



The College of Naturopaths of Ontario

# Standard of Practice

## Scope of Practice



### Introduction

The intent of this standard is to advise Members with respect to the expectations concerning Members as providers of naturopathic services and as responders to general health-related questions.

### Definitions

Act: means the *Naturopathy Act, 2007*.

Controlled Act: means any diagnostic or therapeutic procedure listed in section 27(2) of the Regulated Health Professions Act (RHPA) that is authorized to certain regulated health professionals in providing patient care.

DPRA: means the *Drug and Pharmacies Regulation Act, 1990*.

Public Domain: means any diagnostic or therapeutic procedure other than those listed in section 27(2) of the RHPA that any regulated health professional may utilize in the course of providing care.

RHPA: means the *Regulated Health Professions Act, 1991*.

## 1. Scope of Practice

*The practice of naturopathy is the assessment of diseases, disorders and dysfunctions and the naturopathic diagnosis and treatment of diseases, disorders and dysfunctions, using naturopathic techniques to promote, maintain, or restore health.*

## 2. Controlled Acts

*In the course of engaging in the practice of naturopathy, a Member is authorized, subject to the terms, conditions and limitations imposed on his or her certificate of registration, to perform the following:*

- 1. Putting an instrument, hand or finger beyond the labia majora but not beyond the cervix.*
- 2. Putting an instrument, hand or finger beyond the anal verge but not beyond the rectal-sigmoidal junction.*
- 3. Administering, by injection or inhalation, a prescribed substance.*
- 4. Performing prescribed procedures involving moving the joints of the spine beyond the individual's usual physiological range of motion using a fast, low amplitude thrust.*
- 5. Communicating a naturopathic diagnosis identifying, as the cause of an individual's symptoms, a disease, disorder or dysfunction that may be identified through an assessment that uses*

*naturopathic techniques.*

6. *Taking blood samples from veins or by skin pricking for the purpose of prescribed naturopathic examinations on the samples.*
7. *Prescribing, dispensing, compounding or selling a drug designated in the regulations.*

### **3. Diagnostic and Therapeutic Procedures**

*A Member shall take reasonable steps to ensure that any proposed diagnostic or therapeutic procedure to be used for the benefit of a patient relates to the naturopathic scope of practice.*

*In order to perform a diagnostic or therapeutic procedure, a Member shall:*

- *achieve, maintain and be able to demonstrate clinical competency (e.g., examination, certification, or proof of training) in the diagnostic or therapeutic procedure.*

*A Member shall obtain the patient's consent to the use of the diagnostic or therapeutic procedure, consistent with Standard of Practice for Informed Consent, that is:*

- *fully informed;*
- *voluntarily given;*
- *related to the patient's condition and circumstances;*
- *not obtained through fraud or misrepresentation; and*
- *evidenced in a written form signed by the patient or otherwise documented in the patient health record.*

*If a proposed diagnostic or therapeutic procedure does not fall within the naturopathic scope of practice and the knowledge, skill and judgment of a member, a Member should not use the diagnostic or therapeutic procedures in their professional capacity.*

### **4. Responding to General Health-Related Questions**

*A Member is restricted from treating or advising outside the naturopathic scope of practice, when it is reasonably foreseeable that serious bodily harm may result by section 30 (1) of the RHPA as follows:*

*30 (1) No person, other than a member treating or advising within the scope of practice of his or her profession, shall treat or advise a person with respect to his or her health in circumstances in which it is reasonably foreseeable that serious bodily harm may result from the treatment or advice or from an omission from them.*

*In responding to general health-related questions by patients that relate to controlled acts outside the naturopathic scope of practice (such as questions relating to a drug as defined in the DPRA not authorized to the profession, performing surgery and administering vaccinations), a member shall:*

- Advise the patient that the performance of the act is outside the naturopathic scope of practice and refer the patient to a health professional who has the act within his/her scope of practice;
- Respond in a professional, accurate and balanced manner in the context of providing primary health care to the patient consistent with the naturopathic scope of practice; and
- Encourage the patient to be an active participant in his/her own health care which allows the patient to make fully informed decisions concerning his/her health care.

## 5. Offences

40 (1) Every person who contravenes subsection ... 30 (1) is guilty of an offence and on conviction is liable,

- (a) for a first offence, to a fine of not more than \$25,000, or to imprisonment for a term of not more than one year, or both; and
- (b) for a second or subsequent offence, to a fine of not more than \$50,000, or to imprisonment for a term of not more than one year, or both.

## 6. Mandatory Referral

A member is required under Ontario Regulation 168/15 to make a referral to another regulated health professional under the following circumstances:

1. If a patient's life is or may be at risk, it is a standard of practice of the profession that the member shall immediately call emergency services to transfer the patient to a hospital.
2. If the patient's condition prevents the member from communicating a naturopathic diagnosis because the condition is beyond the scope of practice of the profession, it is a standard of practice of the profession that the member shall refer the patient to,
  - a) a member of the College of Physicians and Surgeons of Ontario;
  - b) a member of the College of Nurses of Ontario who holds a certificate of registration as a registered nurse in the extended class; or
  - c) a member of a another health profession College where the patient's condition would fall within that member's scope of practice under his or her health profession Act.
3. If treatment of the patient's condition is beyond the scope of practice of the profession, it is a standard of practice of the profession that the member shall refer the patient to,
  - a) a member of the College of Physicians and Surgeons of Ontario;
  - b) a member of the College of Nurses of Ontario who holds a certificate of registration as a registered nurse in the extended class; or
  - c) a member of another health profession College where the patient's condition would fall within that member's scope of practice under his or her health profession Act.
4. If the treatment of the patient's condition requires diagnostic, monitoring or treatment related technology that is beyond the scope of practice of the profession, it is a standard of practice of

*the profession that the member shall refer the patient to,*

- a) *a member of the College of Physicians and Surgeons of Ontario; or*
  - b) *a member of another health profession College where the diagnostic, monitoring or treatment related technology would fall within that member's scope of practice.*
5. *If the patient or the patient's authorized representative asks the member to refer the patient to another member or a member of another health profession College, it is a standard of practice of the profession that the member shall immediately make the referral in accordance with the request of the patient or his or her authorized representative.*
  6. *It is a standard of practice of the profession that the member must immediately refer the patient to a member of the College of Physicians and Surgeons of Ontario or a member of the College of Nurses of Ontario who holds a certificate of registration as a registered nurse in the extended class if the patient's laboratory test result from a laboratory licensed under the Laboratory Specimen Centre Collection Licensing Act is a critical value test result.*
  7. *It is a standard of practice of the profession that the member must refer the patient to a member of the College of Physicians and Surgeons of Ontario or a member of the College of Nurses of Ontario who holds a certificate of registration as a registered nurse in the extended class if the response of a patient to the treatment offered by a member is not adequate and is not likely to improve based on alternative treatments available from the member, or if the patient's condition significantly deteriorates and is likely to continue to do so without a referral.*

## **7. Implications of Failure to Comply**

*A member is reminded that they may be the subject of an inquiry, complaint or report concerning the provision of naturopathic services or discussions related to general health-related questions from patients.*

*The Inquiries, Complaints and Reports Committee (ICRC), composed of elected (naturopath), appointed (public) and non-council (naturopath) committee members will review any inquiry, complaint or report to determine the member's compliance with all regulations and relevant standards of practice including this policy.*

*In exercising its discretion, the ICRC may consider if the discussions with the patient relating to general health-related questions were consistent with this policy, the regulations and standards of practice of the profession.*

## **8. Legislative Context**

*In addition to the legislative provisions outlined above, members are reminded that the following are acts of professional misconduct under Ontario Regulation 17/14 (Professional Misconduct):*

1. *Contravening, by act or omission, a standard of practice of the profession or failing to maintain the standard of practice of the profession.*
3. *Doing anything to a patient for a therapeutic, preventative, palliative, diagnostic or other health-*

*related purpose except,*

- *i. with the informed consent of the patient or the patient's authorized representative, or*
  - *ii. as required or authorized by law.*
4. *Failing to reveal the exact nature of a substance or treatment used by the member following a request by a patient or a patient's authorized representative to do so.*
  7. *Recommending or providing treatment that the member knows or ought to know is unnecessary or ineffective.*
  8. *Providing or attempting to provide services or treatment that the member knows or ought to know to be beyond the member's knowledge, skill or judgment.*
  9. *Failing to advise a patient or the patient's authorized representative to consult another member of a health profession within the meaning of the Regulated Health Professions Act, 1991, when the member knows or ought to know that the patient requires a service that the member does not have the knowledge, skill or judgment to offer or is beyond his or her scope of practice.*
  10. *Performing a controlled act that the member is not authorized to perform.*
  11. *Performing a controlled act that was delegated to the member by another person unless the member has the knowledge, skill and judgment to perform the controlled act.*
  23. *Failing to keep records in accordance with the standards of the profession.*
  26. *Making a claim respecting a drug, substance, remedy, treatment, device or procedure other than a claim that can be supported as reasonable professional opinion.*
  27. *Permitting the advertising of the member or his or her practice in a manner that is false or misleading or that includes statements that are not factual and verifiable.*
  36. *Contravening, by act or omission, a provision of the Act, the Regulated Health Professions Act, 1991 or the regulations under either of those Acts.*
  37. *Contravening, by act or omission, a law if,*
    - *i. the purpose of the law is to protect or promote public health, or*
    - *ii. the contravention is relevant to the member's suitability to practise.*
  48. *Failing to make reasonable attempts to collaborate with the patient's other relevant health care providers respecting the care of the patient, where such collaboration is necessary for the patient's health, unless the patient refuses to consent.*

## **Related Standards**

Communicating a Diagnosis  
Compounding  
Consent  
Dispensing  
Fees and Billing  
Injection

Internal Examinations  
Intravenous Infusion Therapy  
Performing Authorized Acts  
Prescribing  
Record Keeping  
Recommending Non-Scheduled Substances  
Selling

## **Legislative Framework**

[Naturopathy Act, 2007](#)

[Professional Misconduct Regulation](#)

[General Regulation](#)

[Regulated Health Professions Act, 1991](#)

[Drug and Pharmacies Regulation Act, 1990](#)

[Health Care Consent Act, 1996](#)

### ***Disclaimer***

*In the event of any inconsistency between this standard and any legislation that governs the practice of Naturopathic Doctors, the legislation shall govern.*