



# Alaska State Legislature

Representative Jennifer Johnston – House District 28

## HOUSE BILL 91 SECTIONAL ANALYSIS ver. K

### **Section 1 – AS 08.02.010(a) Professional designation requirements. (Amended)**

Requires naturopathic practitioners to use appropriate letters, titles and specialist designations.

### **Section 2 – AS 08.45.015 Naturopathy Advisory Board (New Section)**

Establishes a five-person Naturopathy Advisory Board for the purpose of making recommendations on adoption of regulations and other matters relating to the functions of the department under AS 08.45.

### **Section 3 – AS 05.45.020 Application for license (Amended)**

Requires applicants applying for licensure to use a form provided by the department; to submit fingerprints for purposes of a criminal history background check for licensure; and pay a fee established by the department.

### **Section 4 – AS 08.45.030 Issuance of license. (Amended)**

Establishes, to be issued a license, an applicant must:

- have graduated with a doctoral degree from an accredited naturopathic college;
- have passed the Naturopathic Physicians Licensing Examination;
- is not subject to an unresolved disciplinary action in another jurisdiction;
- complies with application requirements; and
- have not been convicted or, or pled guilty, or no contest to a crime that adversely reflects on the applicant's ability to practice or jeopardizes the safety of a patient.

Removes outdated language requiring that to be issued a license to practice naturopathy in Alaska, if an individual graduated before 1988, they must also have been issued a license to practice in another state previously.

### **Section 5 – AS 08.45.032 Documentation of license refusals and revocations (New Section)**

Requires the department to provide in writing, a concise statement for refusal to issue licenses or for license revocation.

### **Section 6 – AS 08.45.035(a) Temporary licenses. (Amended)**

Allows the department to issue a temporary license to a naturopath if they are signed up to take a licensing exam at the next available date after the date of the application and meets all the other licensing requirements outlined in AS 08.45.030(1)(A) and (2) – (4).

### **Section 7 – AS 08.45.038 Standards for license renewal. (New Section)**

Outlines the requirements for naturopathic license renewal.

**Section 8 – AS 08.45.045 Practice of naturopathy. (New section)**

Allows naturopaths to:

- practice within the standards and scope of their education and training;
- prescribe natural and therapeutic substances, natural therapies, and contraceptive devices;
- prescribe allowed drugs only if the naturopath has passed the Naturopathic Physicians Licensing Examination pharmacology portion; and
- perform minor surgeries and order diagnostic procedures.

Defines “naturopathic physical application”

**Section 9 – AS 08.45.050 Restrictions on practice of naturopathy. (Amended)**

Removes the prohibition for prescribing drugs, performing minor surgeries, and using the word “physician” in titles.

Prohibits naturopaths from giving, recommending or prescribing cancer drugs and controlled substances.

**Section 10 – AS 08.45.053 Public health duties. (New Section)**

**AS 08.45.055 Duty of naturopaths to report. (New Section)**

**AS 08.45.058 Naturopaths to report certain injuries. (New Section)**

Imposes same public health duties on naturopaths as other physicians.

**Section 11 – AS 08.45.060 Grounds for suspension, revocation, or refusal to issue a license. (Amended)**

Amends and applies the same suspension, license revocation, or refusal to issue a license grounds on naturopaths as other physicians.

**Section 12 – AS 08.45.060 Grounds for suspension, revocation, or refusal to issue a license. (New Subsection)**

Adds a new subsection to clarify the authority of the entity taking disciplinary action against a license under AS 08.45.060(a)(14)

**Section 13 – AS 08.45.070(a) Disciplinary sanctions. (Amended)**

Amends to clarify that disciplinary sanctions apply for all of AS 08.45 and imposes a limit of \$25,000 for civil penalties.

**Section 14 – AS 08.45.070 Disciplinary sanctions. (New Subsections)**

Establishes and outlines when the department may reinstate or suspend a license and requires the department to report actions on licensees to the National Practitioner Data Bank.



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- Section 15 –** *AS 08.45.105 Automatic suspension for mental incompetency. (New Section)*  
*AS 08.45.110 Voluntary surrender. (New Section)*  
*AS 08.45.115 Medical and psychiatric exams. (New Section)*  
*AS 08.45.120 Reports relating to malpractice actions and claims. (New Section)*  
*AS 08.45.125 Penalty for practicing without a license. (New Section)*  
*AS 08.45.130 Prohibited use of title. (New Section)*

Establishes new sections and applies the same grounds for naturopaths as physicians for licensing:

- Automatic suspension of a license for mental incompetency;
- Voluntary surrender of a license;
- Requiring medical and psychiatric exams;
- Requires reporting for malpractice actions and claims;
- Applies penalties for practicing naturopathy without a license; and
- Prohibits using the title “naturopath” without a license.

**Section 16 –** *AS 08.45.200(3) Definitions. (Repealed and Reenacted)*

Repeals and replaces definition for “naturopathy”

**Section 17 –** *AS 08.45.200(4) & (5) Definitions. (New Paragraphs)*

Defines “approved naturopathic medical school” and “naturopath”

**Section 18 –** *AS 12.62.400(a) National criminal history record checks for employment, licensing, and other noncriminal justice purposes. (New Paragraph)*

Amends 12.62.400 to include and require naturopaths to submit fingerprints to complete the national criminal history record check.

**Section 19 –** *Transitional Language (Uncodified law)*

Transitional language allowing currently licensed naturopaths to practice under the new law.

**Section 20 –** *Transitional Regulations (Uncodified law)*

Allows the Department to adopt transitional regulations immediately following passage and prior to the bill’s effective date.

**Section 21 –** *Effective date. (Uncodified law)*

Establishes immediate effective date for section 20

**Section 22 –** *Effective date. (Uncodified law)*

Establishes effective date for sections 1 – 19 as January 1, 2021