and surgery under s. 448.03 (2), to the extent that the individual’s activities also fall within the practice of naturopathic medicine.

5. Any person who is providing patient services as directed, supervised, and inspected by a naturopathic doctor who has the power to direct, decide, and oversee the implementation of the patient services rendered.

(b) Subsection (1) (a) and (b) does not require a license for any of the following:

1. The practice of naturopathic medicine by an individual employed by the federal government while the individual is engaged in the performance of duties prescribed by federal law.

2. A person who is licensed to practice naturopathic medicine in another state or country and is providing consultation to or with or a demonstration to or with a naturopathic doctor who is licensed under this chapter.

3. The practice of naturopathic medicine by a student enrolled in an approved naturopathic medical program that qualifies under s. 466.04 (1) (d) 1., provided that the performance of services is pursuant to a course of instruction or assignments from an instructor and is under the supervision of the instructor. The student shall use the title “ND candidate” with the intended year of graduation.

(3) The board may, by rule, establish additional exemptions from the prohibitions under sub. (1).

History: 2021 a. 130.

466.03 Duties and powers of examining board. (1)

The board shall promulgate rules that establish all of the following:

(a) Standards of practice for and a code of ethics governing the professional conduct of naturopathic doctors and limited-scope naturopathic doctors.

(b) Continuing education requirements for applicants seeking renewal of a naturopathic doctor license under this chapter.

(bm) Continuing education requirements for applicants seeking renewal of a limited-scope naturopathic doctor license under this chapter. The board shall accept qualifying training that is completed to satisfy the requirement under s. 466.04 (2) (b) 5. d. as qualifying continuing education under this paragraph.

(c) Examination standards and requirements for purposes of examinations required under s. 466.04 (1) (e), including required passing scores for examinations and the times when examinations are offered.

(2) The board may promulgate rules to do any of the following:

(a) Further interpret s. 466.01 (6) (a) and (c), including to identify diagnostic, therapeutic, or other practices or procedures that may be used by naturopathic doctors. The board may not authorize a naturopathic doctor to engage in any practice excluded

from the definition of naturopathic medicine under s. 466.01 (6) (c) or otherwise expand the scope of practice of a naturopathic doctor or limited-scope naturopathic doctor beyond what is specified under s. 466.01 (6) (a).

(am) Expressly prohibit diagnostic, therapeutic, or other practices.

(b) Establish character and fitness requirements for initial licensure or renewal of a license under this chapter and evidence required to demonstrate satisfaction of such requirements.

(c) Establish physical and mental competency requirements for initial licensure or renewal of a license under this chapter and evidence required to demonstrate satisfaction of such requirements.

(d) Establish evidence of professional competency requirements for initial licensure or renewal of a license under this chapter, including evidence relating to an applicant’s licensure status in other states.

(e) Establish additional clinical, practical, or residency requirements for initial licensure under this chapter.

(f) Adopt minimum malpractice insurance requirements for naturopathic doctors and limited-scope naturopathic doctors.

(3) The board may, for purposes of s. 466.04 (1) (d) 1. e., 2. d., 3. d., and 4. e., disqualify any naturopathic medical program if the board determines the program does not adequately prepare students to practice naturopathic medicine.

History: 2021 a. 130.

466.04 License; renewal. (1) NATUROPATHIC DOCTOR LICENSE. The board shall grant a naturopathic doctor license to a person who does all of the following:

(a) Submits an application for the license to the department on a form provided by the department.

(b) Pays the fee specified in s. 440.05 (1).

(c) Subject to ss. 111.321, 111.322, and 111.335, submits evidence satisfactory to the board that the applicant does not have an arrest or a conviction record.

(d) Submits evidence satisfactory to the board that he or she has completed one of the following:

1. A naturopathic medical education program offered in the United States that satisfies all of the following:

a. The program provides the degree of doctor of naturopathy or doctor of naturopathic medicine.

b. The program offers graduate-level, full-time, didactic and supervised clinical training.

c. The program is accredited, or has achieved candidacy status for such accreditation, by the Council on Naturopathic Medical Education or an equivalent accrediting body for naturopathic medical programs recognized by the federal department of education.

d. The program is offered by an institution of higher education or part of an institution of higher education that is accredited, or is a candidate for such accreditation, by a regional accrediting organization or a national institutional accrediting agency recognized by the federal department of education.

e. The program has not been disqualified by the board as an approved naturopathic medical educational program under s. 466.03 (3).

2. A program at a diploma-granting, degree-equivalent institution of higher education located in Canada that satisfies all of the following:

a. The program offers graduate-level, full-time didactic and supervised clinical training.

b. The program is accredited, or has achieved candidacy status for such accreditation, by the Council on Naturopathic Medi-

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cal Education or an equivalent accrediting body for naturopathic medical programs recognized by the federal department of education.

c. The program has provincial approval for participation in government-funded student aid programs.

d. The program has not been disqualified by the board as an approved naturopathic medical educational program under s. 466.03 (3).

3. A program at a degree-granting institution of higher education located in the United States that satisfies all of the following:

a. The program existed prior to the existence of the Council on Naturopathic Medical Education.

b. The program offered a full-time, structured curriculum in basic sciences and supervised patient care comprising a doctoral naturopathic medical education for a duration of not less than 132 weeks and required completion within a period of not less than 35 months.

c. If the program is still in existence, the program is currently accredited, or has achieved candidacy status for accreditation by the Council on Naturopathic Medical Education or an equivalent federally recognized accrediting body for the naturopathic medical profession recognized by the board.

d. The program has not been disqualified by the board as an approved naturopathic medical educational program under s. 466.03 (3).

4. A program at a diploma-granting, degree-equivalent institution of higher education located in Canada that satisfies all of the following:

a. The program existed prior to the existence of the Council on Naturopathic Medical Education.

b. The program offered a full-time, structured curriculum in basic sciences and supervised patient care comprising a doctoral naturopathic medical education for a duration of not less than 132 weeks and required completion within a period of not less than 30 months.

c. Prior to the existence of the Council on Naturopathic Medical Education, the program had provincial approval for participation in government-funded student aid programs.

d. If the program is still in existence, the program is currently accredited, or has achieved candidacy status for accreditation by the Council on Naturopathic Medical Education or an equivalent federally recognized accrediting body for the naturopathic medical profession recognized by the board and currently has provincial approval for participation in government-funded student aid programs.

e. The program has not been disqualified by the board as an approved naturopathic medical educational program under s. 466.03 (3).

(e) Submits evidence satisfactory to the board that he or she has passed all of the following:

1. Either of the following:

a. A competency-based national naturopathic licensing examination administered by the North American Board of Naturopathic Examiners or its successor organization or another examination approved by the board by rule.

b. For graduates of approved naturopathic medical programs prior to the existence of the Council on Naturopathic Medical Education, a competency-based state naturopathic medicine licensing examination or equivalent Canadian provincial licensing examination for the practice of naturopathic medicine approved by the board.

2. A pharmacology examination approved by the board by rule.

3. Any other competency or jurisprudence examinations required by the board by rule.

(f) Meets any character and fitness, mental and physical competency, and professional competency standards established by the board under s. 466.03 (2) (b) to (d).

(g) Meets any other requirement established by the board under s. 466.03 (2) (e).

(2) LIMITED-SCOPE NATUROPATHIC DOCTOR LICENSE. (a) In this subsection:

1. "Clinical sciences" means body systems and their interactions, cardiology, psychology, dermatology, endocrinology, EENT, gastroenterology, immunology, urology, proctology, gynecology, neurology, orthopedics, pulmonology, natural childbirth and obstetrics, pediatrics, geriatrics, rheumatology, oncology, and hematology.

2. "Qualifying training" means training in clinical sciences that satisfies at least one of the following:

a. It is a course that is either taken for credit or audited and that is provided by an academic institution that is accredited by an agency recognized by the federal department of education.

b. It is a continuing education program or course of study approved by the medical examining board under s. 448.13 (1).

c. It is a continuing education course that is provided by a continuing education provider that meets the continuing education standards for states that regulate naturopathic medicine.

(b) The board shall grant a limited-scope naturopathic doctor license to a person who does all of the following:

1. Submits, no later than the date specified in par. (c), an application for the license to the department on a form provided by the department.

2. Pays the fee specified in s. 440.05 (1).

3. Subject to ss. 111.321, 111.322, and 111.335, submits evidence satisfactory to the board that the applicant does not have an arrest or a conviction record.

4. Submits evidence satisfactory to the board that, prior to 2013, he or she completed a naturopathic health care program offered in the United States that provided the degree of doctor of naturopathy.

5. Satisfies one of the following:

a. The person submits evidence satisfactory to the board that the naturopathic health care program described in subd. 4. provided at least 250 hours of education in 2 or more clinical sciences.

b. The person is, as of the date of application, licensed as a registered nurse under s. 441.06.

c. The person submits evidence satisfactory to the board that the person has completed in 2 or more clinical sciences at least 250 hours of education provided by the naturopathic health care program described in subd. 4., at least 250 hours of qualifying training subsequent to completing the naturopathic health care program described in subd. 4., or a combination of at least 250 hours of such education and training.

d. The person signs a statement committing to satisfying the requirement under subd. 5. c. within 5 years after issuance of an initial license under this subsection.

6. Submits evidence satisfactory to the board that he or she has been continually practicing naturopathic medicine in this state for at least the 10-year period preceding his or her application for a license under this subsection.

7. Submits evidence satisfactory to the board that he or she has passed any competency or jurisprudence examinations required by the board by rule.

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8. Satisfies the board that he or she has exhibited a record of safety in the practice of naturopathic medicine or naturopathy.

9. Meets any character and fitness, mental and physical competency, and professional competency standards established by the board under s. 466.03 (2) (b) to (d).

(c) An application for a limited-scope naturopathic doctor license under par. (b) may be submitted no later than the last day of the 12th month beginning after the date on which the board begins accepting applications for licensure under this subsection. The board may not consider an application for a limited-scope naturopathic doctor license under par. (b) submitted after that date. As soon as the date of the deadline described in this paragraph can be ascertained, the department shall send a notice of that date to the legislative reference bureau for publication in the Wisconsin Administrative Register.

(d) A limited-scope naturopathic doctor license granted under par. (b) shall not be considered to be a naturopathic doctor license for purposes of the law of any other state that offers reciprocal licensure or licensure by endorsement in that other state to individuals who are licensed in this state.

(3) RENEWAL. (a) The renewal date for licenses granted under this chapter is specified under s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department. The application shall include all of the following in order for the license to be renewed:

1. The renewal fee determined by the department under s. 440.03 (9) (a).

2. Proof of compliance with continuing education requirements established by the board under s. 466.03 (1) (b) or (bm), whichever is applicable.

3. Proof of compliance with any requirements established by the board under s. 466.03 (2) (b) to (d).

4. Proof of compliance with any malpractice insurance requirements under s. 466.03 (2) (f).

5. If par. (b) applies, proof of compliance with the requirements under par. (b).

(b) If a limited-scope naturopathic doctor was issued an initial license under sub. (2) by satisfying the requirement under sub. (2) (b) 5. d., the limited-scope naturopathic doctor shall, no later than the first renewal date after the conclusion of the 5-year period under sub. (2) (b) 5. d., submit evidence satisfactory to the board that he or she has completed the education and training required under sub. (2) (b) 5. d.

History: 2021 a. 130.

466.05 Practice. (1) (a) A naturopathic doctor may practice naturopathic medicine.

(b) A naturopathic doctor may, except as otherwise prohibited by the board by rule, utilize routes of administration that include oral, nasal, auricular, ocular, rectal, vaginal, transdermal, intramuscular, intravenous, intradermal, and subcutaneous, consistent with the education and training of a naturopathic doctor.

(2) (a) 1. Subject to subd. 3. and except as provided in subd. 2., a limited-scope naturopathic doctor may practice naturopathic medicine, but limited to what is specified under s. 466.01 (6) (a) 1. and 3. a. to c., except for s. 466.01 (6) (a) 1. d. to f.

2. A limited-scope naturopathic doctor may practice naturo-

pathic medicine beyond what is authorized in subd. 1. if he or she demonstrates to the board that he or she is qualified to expand his or her scope of practice beyond what is authorized under subd. 1. If the limited-scope naturopathic doctor demonstrates to the board that he or she is qualified to expand his or her scope of practice, he or she may, subject to subd. 3., practice as authorized by the board, but not beyond what is authorized under sub. (1).

3. A limited-scope naturopathic doctor shall limit his or her practice to the scope of his or her experience, education, and training.

(b) Paragraph (a) applies notwithstanding any other provision of law that permits a naturopathic doctor to engage in any act that constitutes naturopathic medicine beyond what is authorized under par. (a).

History: 2021 a. 130.

466.07 Disciplinary proceedings and actions. (1)

Subject to the rules promulgated under s. 440.03 (1), the board may make investigations and conduct hearings to determine whether a violation of this chapter or any rule promulgated under this chapter has occurred.

(2) Subject to the rules promulgated under s. 440.03 (1), the board may reprimand a naturopathic doctor or limited-scope naturopathic doctor or may deny, limit, suspend, or revoke a license granted under this chapter if it finds that the applicant, naturopathic doctor, or limited-scope naturopathic doctor has done any of the following:

(a) Made a material misstatement in an application for a license, or for renewal of a license.

(b) Interfered with an investigation or disciplinary proceeding by using threats, harassment, or intentional misrepresentation of facts.

(c) Subject to ss. 111.321, 111.322, and 111.335, been convicted of an offense the circumstances of which substantially relate to the practice of naturopathic medicine.

(d) Been adjudicated mentally incompetent by a court.

(e) Advertised in a manner that is false, deceptive, or misleading.

(f) Advertised, practiced, or attempted to practice under another's name.

(g) Subject to ss. 111.321, 111.322, and 111.34, practiced or assisted in the practice of naturopathic medicine while the applicant's or licensee's ability to practice or assist was impaired by alcohol or other drugs.

(h) Engaged in unprofessional or unethical conduct in violation of the code of ethics established in the rules promulgated under s. 466.03 (1) (a).

(i) Engaged in conduct while practicing naturopathic medicine that evidences a lack of knowledge or ability to apply professional principles or skills.

(j) Violated this chapter or any rule promulgated under this chapter.

History: 2021 a. 130.

466.09 Penalties. Any person who violates this chapter or any rule promulgated under this chapter may be fined not more than \$10,000 or imprisoned for not more than 9 months or both.

History: 2021 a. 130.