

SENATE BILL NO. 193

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FOURTH LEGISLATURE - FIRST SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE BY REQUEST

Introduced: 5/13/25

Referred: Health and Social Services, 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 complete continuing education requirements prescribed by regulations adopted
6 by the department. Continuing education requirements must be completed during the
7 concluding licensing period and include 30 hours of continuing education approved by
8 the department.

9 (c) Before an endorsement under AS 08.45.033 or 08.45.034 may be renewed
10 with a license under (b) of this section, the naturopath holding the endorsement shall
11 complete an additional 20 hours of continuing education on the subject of
12 pharmacotherapy during the concluding licensing period.

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

19 **Sec. 08.45.038. Standards for license or endorsement renewal.** (a) The
20 department shall renew a license issued under this chapter to a licensee who

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

23 (2) meets the continuing education requirements for the license
24 established under AS 08.45.037;

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

28 (4) has a current cardiopulmonary resuscitation certification.

29 (b) The department shall renew an endorsement issued under AS 08.45.033 or
30 08.45.034 to a licensee who

31 (1) applies for the renewal of a license under (a) of this section; and

(2) meets the continuing education requirements for the endorsement established under AS 08.45.037.

Sec. 08.45.039. Standards for license reinstatement. (a) The department may reinstate a license under this chapter if

(1) the requirements for a license renewal under AS 08.45.038(a)(1), (3), and (4) have been met;

(2) the applicant has met the continuing education requirements for a license established under AS 08.45.037 during the 24-month period preceding the application for reinstatement; and

(3) the license has been lapsed for more than 60 days but less than five years.

(b) The department may reinstate an endorsement issued under AS 08.45.033 or 08.45.034 if

(1) the applicant

(A) has a valid license under this chapter, applies on a form provided by the department, and pays the required fee; or

(B) meets the requirements for reinstatement of the license under (a) of this section;

(2) the applicant has met the continuing education requirements for the endorsement established under AS 08.45.037 during the 24-month period preceding the application for reinstatement; and

(3) the endorsement has been lapsed for more than 60 days but less than five years.

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

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

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

(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

* 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
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 ensee's ability to practice safely;

(C) physical or mental disability;

engaged in lewd or immoral con-

delivery of professional service to patients.

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

(c) When the department [UT]

violated AS 08.45.040 - 08.45.050 or is guilty of an offense under AS 08.45.060, the department may impose the following sanctions singly or in combination:

- (1) permanently revoke the license to practice or endorsement held by the licensee;
- (2) suspend the license to practice or endorsement held by the licensee for a determinate period of time;
- (3) censure the licensee;
- (4) issue a letter of reprimand to the licensee;
- (5) place the licensee on probationary status and require the licensee to
 - (A) report regularly to the department on [UPON] matters involving the basis of probation;
 - (B) limit practice to those areas prescribed;
 - (C) continue professional education until a satisfactory degree of skill has been attained in areas determined by the department to need improvement;
- (6) impose limitations or conditions on the practice of the licensee.

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

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

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

Sec. 08.45.080. Unlicensed or unendorsed practice a misdemeanor. Except for a person licensed or authorized under another chapter of this title who engages in practices for which that person is licensed or authorized under that chapter, a [A] person who practices naturopathy in the state without a valid license or who prescribes or administers drugs without a valid endorsement under AS 08.45.033 or 08.45.034 [IN VIOLATION OF AS 08.45.010] is guilty of a class A misdemeanor and upon conviction is punishable by a fine of not more than \$1,000, or by imprisonment for not more than a year, or by both.

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

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