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CS FOR HOUSE BILL NO. 266(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Offered:

Referred:

Sponsor(s): REPRESENTATIVES MUÑOZ, TUCK, AND THOMPSON, Kerttula, Keller, Miller, Kawasaki

A BILL**FOR AN ACT ENTITLED****"An Act relating to the practice of naturopathy; and providing for an effective date."****BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:***** Section 1.** AS 08.45.050 is amended to read:**Sec. 08.45.050. Restrictions on practice of naturopathy.** A person who practices naturopathy may not

(1) give, prescribe, or recommend in the practice

(A) a prescription drug, except as provided in (b) of thissection;

(B) a controlled substance;

(C) a poison;

(2) engage in surgery;

(3) use the word "physician" in the person's title.

*** Sec. 2.** AS 08.45.050 is amended by adding new subsections to read:

(b) Notwithstanding (a)(1)(A) of this section, a person who practices naturopathy may give, prescribe, or recommend in the practice a device or a

homeopathic remedy.

(c) The status of a drug or remedy that a naturopath may give, prescribe, or recommend under this chapter or may not give, prescribe, or recommend under this chapter is not changed by compounding the drug or remedy.

(d) Nothing in this section authorizes naturopaths to give or prescribe a drug or remedy if the gift or purchase under the prescription would be eligible for Medicaid reimbursement under AS 47.07.

* Sec. 3. AS 08.45.060 is amended to read:

Sec. 08.45.060. Grounds for suspension, revocation, or refusal to issue a license. The department may, after a hearing, impose a disciplinary sanction on a person licensed under this chapter when the department finds that the licensee

(1) secured a license through deceit, fraud, or intentional misrepresentation;

(2) engaged in deceit, fraud, or intentional misrepresentation in the course of providing professional services or engaging in professional activities;

(3) advertised professional services in a false or misleading manner;

(4) has been convicted of a felony or other crime that affects the licensee's ability to continue to practice competently and safely;

(5) failed to comply with this chapter, with a regulation adopted under this chapter, or with an order of the department;

(6) continued to practice after becoming unfit due to

(A) professional incompetence;

(B) addiction or severe dependency on alcohol or a drug that impairs the licensee's ability to practice safely;

(C) physical or mental disability;

(7) engaged in lewd or immoral conduct in connection with the delivery of professional service to patients;

(8) has procured, sold, prescribed, or dispensed drugs in violation of a law regardless of whether there has been a criminal action.

* Sec. 4. AS 08.45.200(3) is amended to read:

(3) "naturopathy" means the use of hydrotherapy, a dietetic remedy

1 [DIETETICS], an herbal remedy, a homeopathic remedy, electrotherapy,
2 sanitation, suggestion, or mechanical and manual manipulation for the stimulation of
3 physiological and psychological action to establish a normal condition of mind and
4 body [; IN THIS PARAGRAPH, "DIETETICS" INCLUDES HERBAL AND
5 HOMEOPATHIC REMEDIES].

6 * **Sec. 5.** AS 08.45.200 is amended by adding new paragraphs to read:

7 (4) "dietetic remedy" means nutritional therapy, nutritional counseling,
8 a nutritional substance, vitamins, or minerals used to promote health and to diagnose,
9 treat, or prevent disease, illness, or conditions;

10 (5) "herbal remedy" means a substance derived from or a concentrate
11 or extract of a plant, tree, root, moss, or fungus;

12 (6) "homeopathic remedy" means a remedy defined in the current
13 version of Homeopathic Pharmacopoeia of the United States;

14 (7) "hydrotherapy" means the application of water to the external body
15 in all forms and temperatures to promote health and to diagnose, treat, and prevent
16 disease, illness, and conditions.

17 * **Sec. 6.** AS 47.07.030 is amended by adding a new subsection to read:

18 (g) Notwithstanding (b) of this section, the department may not offer services
19 for prescribed drugs given or prescribed by a naturopath.

20 * **Sec. 7.** This Act takes effect immediately under AS 01.10.070(c).