

Secretary of State  
Office of Professional Regulation  
**ADMINISTRATIVE RULES FOR NATUROPATHIC PHYSICIANS**  
**TABLE OF CONTENTS**

|                |   |    |
|----------------|---|----|
| <b>Part 1.</b> | <b>General Information on Licensure of Naturopathic Physicians</b>    |    |
| 1.1            | The Purpose of Licensure .....  | 1  |
| 1.2            | Laws That Govern Licensure .....                                      | 1  |
| <b>Part 2.</b> | <b>Information for Applicants</b>                                     |    |
| 2.1            | Application .....   | 1  |
| 2.2            | Qualifications for Licensure as a Naturopathic Physician .....        | 1  |
| 2.3            | Licensure Without Examination .....                                   | 2  |
| 2.4            | Right to a Written Decision and Appeal .....                          | 2  |
| <b>Part 3.</b> | <b>Information for Naturopathic Physicians</b>                        |    |
| 3.1            | Renewing Licensure Biennially .....                                   | 2  |
| 3.2            | Continuing Education Requirements .....                               | 3  |
| 3.3            | Continuing Education Program Approval .....                           | 4  |
| 3.4            | Change of Name or Address .....                                       | 4  |
| 3.5            | Professional Standards .....  | 5  |
| 3.6            | Complaint Procedure .....   | 5  |
| 3.7            | Use of Prescription Drugs .....                                       | 5  |
| 3.8            | Advertising .....   | 5  |
| 3.9            | Naturopathic Childbirth .....   | 6  |
| 3.10           | Informed Consent for Naturopathic Childbirth .....                    | 7  |
| 3.11           | Scope and Practice Standards for Naturopathic Childbirth .....        | 7  |
| 3.12           | Written Plan for Consultation, Emergency Transfer and Transport ..... | 9  |
| 3.13           | Uncomplicated Childbirth .....  | 10 |
| 3.14           | Previous Cesarean Delivery .....                                      | 10 |

**Adopted September 1, 2003**

## **PART 1. GENERAL INFORMATION ON LICENSURE OF NATUROPATHIC PHYSICIANS**

### **1.1 THE PURPOSE OF LICENSURE**

The Secretary of State has been given powers by Vermont law to protect the public health, safety, and welfare by setting standards, licensing applicants, and regulating licensed naturopathic physicians and their practices.

### **1.2 LAWS THAT GOVERN LICENSURE**

Licensure is governed by a specific state law that establishes responsibilities for setting standards, issuing licenses, and regulating the profession. The law is the Naturopathic Physicians Act, Title 26, Vermont Statutes Annotated, Chapter 81. In addition, the Director of Professional Regulation is obligated to comply with several other state laws, such as the Administrative Procedure Act (Title 3, Vermont Statutes Annotated, Sections 801-849), the Open Meeting Law (Title 1, Vermont Statutes Annotated, Sections 311- 314), the Access To Public Records Law (Title 1, Vermont Statutes Annotated, Sections 315-320), and the Law of Professional Regulation (Title 3, Vermont Statutes Annotated, Sections 121-131).

These laws set forth the rights of an applicant, licensed naturopathic physician, or member of the public. The complete text of these laws is available at most libraries and town clerks' offices. "Vermont Statutes Online" are also available on the Internet at <http://www.leg.state.vt.us>. The text of laws and rules governing naturopathic physicians may be found at <http://www.vtprofessionals.org>.

## **PART 2. INFORMATION FOR APPLICANTS**

### **2.1 APPLICATION**

Applications and information about licensure requirements are available from the Office of Professional Regulation (Office). An applicant must submit a completed application form with all supporting documentation and the fee to the Office. Examination applicants must submit the application for the Naturopathic Physicians Licensing Examinations (NPLEX) and the fee directly to the National Association of Boards of Naturopathic Examiners (NABNE) by the deadline date in order to be allowed to sit for the examination, although the additional required documentation may be submitted after that date.

The Office reviews applications only after the supporting documentation is received, including evidence of a degree and examination results, as required in Rule 2.2, or evidence of a license in another jurisdiction and its licensing standards, as required in Rule 2.3.

Licenses renew on a fixed biennial schedule: September 30 of the even-numbered years. Initial licenses issued within 90 days of the renewal date will not be required to renew or pay the renewal fee. The license will be issued through the next full license period. Applicants issued an initial license more than 90 days prior to the renewal expiration date will be required to renew and pay the renewal fee.

### **2.2 QUALIFICATIONS FOR LICENSURE AS A NATUROPATHIC PHYSICIAN**

To be eligible for licensure as a naturopathic physician, an applicant must (1) have obtained a degree of Doctor of Naturopathic Medicine, or a degree determined by the Director of the Office of Professional Regulation (Director) to be essentially equivalent, from an approved naturopathic medical college, (2) be physically and mentally fit to practice naturopathic medicine, and (3) have passed an examination approved by the Director.

(A) **Degree requirement:** The degree required is doctoral degree in naturopathic medicine from a program accredited by the Council on Naturopathic Medical Education (CNME), or a degree determined by the Director to be essentially equivalent and which meets educational standards essentially equivalent to those established by the CNME.

(B) **Examination:** The Director, or his or her designee, administers a written examination on naturopathic medicine. The Director currently uses the Naturopathic Physicians Licensing Examinations

(NPLEX). To be eligible for licensure as a naturopathic physician in Vermont, an applicant must have passed ALL parts of the NPLEX (Basic Science Series and Clinical Series). The passing score for the NPLEX is established by NPLEX, but an applicant must pass ALL parts of the Basic Science Series and ALL parts of the Clinical Series. The examination will be given at least twice a year at a time and place set well in advance. Applicants may obtain more information about the examination from the Office. Results of examinations are usually available within 60 days.

**2.3 LICENSURE WITHOUT EXAMINATION**

(A) A naturopathic physician licensed in good standing in another jurisdiction is eligible for licensure without examination if, in the opinion of the Director, the current requirements for licensure in that jurisdiction are at least equal to the current requirements in Vermont.

(B) Applicants under this section who have not passed the exam within the two years preceding the application shall show evidence of completion of the continuing education requirements required by Rule 3.2.

**2.4 RIGHT TO A WRITTEN DECISION AND APPEAL**

If the Director denies an applicant licensure, the Director will give specific reasons in writing and inform the applicant of the right to appeal this decision to an administrative law officer. After giving the applicant an opportunity to present the application and any additional information, the administrative law officer must affirm, reverse, or modify the Director's preliminary decision. Decisions of the administrative law officer may be appealed to the Washington Superior Court.

**PART 3. INFORMATION FOR NATUROPATHIC PHYSICIANS**

**3.1 RENEWING LICENSURE BIENNIALLY**

Licenses renew on a fixed biennial schedule: September 30 of the even-numbered years. Initial licenses issued within 90 days of the renewal date will not be required to renew or pay the renewal fee. The license will be issued through the next full license period. Applicants issued an initial license more than 90 days prior to the renewal expiration date will be required to renew and pay the renewal fee.

Before the expiration date, the Office will mail a renewal application and notice of the renewal fee to the latest address on file with the Office. A license will expire automatically within 14 days if the renewal application and fee are not returned to the Office by the expiration date.

Licenseses possessing a special endorsement to practice naturopathic childbirth must submit proof of current cardiopulmonary resuscitation certification for adults and newborns and for neonatal resuscitation biennially, with each license renewal. See Rule 3.9(B) below. Such licenseses must also file with the Director a written plan for consultation with other health care providers for emergency transfer and transport of an infant or a maternity patient, or both, to an appropriate health care facility. The written plan must be submitted to the Director on an approved form with the initial application for special endorsement and with every subsequent renewal of the special endorsement. See Rule 3.9(D) below. ....

**3.2 CONTINUING EDUCATION REQUIREMENTS**

(A) All naturopathic physicians licensed and residing in this state must complete a minimum of 30 hours of continuing education during the two-year renewal period and must so certify at the time of license renewal. The continuing education requirement does not apply for the renewal period during which a naturopathic physician initially obtained licensure. It will begin with the first full two-year renewal period.

(B) A continuing education program means classes, institutes, lectures, conferences, workshops, naturopathic journals, scientific journals, audio- or videotaped presentations, and preceptorships. A program shall consist of study covering new, review, experimental, research, and specialty subjects within the scope of practice of naturopathic medicine in this state. Excluded are programs that promote a company, individual, or

product and programs whose subject is practice economics. However, courses specifically dealing with medical workers compensation or medical recordkeeping in the context of practice economics are acceptable.

(C) Any physician-level continuing medical education course is acceptable as a continuing education program, including courses certified by the American Association of Naturopathic Physicians, the American Medical Association, the American Osteopathic Association, or the American Chiropractic Association. A course is considered physician-level if presented by a physician or other medical professional to a predominantly physician audience. A course will be approved for the hours the provider assigns to the course.

(D) For licensees possessing the special endorsement to practice naturopathic childbirth, full credit will be granted for continuing professional education courses relating to childbirth or midwifery and presented under the auspices of the following organizations, agencies, or institutions:

- (1) The American College of Nurse Midwives.
- (2) The Midwives Alliance of North America (MANA).
- (3) A midwifery school or program accredited by the Midwives Education Accreditation

Council.

- (4) The North American Registry of Midwives (NARM).
- (5) The Vermont Medical Society or the American Medical Association (programs which qualify for Category I credit).

- (6) The Vermont Midwives Alliance, when accredited by any other approved organization, agency, or institution.

- (7) The National Health Service Corps.

- (8) The American College of Obstetricians and Gynecologists.

- (9) The American Association of Nurse Practitioners.

- (10) The International Board of Lactation Consultants.

(E) All other programs will be evaluated and may be eligible for half credit if they meet the following criteria and comply with other provisions of these rules: the material is relevant to a naturopathic medical practice (presenting a modality used by naturopathic physicians), and the sponsoring organization is credible (able to verify attendance and course content).

(F) Except for licensees possessing a special endorsement to practice naturopathic childbirth, no more than 10 hours will be credited in a single subject area towards the 30-hour biennial continuing education requirement. No more than five hours will be granted for informal study or self-study of naturopathic or scientific journals, audio- or videotaped presentations, or preceptorships. At least five hours must be completed biennially in the pharmacology of legend drugs, including two hours of continuing education, biennially, covering the clinical indications, contraindications, adverse reactions, and safe technique for the intravenous, intramuscular and subcutaneous injection of vitamins and minerals for therapeutic purposes.

(G) Licensees possessing a special endorsement to practice naturopathic childbirth must obtain 15 hours in naturopathic childbirth during each two-year renewal period. A course in neonatal resuscitation may count toward these 15 hours. Ten of the 15 hours may be applied to general requirements for continuing education.

(H) The amount of credit to be allowed for correspondence and formal individual study programs (including taped study programs) will be that which is recommended by the program sponsor. Licensees claiming credit for such correspondence or formal individual study courses are required to obtain evidence of satisfactory completion of the course from the program sponsor. Credit will be allowed in the renewal period in which the course is completed.

(I) A licensee residing in another jurisdiction who has met the continuing education requirements for the current biennial renewal period in that jurisdiction will be deemed by the Director to have met the continuing education requirements for license renewal in Vermont.

(J) At the time of license renewal, each licensee must certify on the official renewal form that he or she has complied with the continuing education requirements. The Office may randomly audit licensees to ensure compliance. A licensee who is audited will be notified in writing by the Office and will be required to produce written documentation verifying successful completion of the 30 hours of continuing education during the two-year period at issue. A licensee must maintain such written documentation for a period of three years following the renewal period at issue. The Director may require a licensee who cannot produce such documentation to develop and complete a specific corrective action plan within 90 days, prior to renewal.

(A) An educational activity will be eligible for approval as satisfying the continuing education requirements of these rules if it has significant intellectual and practical content directed at increasing the professional competence of naturopathic physicians, and the activity consists of classroom-style instruction, educational seminars, or self-directed study with substantial written material available, whether conducted by live speakers, lecturers, panel members, video or audiotape presentation, or in written format. If the educational activity consists of classroom-style instruction or seminar, it must be conducted in a classroom or similar setting with a group of not fewer than three individuals.

(B) The activity may be approved by the Director upon a written request for approval. The name of the activity, the number of credits requested, and the names of the instructors and sponsors must be clearly indicated in the written request. Application may be filed by the sponsoring agency or group, or by any participant. Application for advance approval must be filed 90 days before the educational activity has commenced. All applications for approval must be filed within 30 days after the activity is completed.

The Director will assign a maximum number of credit hours to each approved activity.

(C) The Director may refuse to approve any activity if the Director finds the activity:

- (1) is not eligible for accreditation pursuant to the criteria set forth above;
- (2) is sponsored by an individual or group lacking the ability or intention to produce a continuing education activity of sufficiently high quality to improve or maintain a naturopathic physician's professional competence; or

- (3) is not offered in a sufficiently organized fashion or under otherwise adequate circumstances to fulfill the objectives of these rules.

(D) When the Director has approved an activity, the sponsor may so state, including the number of credits for which the activity has been approved.

### **3.4 CHANGE OF NAME OR ADDRESS**

A licensee is responsible for notifying the Office promptly if he or she changes name, mailing address, or business address. Acceptable documentation of change of name includes a notarized copy of a marriage certificate, instrument of change of name from a probate court, or other court order. Acceptable documentation of change of name also includes a notarized copy of current identification, such as a driver's license or Social Security card, in both the former and present names. The Director may require additional documentation at his or her discretion.

### **3.5 PROFESSIONAL STANDARDS**

Licensed naturopathic physicians may be disciplined for unprofessional conduct under 26 V.S.A. § 4132(a) and 3 V.S.A. § 129a. Licensees should note especially that, under 26 V.S.A. § 4132(a)(10), practicing naturopathic medicine outside the scope of training constitutes unprofessional conduct. In addition, 3 V.S.A. § 129(a)(6) provides a ground for discipline in this state if a licensee or applicant has been disciplined in another state for any offense which would constitute unprofessional conduct in Vermont. An administrative law officer may order peer reviews as part of a conditioned license if the licensee is found to have committed unprofessional conduct.

### **3.6 COMPLAINT PROCEDURE**

The Office has a procedure for receiving, investigating, and acting on complaints of unprofessional conduct. Copies of the procedure are available from the Office.

### **3.7 USE OF PRESCRIPTION DRUGS**

(A) A naturopathic physician licensed in this state must adhere to the Naturopathic Physician Formulary Rules promulgated by the Vermont Department of Health in a manner that is consistent with the naturopathic physician's scope of practice. Copies of the Naturopathic Physician Formulary Rules may be obtained from the Office.

(B) Licensed naturopathic physicians may order, prescribe, dispense, and administer certain medications of mineral, animal, or botanical origin only if the treatment or substance being prescribed is clinically effective for the condition for which the patient is seeking health care. The naturopathic physician

must assess whether the natural substances being used in a particular treatment protocol are working for the patient within a safe and reasonable amount of time for the condition being treated. This assessment must be made within the context of naturopathic medical philosophy, the conventional standard of care as defined by such groups as the Vermont Program for Quality, and the patient's choice, as long as adequate information and education is provided to the patient.

(C) If a non-natural substance is found to be substantially safer in treatment or without which a patient's care would be compromised, then nonnatural substances may be added to the formulary.

### **3.8 ADVERTISING**

(A) Twenty-six V.S.A. § 4122 lists five designations that a naturopathic physician licensed in Vermont may use. The five designations are: N.D., Doctor of Naturopathic Medicine, Naturopathic Doctor, Doctor of Naturopathy, and Naturopathic Physician. At least one of the five designations must be featured prominently in any advertising used by a licensee.

(B) A licensee who complies with the law in this way may then use the designation "Dr." in front of his or her name in the advertisement. The purpose of this rule is to prevent deceptive advertising by clearly informing the public that the licensee is a naturopathic physician and not a medical physician, osteopathic physician, or other type of health care practitioner.

(C) The terms "board certified" and "diplomate" imply that the licensee has completed an advanced level of training. A licensee who uses either term or any similar term in advertising his or her practice must also state the area of specialty and the private credentialing organization from which the specialty certification was obtained. The purpose of this rule is to provide the public with complete and accurate information about the licensee's credentials and level of training.

### **3.9 NATUROPATHIC CHILDBIRTH**

No licensee may practice naturopathic childbirth without first obtaining a special endorsement on his or her license. To obtain this endorsement, a licensee must:

(A) Show evidence of completion of a naturopathic childbirth or midwifery program from an approved naturopathic college or hospital and furnish a signed log showing evidence that sections (1), (2) and (3) of this subsection have been completed under the direct supervision of a licensed practitioner with specialty training in obstetrics or natural childbirth.

(1) The licensee must taken part in the care of 50 cases each in prenatal and postnatal care. One case may qualify for both areas of care.

(2) The licensee must have observed and assisted in the intrapartum care and delivery of 50 natural childbirths in a hospital or alternative birth setting 3 of which must have occurred within the last two years. A minimum of 26 of these births must be under the supervision of a naturopathic physician. No more than 10 of the 50 births may be under the supervision of a medical doctor (allopathic or osteopathic physician). No more than 10 of the births may be observation only. A labor and delivery that starts under the care of a naturopathic physician and includes hospitalization shall count as a birth.

(3) The course work must consist of at least 200 hours in naturopathic childbirth.

(B) Hold a current cardiopulmonary resuscitation certification for adults and newborns and for neonatal resuscitation. The Director will accept courses in external cardiopulmonary resuscitation which are approved by the Vermont Heart Association or the American Red Cross and for courses in neonatal resuscitation approved by the American Academy of Pediatrics (AAP).

(C) Pass a specialty examination in naturopathic childbirth approved by the Director. The Director, or designee, will administer the specialty examination in naturopathic childbirth at least once each year if applications are pending. A licensee may sit for this examination in another state and have the results of the examination transferred to this state.

(D) File with the Director a written plan for consultation with other health care providers for emergency transfer and transport of an infant or a maternity patient, or both, to an appropriate health care facility. The written plan must be submitted to the Director on an approved form with the initial application for special endorsement and with every subsequent renewal of the special endorsement.

(E) Applicants under this section requesting a special endorsement who have not passed the naturopathic childbirth exam within the two years preceding the application shall show evidence of completion

of the continuing education requirements required by this section.

(F) Licensees possessing a special endorsement to practice naturopathic childbirth must, as a condition of renewal:

(1) obtain 15 hours in naturopathic childbirth continuing education during each two-year renewal period. A course in neonatal resuscitation may count toward these 15 hours. Ten of the 15 hours may be applied to general requirements for continuing education. See Rule 3.2 above (continuing education requirements).

(2) submit proof of current cardiopulmonary resuscitation certification for adults and newborns and for neonatal resuscitation biennially, with each license renewal. See subsection (B) above.

(3) have performed 3 natural childbirths in the preceding two year renewal period.

(G) Licensing or disciplinary action by an Administrative Law Officer or judicial authority shall be deemed to have an equal effect upon a special endorsement to practice naturopathic childbirth issued to a licensee, unless specifically provided otherwise in the licensing or disciplinary action. When the subject of a licensing or disciplinary proceeding relates specifically to the practice of naturopathic childbirth by a licensee who possesses a special endorsement, the licensing or disciplinary action may, instead of affecting the entire scope of the licensee's practice, suspend, revoke, condition, or restrict only the licensee's authority under the special endorsement.

### **3.10 INFORMED CONSENT FOR NATUROPATHIC CHILDBIRTH**

(A) Before accepting a client for prenatal and natural childbirth, the naturopathic physician must first obtain a written informed consent. Informed consent must be shown in a written statement and signed by the ND and the client to whom care is to be given, in which the ND certifies that full disclosure has been made and acknowledged by the client of the following:

(1) The naturopathic physician's credentials.

(2) A copy of the written plan for consultation, emergency transfer, and transport.

(3) A description of the procedures, benefits, and risks of home birth.

(B) The informed consent form must be filed in the client's chart, and a copy must be provided to the client.

### **3.11 SCOPE AND PRACTICE STANDARDS FOR NATUROPATHIC CHILDBIRTH**

(A) Prenatal Care:

(1) Information: The client will be presented accurate information conforming to the requirements of informed consent and also including but not limited to:

(a) Financial charges for services

(b) Services the ND provides, and the advantages and disadvantages of home birth.

(c) Client responsibilities.

(d) Values and ethics of practice.

(e) Information on emergency consultation, transfer, and transport.

(f) Choices regarding prenatal lab testing, including but not limited to sexually transmitted diseases, blood type and antibody screen, CBC, rubella, HIV, Hepatitis B, and urinalysis.

(2) History and Physical Assessment: At the initial prenatal visit, a personal and health history will be obtained, including medical history, family history, current pregnancy history, nutritional history, and physical assessment, including review of systems and prenatal care.

(3) On-going Prenatal Care: Will be conducted in such a way as to promote the health of the client and baby, screen for problems, develop a relationship with the client and family, exchange information, and do a physical assessment of the prenatal health.

(4) Prenatal visits should occur every four weeks through the 32<sup>nd</sup> week, every two weeks until the 36<sup>th</sup> week, and weekly thereafter. The prenatal visit includes:

(a) Physical evaluation including weight, blood pressure, urine screen, fetal heart tones, fundal heights, fetal growth, fetal position and presentation.

(b) Discussion during these visits includes: recent illnesses, social or emotional problems, diet, supplements, exercise for pregnancy, birth preparation, partner's role, transport arrangements, newborn care, postpartum care, and parenting.

(5) Parents' Responsibilities:

- (a) Obtain all supplies on birth list.
  - (b) Have an accessible telephone.
  - (c) Have adequate light, heat, water, cleanliness, and accessibility.
  - (d) Post all emergency phone numbers.
  - (e) Make child care arrangements.
  - (f) Arrange for help after the birth.
- (6) Naturopathic Physician's Responsibilities:
- (a) Alert parents to signs of labor and when to call.
  - (b) Alert parents to signs of complications that necessitate immediate contact with the naturopathic physician.
  - (c) Be on call or have on-call arrangements if out of town.
  - (d) Arrange for a birth assistant.
  - (e) Make a home visit before the 37<sup>th</sup> week.
  - (f) Maintain appropriate equipment for assessing maternal, fetal, and newborn well being, carry anti-hemorrhagic agents, supplies to maintain asepsis, and emergency resuscitation equipment.
  - (g) Maintain a record of the care provided and data gathered for each client, subject to the federal medical records laws and those of the State of Vermont regarding accessibility and confidentiality.
- (7) Discontinuation of Services:
- (a) During prenatal care, a naturopathic physician shall evaluate a client and baby and determine continuing appropriateness for the home birth. All concerns shall be shared with the client. If an impasse is reached between what is deemed appropriate by the naturopathic physician and the client or family, it is the right of the ND to refuse or discontinue service and to make appropriate referrals when indicated for the protection of the client, baby, and naturopathic physician.
- (B) Labor, Birth, and Immediate Postpartum:
- (1) Labor: During labor and birth, the naturopathic physician shall use all of the resources available to assure and enhance the well being of the mother and baby.
  - (2) The naturopathic physician's labor responsibilities include:
    - (a) Assessing the well being of the laboring woman and baby, fetal heart tones, blood pressure, maternal temperature, position and presentation of the baby, and client's attitude, ability, and energy to cope with labor. A vaginal examination will be performed as necessary to assess progress of labor. Aseptic technique shall be observed with use of OSHA and VOSHA regulations relevant to home birth.
    - (b) Provide adequate fluid and nutrition throughout the labor, provide support and encouragement during the birth process, assist with delivery of the placenta, manage interpartum hemorrhage, and perineal repair as needed.
  - (3) Immediate Care of Newborn: Following the birth the naturopathic physician shall:
    - (a) Maintain a warm environment for the baby.
    - (b) Assess newborn using APGAR scoring and provide appropriate care; continue assessment of newborn vital signs.
    - (c) Encourage and support breast feeding or proper nutrition and feeding habits.
    - (d) Conduct a newborn exam, offering vitamin K and eye prophylaxis.
  - (4) Immediate Postpartum Care: Following the birth, the naturopathic physician shall remain with the client and baby until both are stable and secure and at least two hours have passed since the birth. During this time, the naturopathic physician shall assess maternal well being, bleeding, blood pressure, and uterine size and consistency, examine the perineum, and repair if necessary. Assess the client's ability to urinate and be ambulatory. Postpartum instructions shall be given including information on normal postpartum bleeding, appropriate size and consistency of uterus, perineal care and hygiene, rest and nutritional requirements, breast feeding, newborn care, and indications which warrant contacting the naturopathic physician.
- (C) Postpartum Follow-up Care: Postpartum visits are recommended at 24 hours, day 3, one week, three weeks and six weeks, with phone consultation as necessary. During these visits, the mother is assessed for normal postpartum recovery and health, breast feeding status, uterine status, lochia status, normal bowel and urinary output, nutritional status and emotional status. The baby is assessed for overall well being, normal nursing or feeding habits, jaundice of the newborn, activity level, growth, vital signs, bowel and urinary patterns, umbilical assessment, and neurological evaluation. A blood sample for newborn metabolic screening shall be obtained after 24 hours and submitted as required by the Vermont Department of Health newborn screening program.
- (D) Final Postpartum Visit: A six to eight week final visit for mother and baby. At this time, the

naturopathic physician shall make inquiries concerning breast feeding, feeding habits, bleeding, activity level, family adjustments, and sexual activity, perform a gynecological exam with a pap smear, and discuss family planning or birth control. Provisions shall be made for ongoing well child care.

### 3.12 WRITTEN PLAN FOR CONSULTATION, EMERGENCY TRANSFER, AND TRANSPORT

(A) The naturopathic physician recognizes that there are certain conditions when medical consultation or transfers, or both, are advisable. Each naturopathic physician practicing naturopathic childbirth must develop a written plan for consultation with other health appropriate care providers, including at least one M.D. or D.O., for emergency transfer and transport of an infant or mother to the appropriate health care facility. The written plan must be submitted to the Director on an approved form with the initial license application and with every subsequent license renewal.

(B) Prenatal Medical Conditions: If the following medical conditions present during prenatal care, the naturopathic physician shall consult with the appropriate health care provider:

- (1) Possible ectopic pregnancy.
- (2) Multiple gestation.
- (3) Persistent breech presentation at 36 weeks.
- (4) Signs and symptoms of preeclampsia.
- (5) Suspected post-maturity.
- (6) Polyhydramnios and oligohydramnios.
- (7) Indications that the fetus has died in utero.
- (8) Development of any medical condition potentially detrimental to the pregnancy or the well being of the fetus.
- (9) Hyperthyroidism currently treated by medication.
- (10) Acute Toxoplasmosis, Rubella, Cytomegalovirus, or Parvovirus infection, where the client is currently symptomatic.
- (11) Second or third trimester bleeding.
- (12) History of intrauterine death after 20 weeks gestation, or stillbirth due to a situation which might recur.
- (13) Previous myomectomy.
- (14) Tuberculosis.

(C) Transfer: If the following conditions become apparent during prenatal care, the naturopathic physician shall transfer the client to hospital care for the birth. The naturopathic physician may continue to give co-care and accompany the mother at the birth:

- (1) Placenta previa or placental abruption.
- (2) Preeclampsia.
- (3) Transverse fetal position.
- (4) Testing positive for HIV.
- (5) Suspected premature labor, less than 36 weeks of pregnancy.
- (6) Premature labor (gestation less than 36 weeks).
- (7) Thrombosis.
- (8) Primary or active Herpes simplex cervical or vaginal lesion at the time of delivery.
- (9) Premature rupture of membranes at 37 weeks or less with a positive GBS.

(D) Labor and Birth Transfer: If the following conditions become apparent during labor, birth, or immediate postpartum, the naturopathic physician shall facilitate transfer to a hospital setting if time allows or consult with an OB/GYN to determine whether and when transfer is advisable:

- (1) Malpresentation.
- (2) Multiple gestation.
- (3) Fetal distress as indicated by fetal heartbeat monitoring or gross meconium staining.
- (4) Client distress.
- (5) Prolapsed cord.
- (6) Uncontrolled maternal hemorrhage or retained placenta.
- (7) Signs of maternal or fetal infection.
- (8) All stage 4 and any maternal perineal lacerations beyond the naturopathic physician's ability to repair.
- (9) APGAR score of less than seven at ten minutes or fetal distress not responding to CPR.

- (10) Any newborn whose vital signs are absent or exhibiting signs of respiratory distress.
- (11) Obvious congenital anomalies.
- (12) Active A hepatitis.
- (13) Thrombosis.

(E) Decision-making Conflicts: If the client chooses to remain at home against the medical advice of the naturopathic physician during the interpartum period, the naturopathic physician may refer them to an alternative birth provider. If the birth is imminent, the naturopathic physician will leave only if the naturopathic physician has made reasonable attempts to assure that the client is not unattended (i.e., calling an ambulance).

### 3.13 UNCOMPLICATED CHILDBIRTH

(A) Uncomplicated naturopathic childbirth is the provision of care, support and education to healthy women during the childbearing cycle, including normal pregnancy, labor, childbirth and the postpartum period. There are certain pre-existing medical conditions which may prevent the ability to have a natural home birth assisted by a naturopathic physician.

(B) If a history of any of the following disorders or situations is found to be present at the initial interview or if any of the following disorders or situations becomes apparent through history, examination, or laboratory report as prenatal care proceeds, the naturopathic physician must not assume or continue to take responsibility for the client's pregnancy and birth care. For clients already under care, it is the responsibility of the naturopathic physician to arrange for orderly transfer of care to a licensed M.D. or D.O.

- (1) Uncontrolled insulin dependent diabetes mellitus.
- (2) Uncontrolled epilepsy.
- (3) Active non-A hepatitis.
- (4) HIV positive.
- (5) Current alcohol or drug addiction.
- (6) Rh sensitivity with positive antibody titer.
- (7) Previous cesarean delivery, except as provided for in Rule 3.14, below.

### 3.14 PREVIOUS CESAREAN DELIVERY

The following requirements must be met for vaginal birth after cesarean (VBAC). In addition, prenatal consultation is advised when available.

(1) The naturopathic physician must obtain records to ascertain that the client had only one documented previous lower uterine segment cesarean section with uterine closure of more than one layer.

(2) There must be at least 18 months from the client's cesarean to the due date of the current pregnancy.

(3) The client must obtain ultrasound documentation to determine that the location of the placenta is not previa or is not low and anterior.

(4) Signed informed consent must be present in the client's chart. See Appendix A.

(5) The naturopathic physician must perform fetal auscultation at least every 15 minutes during active labor and more frequently if necessary and at least every five minutes during the second stage of labor and more frequently if necessary.

(6) The birth site must be located within 30 minutes' transport time from a hospital emergency room.

(7) A naturopathic physician must be accompanied by another licensed physician or midwife.

(8) No labor induction or augmentation of any kind must be done. Specific examples of labor induction or augmentation prohibited by this section include administration of pitocin or its congeners, or stimulation of the release of pitocin by nipple stimulation, or the use of prostaglandin preparations. This section does not prohibit the use of calmatives, sedative or analgesic preparations that are not primarily intended to induce or augment labor, and that are included in the naturopathic physician formulary when, in the judgment of the naturopathic physician, their use for their calmatives, sedative or analgesic effects is indicated.

(9) Pre-admission forms must be completed for the client before labor, for the hospital to which the client may possibly be transferred.

(10) Prenatal records for the client must be sent before labor to the back-up system for the birth (hospital, labor and delivery unit, or physician practice).