



Senator Scott Jiu Wo Kawasaki

Alaska State Legislature

Senate District A

SB 38

Sectional Analysis

"An Act relating to the practice of naturopathy; establishing the Naturopathy Advisory Board; relating to the licensure of naturopaths; relating to disciplinary sanctions for naturopaths; relating to the Department of Commerce, Community, and Economic Development; and providing for an effective date."

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.



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Removes outdated language requiring that to be issued a license to practice naturopathy in Alaska, if an individual graduated before 1988, they must also have been issued a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



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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.



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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.

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”



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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, 2022