

Alaska Administrative Code 12 Chapter 42 – Naturopaths

Article

1. Licenses, Permits, and Examinations. (12 AAC 42.010 - 12 AAC 42.050)
2. General Provisions. (12 AAC 42.900 - 12 AAC 42.990)

Article 1: Licenses, Permits, and Examinations

Section

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12 AAC 42.010. Application for license

An applicant for a license to practice naturopathy shall submit to the division

- (1) a completed application on a form provided by the division;
- (2) any applicable fees required in 12 AAC 02.270;
- (3) official school or college transcripts documenting all education that meets the requirements of AS 08.45.030;
- (4) a certified copy of the applicant's transcripts of the results of the examinations described in AS 08.45.030, if applicable; and
- (5) a verification of a valid license to practice naturopathy in another state, if applicable.

History: Eff. 7/28/94, Register 131

Authority: AS 08.01.050, AS 08.45.020, AS 08.45.030, AS 08.45.100

12 AAC 42.020. Temporary license

- (a) An applicant for a license to practice naturopathy is eligible for a temporary license if the applicant meets the requirements of AS 08.45.035 and submits
 - (1) the documents specified in 12 AAC 42.010(1), (3), and (5);
 - (2) the temporary license fee established in 12 AAC 02.270;
 - (3) an affidavit signed by the applicant confirming that the applicant has not previously taken and failed the NPLEX examination;
 - (4) verification from another licensing jurisdiction that the applicant is scheduled to take the next regularly scheduled NPLEX examination after the date of application, unless the applicant is scheduled for the next NPLEX examination in this state; and
 - (5) a statement signed by the naturopath licensed in this state in whose office the applicant will practice while holding a temporary license; the statement must include the address of the location where the temporary license holder will practice.
- (b) A temporary license holder must notify the division in writing before transferring to practice at a location other than the location submitted to the division under (a)(5) of this section. The written notification of transfer must include the name, practice address, and signature of the naturopath licensed in this state in whose office the temporary permit holder will practice.

History: Eff. 7/28/94, Register 131

Authority: AS 08.01.050, AS 08.45.035, AS 08.45.100

12 AAC 42.030. Examinations

- (a) An applicant who graduated from a school of naturopathy after December 31, 1987 shall document having passed the basic science, clinical, and homeopathic sections of the NPLEX examination.
- (b) To pass the NPLEX examination, the applicant must achieve at least the minimum score determined by the Naturopathic Physicians Licensing Examination as the passing point for that examination.
- (c) The division will offer the NPLEX examination on the dates established by the Naturopathic Physicians Licensing Examination.
- (d) To be scheduled for an examination, an applicant must meet the requirements of 12 AAC 42.010, at least 60 days before the date set for that examination.
- (e) An applicant who fails one or more sections of the NPLEX examination may retake only the sections failed.

History: Eff. 7/28/94, Register 131

Authority: AS 08.01.050, AS 08.45.020, AS 08.45.030, AS 08.45.100

12 AAC 42.040. License renewal

- (a) A license to practice naturopathy expires on March 31 of even-numbered years. A license may be renewed by the division, if the licensee continues to meet the requirements of AS 08.45 and this chapter.
- (b) To renew a license to practice naturopathy, a licensee shall submit a completed renewal application on a form provided by the division and pay the license renewal fee established in 12 AAC 02.270.

History: Eff. 7/28/94, Register 131

Authority: AS 08.01.100, AS 08.45.100

12 AAC 42.050. Reinstatement of a lapsed license

The division will reinstate a license that has been lapsed for more than 60 days but less than five years if the applicant

- (1) submits a completed renewal application on a form provided by the division;
- (2) pays the penalty fee required in 12 AAC 02.105; and
- (3) pays the license renewal fee required in 12 AAC 02.270 for the current renewal period and each licensing period since the date the license lapsed.

History: Eff. 7/28/94, Register 131

Authority: AS 08.01.100, AS 08.45.100

Article 2: General Provisions

Section

- 900. Disclosure.
- 990. Definitions.

12 AAC 42.900. Disclosure

- (a) A licensee shall disclose that the licensee's training and practice is in naturopathy
 - (1) to each patient by posting a conspicuous notice in the patient waiting room; and
 - (2) by using the initials "N.D." after the licensee's written name, or, if the prefix "Doctor" or "Dr." is used, by including the phrase "doctor of naturopathic medicine" after or below the licensee's name on written material made available to patients or the public.
- (b) A licensee who is not covered by malpractice insurance shall
 - (1) post a conspicuous notice in the patient waiting room that states the licensee does not have malpractice insurance; or
 - (2) require each patient or the patient's legal guardian to sign a statement acknowledging that the patient or the patient's guardian has been informed that the licensee is not covered by malpractice insurance.
- (c) If the licensee has a patient who is blind or otherwise unable to read the written disclosures required by this section, the licensee shall

- (1) verbally disclose to the patient at the initial visit that the licensee's training and practice is in naturopathy; and
- (2) if the licensee is not covered by malpractice insurance, verbally disclose that fact to the patient at the initial visit and at least once each year that the patient receives care from the licensee.

History: Eff. 7/28/94, Register 131

Authority: AS 08.45.040, AS 08.45.100

12 AAC 42.990. Definitions

In AS 08.45 and in this chapter,

- (1) "dietetics" includes the use of nutritional therapies, nutritional counseling, nutritional substances, vitamins, minerals, and supplements to promote health and to diagnose, treat, and prevent disease, illness, and conditions;
- (2) "division" means the division assigned occupational licensing functions in the Department of Commerce, Community, and Economic Development;
- (3) "herbal remedy" includes medicines derived from or a concentrate or extract of a plant, tree, root, moss, fungus, or other natural substance; "herbal remedy" does not include a controlled substance;
- (4) "homeopathic remedy" means a remedy defined in the Homeopathic Pharmacopoeia of the United States (December 1993 revision);
- (5) "hydrotherapy" means the use of water in all forms and temperatures to promote health and to diagnose, treat, and prevent disease, illness, and conditions;
- (6) "NPLEX" means the Naturopathic Physicians Licensing Examination;
- (7) "poison" means a substance given in a manner that has a likelihood of causing physical injury or death;
- (8) "prescription drug" includes a controlled substance or other medicine commonly requiring a written prescription from a physician licensed under AS 08.64; "prescription drug" does not include a device or herbal or homeopathic remedy or dietetic substance in a form that is not a controlled substance;
- (9) "sanitation" means the use of an antiseptic, disinfectant, bactericide, pediculicide, virucide, soap, detergent, and light to promote health and to diagnose, treat, and prevent disease, illness, and conditions;
- (10) "suggestion" means the use of education, counseling, teaching, meditation, and assessment to promote health of mind and body and to diagnose, treat, and prevent disease, illness, and conditions;
- (11) "surgery" means the use of a scalpel, sharp cutting instrument, laser, electrical current, or other device to incise or remove living tissue; "surgery" does not include venipuncture or the removal of foreign objects from external tissue.

History: Eff. 7/28/94, Register 131; am 12/7/2006, Register 180

Authority: AS 08.45.100, AS 08.45.200

Editor's note: A copy of the Homeopathic Pharmacopoeia of the United States may be obtained from the Order Department of the Homeopathic Pharmacopoeia Convention of the United States, P.O. Box 80185, Valley Forge, Pennsylvania 19184; phone: (610) 783-5124; Fax: (610) 783-5180.

As of Register 171 (October 2004), the regulations attorney made technical revisions under AS 44.62.125(b)(6) to reflect the name change of the Department of Community and Economic Development to the Department of Commerce, Community, and Economic Development made by ch. 47, SLA 2004 and the corresponding title change of the commissioner of community and economic development.