

# LEGAL SERVICES

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## MEMORANDUM

January 10, 2011

**SUBJECT:** Creation of a Naturopathic Medical Board; sectional summary  
(Work Order No. 27 LS-0148\I)

**TO:** Representative Cathy Muñoz  
Attn: Kendra Kloster

**FROM:** Lisa Moritz Kirsch *KK for CMK*  
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

**Section 1.** Applies the chapter governing centralized licensing (AS 08.01) to the Naturopathic Medical Board created in Sec. 4.

**Section 2.** Allows the Naturopathic Medical Board to request that the Department of Commerce, Community, and Economic Development contract with entities to provide assistance and treatment for licensed naturopaths who abuse alcohol, other drugs, or other substances.

**Section 3.** Establishes a termination date of June 30, 2015, for the Naturopathic Medical Board.

**Section 4.** Creates the Naturopathic Medical Board, establishes the number of members, their terms, and the qualifications for the members. Grants the governor discretion to appoint from licensed naturopaths recommended by the Alaska Association of Naturopathic Physicians, and the power to remove members for just cause. Provides a process for filling vacancies to cover an unexpired term. Provides the duties and powers of the board.

**Section 5.** Requires the board to request that the department issue a license to practice naturopathy to an applicant who has provided proof satisfactory to the board that the applicant is qualified and has paid the applicable fees.

**Section 6.** Requires the board to request that the department issue a temporary license to practice naturopathy to an applicant who has provided proof satisfactory to the board that the applicant is qualified to take the next licensing examination and has paid the applicable fees.

**Section 7.** Adds a new section defining the scope of practice of naturopaths, allowing naturopaths to administer and prescribe drugs, vaccines, hormones, and medical devices.

**Section 8.** Eliminates the bar preventing naturopaths from giving, or recommending prescription drugs (other than controlled substances), allows a naturopath to use the word "physician" in the naturopath's title, and prohibits a naturopath from using general or spinal anesthetics or administering ionizing radioactive substances.

**Section 9.** Adds a new section creating continuing education requirements.

**Section 10.** Provides that both the department and the board shall adopt regulations to implement AS 08.45.

**Section 11.** Adds a new section that provides what fees may be charged by the department under AS 08.45.

**Section 12.** Adds a definition for "board" and amends the definition of "controlled substance" in AS 08.45.200.

**Section 13.** Permits a practitioner of naturopathy to use or publically display a title that includes the words "doctor of medicine" or "physician" so long as that title also contains the word "naturopathy" or "naturopathic."

**Section 14.** Exempts naturopaths from the statutes applicable to pharmacists in AS 08.80, as long as the naturopath is acting within the scope of the naturopath's license or endorsement under AS 08.45.

**Section 15.** Adds naturopathic services to the list of optional services that are eligible for Medicaid reimbursement under state law.

**Section 16.** Defines "naturopathic services" for purposes of Medicaid.

**Section 17.** Allows the department to immediately begin work on regulations necessary to implement the Act so that the regulations will be ready when the statute changes take effect.

**Section 18.** Staggers the terms of the first members of the Alaska Naturopathic Board.

**Section 19.** Provides for the validity and renewal of naturopathic licenses issued before the effective date of the Act.

**Section 20.** Gives an immediate effective date to sec. 17 so that the regulations process can start before the rest of the bill takes effect.

**Section 21.** Provides that the Act, except as provided in sec. 20, will take effect July 1, 2011.

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