

HOUSE BILL NO. 147

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FOURTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES PRAX, Schwanke

Introduced: 3/21/25

Referred: Health and Social Services, Labor and Commerce, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the practice of naturopathy."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * **Section 1.** AS 08.45 is amended by adding new sections to read:

4 **Sec. 08.45.033. Issuance of temporary endorsement.** (a) The department
5 shall issue a temporary endorsement to a naturopath licensed under this chapter if the
6 licensee pays the application fee and furnishes evidence satisfactory to the department
7 that the licensee

8 (1) passed the elective pharmacology examination portion of the
9 Naturopathic Physicians Licensing Examination or another equivalent examination
10 approved by the department; and

11 (2) meets other applicable requirements established by the department
12 in regulation.

13 (b) A naturopath who holds a valid temporary endorsement issued under (a) of
14 this section and is supervised as required under (c) of this section may prescribe and
15 administer prescription drugs for preventive and therapeutic purposes, except as

1 provided in AS 08.45.050.

2 (c) A supervising physician shall review the prescription and administration of
3 drugs performed under (b) of this section by a naturopath holding a temporary
4 endorsement. The supervising physician shall evaluate and provide feedback to the
5 naturopath on the naturopath's ability to prescribe and administer drugs under (b) of
6 this section safely and in compliance with the law.

7 (d) A physician who holds a valid license under AS 08.64 may supervise a
8 naturopath under (c) of this section if the physician

9 (1) has been prescribing and administering prescription drugs for five
10 or more years; and

11 (2) documents the arrangement between the physician and the
12 naturopath on a form established by the department in regulation.

13 (e) Unless additional supervision is required by the department, after a
14 naturopath has been supervised under (c) of this section for one year, the supervising
15 physician shall submit a report to the department recommending that the department
16 issue an endorsement to the naturopath, require the naturopath to receive further
17 supervision, or deny the naturopath an endorsement. A temporary endorsement
18 terminates on the date the naturopath is issued or denied an endorsement under
19 AS 08.45.034.

20 **Sec. 08.45.034. Issuance of endorsement.** (a) Upon receiving a
21 recommendation that a naturopath be issued or denied an endorsement under
22 AS 08.45.033(e), the department shall issue or deny an endorsement to a naturopath
23 licensed under this chapter. Upon receiving a recommendation that a naturopath
24 requires further supervision under AS 08.45.033(e), the department may issue or deny
25 an endorsement to a naturopath licensed under this chapter or require the naturopath to
26 receive further supervision.

27 (b) A naturopath licensed under this chapter who holds a valid endorsement
28 issued under this section may prescribe and administer prescription drugs for
29 preventive and therapeutic purposes, except as provided in AS 08.45.050.

30 * **Sec. 2.** AS 08.45 is amended by adding new sections to read:

31 **Sec. 08.45.037. Continuing education requirements.** (a) The department

1 shall promote a high degree of competence in the practice of naturopathy in the state
 2 by requiring every naturopath licensed under this chapter to fulfill continuing
 3 education requirements.

4 (b) Before a license may be renewed, a naturopath licensed under this chapter
 5 shall submit evidence to the department that continuing education requirements
 6 prescribed by regulations adopted by the department have been met. Continuing
 7 education requirements must be completed during the 24-month period immediately
 8 preceding the application for renewal and include 60 hours of continuing education
 9 approved by the department, at least 20 hours of which must be on the subject of
 10 pharmacotherapy.

11 (c) The department may exempt a naturopath licensed under this chapter from
 12 the requirements of (b) of this section upon an application by the naturopath giving
 13 evidence satisfactory to the department that the naturopath is unable to comply with
 14 the requirements because of extenuating circumstances. However, the department may
 15 not exempt a naturopath from more than 15 hours of continuing education in a four-
 16 year period.

17 **Sec. 08.45.038. Standards for license renewal.** The department shall renew a
 18 license issued under this chapter to a licensee who

19 (1) applies on a form provided by the department and pays the required
 20 fee;

21 (2) meets the continuing education requirements established under
 22 AS 08.45.037;

23 (3) has not been convicted of, or pled guilty or no contest to, a crime
 24 that adversely reflects on the licensee's ability or competency to practice as a
 25 naturopath or that jeopardizes the safety or well-being of a patient; and

26 (4) has a current cardiopulmonary resuscitation certification.

27 * **Sec. 3.** AS 08.45.050 is amended to read:

28 **Sec. 08.45.050. Restrictions on practice of naturopathy.** A person who
 29 practices naturopathy may not

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

31 (A) a prescription drug, except as authorized by an

endorsement issued under AS 08.45.033 or 08.45.034;

(B) a controlled substance;

(C) a poison;

(D) a cancer chemotherapeutic drug; or**(E) an antipsychotic drug;**

(2) engage in surgery;

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

(4) administer therapeutic ionizing radiation or radioactive**substances.*** **Sec. 4.** AS 08.45.060 is amended to read:

Sec. 08.45.060. Grounds for disciplinary sanctions [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 **or endorsement** 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.

* **Sec. 5.** AS 08.45.070(a) is amended to read:

1 (a) When **the department** [IT] finds that a licensee under this chapter has
 2 violated AS 08.45.040 - 08.45.050 or is guilty of an offense under AS 08.45.060, the
 3 department may impose the following sanctions singly or in combination:

4 (1) permanently revoke the license to practice **or endorsement held**
 5 **by the licensee**;

6 (2) suspend the license **to practice or endorsement held by the**
 7 **licensee** for a determinate period of time;

8 (3) censure the licensee;

9 (4) issue a letter of reprimand to the licensee;

10 (5) place the licensee on probationary status and require the licensee to
 11 (A) report regularly to the department **on** [UPON] matters
 12 involving the basis of probation;

13 (B) limit practice to those areas prescribed;

14 (C) continue professional education until a satisfactory degree
 15 of skill has been attained in areas determined by the department to need
 16 improvement;

17 (6) impose limitations or conditions on the practice of the licensee.

18 * **Sec. 6.** AS 08.45.070(c) is amended to read:

19 (c) The department may summarily suspend a license **or endorsement** before
 20 final hearing or during the appeals process if the department finds that the licensee
 21 poses a clear and immediate danger to the public health and safety if the licensee
 22 continues to practice. A licensee whose license **or endorsement** is suspended under
 23 this section is entitled to a hearing conducted by the office of administrative hearings
 24 (AS 44.64.010) not later than seven days after the effective date of the order. The
 25 licensee may appeal the suspension after a hearing to a court of competent jurisdiction.

26 * **Sec. 7.** AS 08.45.080 is amended to read:

27 **Sec. 08.45.080. Unlicensed or unendorsed practice a misdemeanor. Except**
 28 **for a person licensed or authorized under another chapter of this title who**
 29 **engages in practices for which that person is licensed or authorized under that**
 30 **chapter, a** [A] person who practices naturopathy in the state without a **valid** license **or**
 31 **who prescribes or administers drugs without a valid endorsement under**

1 **AS 08.45.033 or 08.45.034** [IN VIOLATION OF AS 08.45.010] is guilty of a **class A**
2 misdemeanor and upon conviction is punishable by a fine of not more than \$1,000, or
3 by imprisonment for not more than a year, or by both.

4 * **Sec. 8.** AS 08.45.090 is amended to read:

5 **Sec. 08.45.090. Fraudulent license or endorsement.** A person who obtains or
6 attempts to obtain a naturopathic license **or endorsement** by dishonest or fraudulent
7 means or who forges, counterfeits, or fraudulently alters a naturopathic license **or**
8 **endorsement** is punishable by a fine of not more than \$500, or by imprisonment for
9 not more than six months, or by both.