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HB 147 Sectional Analysis

“An Act relating to the practice of naturopathy.”

Section 1 adds new sections AS 08.45.033(*Issuance of Temporary Endorsement*) and AS 08.45.034 (*Issuance of Endorsement*)

Creates a new section of Alaska law to allow licensed Alaska naturopaths to apply for a temporary endorsement to prescribe a limited range of prescription medications upon showing they have:

- passed the pharmacology portion of the Naturopathic Physicians Licensing Exam or equivalent test, and
- meet other applicable requirements established by the Division of Corporations, Business and Professional Licensing (DCBPL or Division).

Naturopaths holding a valid temporary endorsement may prescribe a limited range of prescription medications under a written collaborative agreement with a licensed Alaska physician who has been prescribing and administering prescription drugs for at least five years. The collaborative physician will evaluate the naturopath’s prescriptive practice and provide feedback. The temporary endorsement must be in place for a minimum of twelve months and the collaborative oversight must be reported on a form approved by DCBPL. At the conclusion of the twelve-month period, the collaborative physician is required to recommend to DCBPL whether the naturopath should receive further supervision, be issued an endorsement, or be denied an endorsement. The temporary endorsement terminates on the date a naturopath is issued, or denied, an endorsement to prescribe. After considering the recommendation of a collaborative physician, DCBPL will determine whether to issue, or deny, an endorsement to a naturopath or require further prescriptive supervision. A naturopath who receives an endorsement to prescribe and administer may do so under the limitation of AS 08.45.050.

Section 2 adds new sections AS 08.45.037 (*Continuing Education Requirements*) and AS 08.45.038 (*Standards for License Renewal*)

Creates a new requirement for all licensed naturopaths in Alaska to provide proof of completing sixty hours of division-approved continuing education as part of their biannual license renewal process. The required sixty hours must include a minimum of twenty hours of continuing education focused on pharmacotherapy. DCBPL may exempt

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a naturopath from a portion of this ongoing training for extenuating circumstances. However, DCBPL may not grant an exemption for more than fifteen hours total in a four-year period. This partial waiver provision is similar to statutory provisions for other medical professionals in Alaska that acknowledge the potential for serious illness, military service, family emergencies or natural disasters to limit an ability to complete some continuing medical education.

This section also establishes standards for license renewal that require naturopaths to pay an appropriate fee, show they meet the continuing education requirements, disclose whether they have been found to have perpetrated a crime that adversely reflects on their ability to practice safely and have a current cardiopulmonary resuscitation certificate.

Section 3 amends AS 08.45.050 (*Restrictions on Practice of Naturopathy*)

Amends existing law to clarify that naturopaths prescribing and administering medications under a temporary, or ongoing, prescription endorsement may NOT prescribe:

1. a prescription drug except as allowed under their temporary or ongoing prescriptive endorsement,
2. a poison,
3. a chemotherapy drug
4. an antipsychotic drug, or
5. administer a therapeutic ionizing radiation or radioactive substance.

In addition, existing statutory prohibitions against a naturopath engaging in surgery or using the word “physician” in the person’s title are preserved in law.

Section 4 amends AS 08.45.060 (*Grounds for Suspension, Revocation, or Refusal to Issue a License*)

Expands existing Alaska law to clarify that DCBPL has full authority to take disciplinary action against a temporary, or ongoing, prescriptive endorsement held by a licensed Alaskan naturopath if the division determines the endorsement was secured through deceit, fraud, or intentional misrepresentation.

Section 5 amends AS 08.45.070(a) (*Disciplinary Sanctions*)

Expands existing Alaska law to clarify that DCBPL can exercise the same disciplinary authority over a naturopath’s temporary, or ongoing, prescriptive endorsement as it does over a naturopath’s license to practice. This authority allows the division to revoke, suspend, censure or reprimand the licensee as well as place them on probation that limits their practice or requires additional professional training and reporting.

Section 6 amends AS 08.45.070(c) (*Disciplinary Sanctions*)

Expands existing Alaska law to clarify that DCBPL can summarily suspend a temporary, or ongoing, prescriptive endorsement during a final hearing or appeals process if the division determines doing otherwise would endanger the public health.

Section 7 amends AS 08.45.080 (*Unlicensed Practice a Misdemeanor*)

Expands existing Alaska law to clarify that a licensed Alaska naturopath is guilty of a class A misdemeanor if they are found to have prescribed a prescription medication without having a valid temporary, or ongoing, endorsement to do so.

Section 8 *amends AS 08.45.090 (Fraudulent License)*

Expands existing Alaska law to clarify that a naturopath who obtains, or attempts to obtain, a temporary endorsement to prescribe prescription medications fraudulently is punishable by a fine of not more than five hundred dollars or by imprisonment for not more than six months, or both.