

ALASKA STATE LEGISLATURE
SENATE HEALTH, EDUCATION AND SOCIAL SERVICES STANDING COMMITTEE

March 10, 2008

5:13 p.m.

MEMBERS PRESENT

Senator Bettye Davis, Chair
Senator Joe Thomas, Vice Chair
Senator Kim Elton
Senator Fred Dyson

MEMBERS ABSENT

Senator John Cowdery

COMMITTEE CALENDAR

SENATE BILL NO. 149

"An Act relating to redistribution of used eyeglasses."

MOVED CSSB 149(L&C) OUT OF COMMITTEE

SENATE CONCURRENT RESOLUTION NO. 19

Relating to implementation of the recommendations of the Governor's Summit on Early Learning.

MOVED SSSCR 19 OUT OF COMMITTEE

SENATE BILL NO. 107

"An Act relating to naturopaths and to naturopathic practice; establishing a Naturopathic Advisory Committee and an Alaska Naturopathic Formulary Council; amending the duties of the State Medical Board and the Board of Pharmacy relating to naturopathic practice; and providing for an effective date."

HEARD AND HELD

PREVIOUS COMMITTEE ACTION

BILL: SB 149

SHORT TITLE: REDISTRIBUTION OF USED EYEGLASSES

SPONSOR(S): SENATOR(S) THERRIAULT

03/30/07	(S)	READ THE FIRST TIME - REFERRALS
03/30/07	(S)	L&C, HES
02/19/08	(S)	L&C AT 1:30 PM BELTZ 211
02/19/08	(S)	Heard & Held
02/19/08	(S)	MINUTE(L&C)
02/26/08	(S)	L&C AT 1:30 PM BELTZ 211

02/26/08 (S) Moved CSSB 149(L&C) Out of Committee
02/26/08 (S) MINUTE(L&C)
02/27/08 (S) L&C RPT CS 5DP NEW TITLE
02/27/08 (S) DP: ELLIS, BUNDE, DAVIS, STEVENS,
HOFFMAN
03/10/08 (S) HES AT 5:00 PM BUTROVICH 205
03/10/08 (S) GOVERNOR'S SUMMIT ON EARLY LEARNING

BILL: SCR 19

SHORT TITLE: GOVERNOR'S SUMMIT ON EARLY LEARNING
SPONSOR(S): SENATOR(S) WIELECHOWSKI

02/19/08 (S) READ THE FIRST TIME - REFERRALS
02/19/08 (S) HES, FIN
03/10/08 (S) SPONSOR SUBSTITUTE INTRODUCED-REFERRALS
03/10/08 (S) HES
03/10/08 (S) HES AT 5:00 PM BUTROVICH 205
03/10/08 (S) Bills Previously Heard/Scheduled

BILL: SB 107

SHORT TITLE: NATUROPATHS
SPONSOR(S): SENATOR(S) DAVIS BY REQUEST

03/07/07 (S) READ THE FIRST TIME - REFERRALS
03/07/07 (S) L&C, HES, FIN
04/19/07 (S) L&C AT 1:30 PM BELTZ 211
04/19/07 (S) Heard & Held
04/19/07 (S) MINUTE(L&C)
01/15/08 (S) L&C AT 1:30 PM BELTZ 211
01/15/08 (S) -- MEETING CANCELED --
01/17/08 (S) L&C AT 1:30 PM BELTZ 211
01/17/08 (S) -- MEETING CANCELED --
01/22/08 (S) L&C AT 1:30 PM BELTZ 211
01/22/08 (S) Heard & Held
01/22/08 (S) MINUTE(L&C)
01/25/08 (S) L&C AT 3:00 PM BELTZ 211
01/25/08 (S) -- Rescheduled from 01/24/08 --
01/28/08 (S) L&C RPT CS 3DP 1NR NEW TITLE
01/28/08 (S) DP: ELLIS, DAVIS, HOFFMAN
01/28/08 (S) NR: BUNDE
02/13/08 (S) HES AT 1:30 PM BUTROVICH 205
02/13/08 (S) Heard & Held
02/13/08 (S) MINUTE(HES)
03/10/08 (S) HES AT 5:00 PM BUTROVICH 205

WITNESS REGISTER

DAVID STANCLIFF, Staff
to Senator Therriault
Alaska State Capitol
Juneau, AK

POSITION STATEMENT: Presented an overview of CSSB 149.

HOWARD SCOTT RIXIE, SR.
Lions Club
Aurora Borealis Chapter
Fairbanks, AK,

POSITION STATEMENT: Supported SSSCR 19.

NANCY SCHOEPOEFER, representing herself
No address provided

POSITION STATEMENT: Supported SSSCR 19.

ABBE HENSLEY, Executive Director
Best Beginnings
Anchorage, AK

POSITION STATEMENT: Supported SSSCR 19.

MICHELLE BROWN, President and CEO
United Way of Anchorage
Anchorage, AK

POSITION STATEMENT: Supported SSSCR 19.

ALPHAEUS BULLARD, Attorney at Law
Legislative Legal and Research Services Division
Legislative Affairs Agency
Juneau, AK

POSITION STATEMENT: Answered questions about CSSB 107.

DR. JOHN RASTER
Alaska State Medical Association
Juneau, AK

POSITION STATEMENT: Opposed CSSB 107.

IRMA NORLAND, representing herself
Juneau, AK

POSITION STATEMENT: Supported CSSB 107.

DR. SCOTT LUPER, President
Alaska Association Of Naturopathic Physicians (AKANP)
Fairbanks, AK

POSITION STATEMENT: Supported CSSB 107.

EMILY KANE, Naturopathic Physician

Juneau, AK,

POSITION STATEMENT: Supported CSSB 107.

ACTION NARRATIVE

CHAIR BETTYE DAVIS called the Senate Health, Education and Social Services Standing Committee meeting to order at [5:13:52 PM](#). Present at the call to order were Senators Joe Thomas, Kim Elton, Fred Dyson, and Bettye Davis.

SB 149-REDISTRIBUTION OF USED EYEGLASSES

CHAIR DAVIS announced consideration of SB 149.

DAVID STANCLIFF, Staff to Senator Therriault, said the Lion's Club of Alaska asked the sponsor to introduce SB 149. The Lion's Club had been providing eye glasses to needy persons in third world countries for many years. The bill as originally written referenced a board that no longer existed, so a CS was adopted in the previous committee. The references to "board" were replaced by "department." Language was also added on page 2, lines 24-25, stipulating that the prescription conforms "to the extent possible" with the individual's prescription from a licensed physician or optometrist. The bill did not require that the department work with the Lions Club; it merely opened the door and enabled any qualified non-profit to begin an association with the State of Alaska to provide used eye glasses.

CHAIR DAVIS noted that this bill was heard first in Labor and Commerce, which heard some compelling testimony. She asked if anyone had signed up to testify in this committee.

[5:17:15 PM](#)

HOWARD SCOTT RIXIE, SR., Lions Club, Aurora Borealis Chapter, Fairbanks, AK, thanked the committee for hearing this bill and said they looked forward to the time when all Alaskans could enjoy the gift of sight. He said he had sent each of the committee members an electronic letter with attachments, which he asked to be entered into the record on his behalf, and urged the committee to pass SB 149 on to the full Senate.

SENATOR ELTON noted that in other types of medicine, there was a credo that all persons would be treated regardless of their ability to pay and asked Mr. Rixie whether that was true in optometry and ophthalmology as well.

MR. STANCLIFF replied that he had checked with Jill Geering at the Alaska Vision Center and was told they did a fair amount of charitable work; but people in many parts of Alaska did not have access to a center offering that type of care.

SENATOR ELTON asked if it was true that the eye glasses would not have to be dispensed by a licensed optometrist or ophthalmologist.

MR. STANCLIFF answered that was correct. If the state deemed that the Lions Club had the experience necessary to fill and fit a prescription provided by a doctor, they would do that in Alaska with used eye glasses. He clarified that this would not prevent an optometrist or ophthalmologist from doing it, but would allow this benevolent group to expand access to this service in Alaska as they had done in third world countries.

SENATOR THOMAS asked if page 2, lines 22-25 was the area Mr. Stancliff was discussing.

MR. STANCLIFF answered that the change he referred to was on lines 24 and 25 and that the exact words added were "to extent possible," because they may not always have used glasses that fit another person's prescription perfectly. He stressed that the department would have to build guidelines into regulation and policy to define the parameters within which the Lions would be allowed to operated with regard to decisions about whether a prescription was close enough.

CHAIR DAVIS specified that the committee was working off CSSB 149, Version \K.

CHAIR DAVIS asked for further questions or comments. When there were none, she stated that it was her intention not to hear this bill again, but to move it to the next committee of referral.

[5:23:11 PM](#)

SENATOR THOMAS moved to report CSSB 149, Version \K from committee with individual recommendations and attached zero fiscal note.

There being no objections, CSSB 149(L&C) moved from committee.

SCR 19-GOVERNOR'S SUMMIT ON EARLY LEARNING

[5:23:44 PM](#)

CHAIR DAVIS announced consideration of SCR 19.

SENATOR BILL WIELECHOWSKI, Sponsor, presented an overview of SCR 19, a concurrent resolution asking the legislature to examine implementing the recommendations of the governor's summit on early learning. He referenced a previous presentation by Best Beginnings, which disclosed that Alaska was one of only 10 states awarded a grant in 2007 by the National Governors' Association to hold a summit on early learning. Approximately 150 policy makers participated in that summit, and one of the goals was to insure that Alaska's future economy would be supported by an educated, productive work force. To that end, the participants drafted a number of recommendations to insure that all children, especially those most in need, had access to quality early education opportunities.

SENATOR WIELECHOWSKI went on to say research demonstrated that certain work force skills were taught most effectively to children under 6 years of age. Research also showed that critical brain development occurred most rapidly in those early years. Based on that research, Alaska seemed to be short-changing its' youngest learners and as a result, Alaskan children were falling behind in key areas such as early language and literacy, thinking and cognitive development, and basic social skills. Recent studies showed that nearly half of Alaskan children entered school unprepared to be successful learners. Experts attributed this largely to a lack of available pre-school education; Alaska was one of only 10 states without a state-funded early childhood system.

SENATOR WIELECHOWSKI directed the committee's attention to research results that were included in their packets. Study after study documented the value of quality preschool education in higher achievement test scores; significantly less grade repetition; major reductions in special education placements; substantially higher rates of high school graduation; dramatic increases in college attendance; substantially fewer arrests and much less reliance on public assistance. One of the most extensive studies done in this area compared the performance of low income children at ages 14, 15, 19, 27 and 40 who attended preschool with those who did not. Even at age 40 the differences in performance were staggering. Former preschoolers had a greater rate of employment and higher earnings. According to economists these factors combine to make returns from investments in preschool far greater than those from most public economic development projects. For example, the Federal Reserve Bank of Minneapolis reported that for every dollar spent on early education, society reaped \$16 of benefit. He drew

particular attention to a page in that report entitled "Large Return on Investment" that showed the return to society on investment in preschool not only in terms of reduced spending on public assistance, education and criminal justice, but in increased collection of taxes.

SENATOR WIELECHOWSKI commented that support for early education was strong, with 87 percent of Alaskans supporting state funding for early education and child care according to a poll conducted by the McDowell Group. Interestingly, more than three quarters of Alaskans believed that early learning and child care were more important to fund than support for local governments or construction of new roads and highways; and almost two thirds felt that funding for early education was more important than funding for university education. Nationally, support for early learning programs was growing rapidly; last year the Governor of Illinois took steps to make his state the first in the nation to provide high quality preschool for every 3 and 4 year old by 2011.

In summary, he said the sponsor substitute for SCR 19 called on Governor Palin to thoroughly consider the recommendations of the Summit on Early Education and to work closely with the legislature to implement those recommendations as appropriate. It was his intention to further the discussion about the benefits of preschool and hopefully, come back to the committee with a more concrete proposal next year.

SENATOR THOMAS asked Senator Wielechowski for a complete copy of the report titled "High/Scope Perry Preschool Study to Age 40" [by Larry Schweinhart of the High/Scope Educational Research Foundation].

SENATOR WIELECHOWSKI said he would provide that to him.

5:29:29 PM

NANCY SCHOEPOEFER supported SCR 19 as a private citizen advocate for the Best Beginnings Initiative. She said she had been involved with Best Beginnings since February 2007. At that time she was employed by Conoco Phillips Alaska Inc. (CPAI) as their designated representative to Best Beginnings and, since retiring from CPAI at the end of January, continued to be actively involved in the program.

MS. SCHOEPOEFER said the Best Beginnings Initiative brought numerous public and private providers to the table to, among other things, look at implementing a quality rating and

improvement system, and to conduct a comprehensive public engagement campaign to inform parents, extended families, community members and businesses about the economic and social return on investment of education during a child's early years. She encouraged passage of SCR 19 and urged Governor Palin to consider the recommendations of the Governor's Summit on Early Learning and work closely with the legislature to implement those recommendations.

ABBE HENSLEY, Executive Director, Best Beginnings, thanked Senator Wielechowski for sponsoring this resolution. She said that more than 150 Alaskans came together at request of Governor Palin to come up with recommendations to address 3 goals:

- 1) All children, especially those most in need, would have access to early literacy and learning opportunities in their homes or in out-of-home settings.
- 2) Early learning services would be coordinated.
- 3) Parents, grandparents and extended families would have needed support resources for their engagement in young children's learning.

SENATOR THOMAS asked if Ms. Hensley and Best Beginnings participated in the early learning summit.

MS. HENSLEY responded that Best Beginnings provided the staff for that summit and was the glue that held it together.

SENATOR THOMAS asked whether she had any dissenting opinion; did any group feel that the recommendations were not appropriate.

MS. HENSLEY explained that the way recommendations were arrived at was through people meeting on specific topics in small groups. Those groups then came together and provided recommendations to the whole group and they voted on the top recommendations. Although they didn't make it necessary for everyone to agree on every recommendation, she believed that there was consensus on the ones that made the final list.

SENATOR THOMAS asked if it was a fair statement that there was not really any dissent.

MS. HENSLEY confirmed that it was and said that, although participants might have disagreed on which recommendations were more important, they did not disagree with the recommendations themselves.

5:36:16 PM

MICHELLE BROWN, President and CEO, United Way of Anchorage, thanked the committee for hearing this resolution and Senator Wielechowski for bringing it forward. She said the United Way Board of Directors comprised 25 community and business leaders, all of whom very strongly endorsed this resolution and the findings of the Governor's Summit on Early Learning.

The United Way had been studying the issue with community partners for several years and concurred with the findings of major business organizations that early learning was necessary, not just for our youths' academic success, but for Alaska's economic success in a global economy. As a consequence, the United Way Board had made this one of their priorities and invested considerable resources in the hope of developing a strong public/private partnership for a comprehensive array of proven quality early learning opportunities. They wanted to develop a system that would allow families to choose the type of opportunity that would work best for them, and believed that a coordinated plan would allow them to accurately measure their progress.

SENATOR THOMAS asked whether Ms. Brown found that her business partners believed early learning was helpful to them in recruiting and retaining employees.

MS. BROWN responded that they conducted workplace campaigns in many different work environments; and in their discussions they found that as people became more aware of the research into early learning and the window to make a difference, they came to see it as the key to the next generation work force. They also expressed strong interest in having this array of services because it provided better productivity in the current work force if parents were not distracted by having to struggle to find opportunities for their children.

5:40:35 PM

SENATOR THOMAS moved to adopt the proposed SSSCR 19 as the working document of the committee. There being no objection, the motion carried.

CHAIR DAVIS thanked Senator Wielechowski for bringing this forward and commented that it was important for them to keep this on their agenda because Alaska was no longer one of 10, but one of 3 states without early childhood education legislation in place.

[5:41:53 PM](#)

SENATOR THOMAS moved to report SSSCR 19, Version \E, from committee with individual recommendations. Hearing no objections, the motion carried.

SB 107-NATUROPATHS

CHAIR DAVIS announced consideration of SB 107.

[5:42:58 PM](#)

TOM OBERMEYER, Staff to Senator Davis, presented an overview of CSSB 107, Version \K, labeled 25-LS0702\K. This act related to naturopaths and naturopathic practice, establishing an Alaska Naturopathic Council, amending the duties of the Board of Pharmacy relating to naturopathic practice, and providing for an effective date. He explained that the CS before the committee was drafted after the committee hearing of February 13, because the committee chair concluded that changes were required in oversight, training and experience in order to expand naturopathic practice into areas that had formerly been reserved to MD's [Medical Doctors] and DO's [Doctors of Osteopathy]. Those areas included minor surgery, prescribing prescription drugs and ordering medical laboratory tests and imaging.

Changes in the CS were as follows:

- 1) The Alaska Naturopathic Council was increased from 5 to 7 members including 3 naturopaths, 1 medical doctor, 1 pharmacist and 2 members of the public who have no direct financial interest in naturopathic practice or the health care industry.
- 2) Members of the Naturopathic Council would be appointed by the Governor.
- 3) Naturopaths would have to be in practice for 5 years before being allowed the expanded scope of practice in minor surgery, prescribing drugs and ordering medical laboratory tests.
- 4) Naturopaths who were licensed to prescribe drugs would have to take 15 hours of pharmacy education each year; those who would perform minor surgery must have received a minimum of 1200 clinical hours of training under the supervision of medical doctors, physician's assistants and [or] nurse practitioners.

MR. OBERMEYER continued that the advisory council had no power to adopt regulations as a board under the Boards and Commissions; but it could advise the Department of Commerce, Community & Economic Development regarding regulation.

He also noted that there was no attempt to recognize what other states had done, because he had spent a great deal of time looking at other states and found that each had a different way of dealing with this particular set of practices.

CHAIR DAVIS asked Mr. Obermeyer to go back over the CS and point out each change from the original bill.

MR. OBERMEYER recapped the changes. First, the council was increased from 5 to 7 members, to include 3 naturopaths, 1 medical doctor and 1 pharmacist appointed by their respective boards and recommended to the Governor for final appointment. Second, naturopaths would be required to practice for 5 years before being allowed the expanded scope of practice described. Third, prescribing naturopaths would have to take 15 contact hours of pharmacy education training each year after being pre-qualified as explained in the bill, with 60 hours of training and satisfaction of other specific requirements. Finally, they would have to complete clinical training under the supervision of medical doctors, physician's assistants or nurse practitioners in minor surgery and anesthetics.

The effective date of the bill, as indicated in section 13, would be July 1, 2009.

SENATOR THOMAS moved to adopt the proposed committee substitute CSSB 107, Version \k, as the working document of the committee. There being no objection, the motion carried.

[5:51:05 PM](#)

SENATOR ELTON asked for clarification regarding the makeup of the council. He said the bill provided that "When appointing pharmacists and physicians ... the governor may appoint a pharmacist from the list of names submitted by the Board of Pharmacy ... and a physician from the list of names submitted by the State Medical Board," but there was no provision for the governor to request a list from the naturopaths. He wondered why the appointment of a doctor or pharmacist was different from the appointment of a naturopath.

MR. OBERMEYER answered that the naturopaths did not have their own board at that time.

SENATOR ELTON said that a quorum of the council was at least 4 members for the transaction of business; one of the most important chores of the naturopathic council was establishing

and maintaining a list of prescription drugs and medical devices, but that could be done without a pharmacist present. He asked if that was correct.

MR. OBERMEYER replied that he was probably correct, but doubted they would take action without the advice of the pharmacy board or the pharmacist who was responsible for it. He noted that even in Kansas they had 2 medical doctors on a formulary council and one on an advisory council under the medical board; so they were trying to keep those professionals totally involved in the naturopathic practice. He assumed they would involve the appropriate people to deal with any changes to the list of authorized drugs.

CHAIR DAVIS added that the effective date on the bill gave them one year to work out those details and differences. That was why the effective date was moved from July 2008 to July 2009.

[5:55:47 PM](#)

SENATOR ELTON directed Mr. Obermeyer to page 5, line 5. He said that what they had structurally was a council appointed by the governor. The council would have specific responsibilities that were delineated earlier in the bill; but the department [Department of Commerce, Community & Economic Development, Division of Corporations, Business and Professional Licensing] would set the fees. He questioned why the department, rather than the council, would set the fees.

MR. OBERMEYER responded that was what made this an advisory board; it would not be like the State Medical Board or the Board of Pharmacy, which had regulatory powers. This board would still fall under the Department of Commerce, Community & Economic Development.

CHAIR DAVIS advised that Alphaeus Bullard was on the line and could answer that question.

[5:59:14 PM](#)

SENATOR ELTON asked if he would do so. He re-stated his question and added that, given Mr. Obermeyer's response that the council would be advisory in nature, he questioned the language on page 4 under "Duties of the Council," which stated that the council "shall (1) establish a list of prescription drugs and medical devices." He asked if that list would be only advisory and could be amended or modified by the department.

ALPHEUS BULLARD, Attorney at Law, Legislative Legal and Research Services Division, Legislative Affairs Agency, replied that the council was completely advisory as indicated by the "may" in that paragraph. The department would enjoy the end authority to add, subtract or delineate what drugs would be on that list.

SENATOR ELTON wondered why, if the department would have the final say on everything, they were establishing a council.

CHAIR DAVIS said she thought, because members were appointed by the Governor's office, it would no longer be under the Department of Commerce; she asked what they would have to do to remove it from Department of Commerce purview.

MR. BULLARD answered that they would be creating a state board or commission. It remained under the department because it was purely advisory.

CHAIR DAVIS asked why the governor was appointing the members of an advisory board.

MR. BULLARD advised that it was a drafting request; it did not have to work that way.

CHAIR DAVIS asked if there was any reason that all appointments should not be made by one entity.

MR. BULLARD replied that it was not unusual for the commissioner to appoint the members of an advisory board or council, or for the board or council to have no regulatory authority.

[6:03:13 PM](#)

SENATOR ELTON was struggling with the notion of adding a council that would have no authorities or whose authorities could be "trumped" by the department. Instead of adding advisory groups he opined, they might want to subtract some if they had no real powers.

[6:04:04 PM](#)

DR. JOHN RASTER, Alaska State Medical Association, testified that, although they appreciated the changes in the CS, the Alaska State Medical Association still felt it was somewhat unregulated and had misgivings about it. The Naturopathic Council could potentially allow all drugs to be in formulary; that could include narcotics, OxyContin, Schedule 2 drugs or chemotherapy. Although the Department of Commerce was given oversight of the list, he did not believe they had a physician

or pharmacist on staff who could sign off on those drugs; so the council would essentially decide the formulary. In addition, the bill allowed in-office minor surgeries [Sec. 6 AS 08.45.200 (4)(A) and (B)] but did not allow surgeries "... involving tendons, ligaments, nerves or blood vessels;" even one millimeter beneath the skin there were nerves.

With the medications that could potentially be prescribed along with the surgery, this would give naturopaths the most broad prescription and surgical authorities in the country. He noted also that it was not clear who would handle patient complaints.

CHAIR DAVIS said she did not agree with some of Mr. Raster's comments; other states were already allowing naturopaths to do what this bill was proposing. She reproved him for opposing the bill without offering any practical suggestions, and reminded him that she had asked repeatedly for the Medical Association's assistance in this process.

DR. RASTER responded that he would definitely discuss it with their board of trustees the following day and would come up with some suggestions.

SENATOR ELTON offered his understanding that the council could not do the formulary; that power was reserved for the Department, which "may approve," not "shall approve" the list. Also, at the bottom of page 4, line 30-31, it stated that "(c) An endorsement issued under (a) of this section is valid for two years unless revoked or suspended by the department." That would seem to give the department the ability to suspend the privilege.

6:10:56 PM

IRMA NORLAND, representing herself, supported CSSB 107. She said that her primary medical provider was Emily Kane, a naturopath, and it would be helpful to her if naturopathic doctors were empowered to use all the skills they were trained for, including prescribing medication and performing minor surgery. She currently had to contact an MD for those services; because General Practitioners were not readily available, she often had to go to the Emergency Room, which was more time-consuming and costly to both her and the medical insurance industry.

MS. NORLAND related an incident that occurred in 2006, when Dr. Kane diagnosed her as having a life threatening deep vein thrombosis (DVT) or blood clot, and recommended the proper treatment. The problem had not been correctly diagnosed by the

MD at the emergency room, which nearly caused her to travel without the necessary medication to thin her blood. What is more, Dr. Kane was the only doctor who had worked with her to reduce the clot.

MS. NORLAND was a nurse for 30 years and it was her opinion that naturopathic medicine was not only legitimate, but preferable in many cases to conventional treatments. She was currently being treated for hypertension, which might require medication, and it would be less expensive and more convenient if Dr. Kane could prescribe those medications for her.

6:13:48 PM

DR. SCOTT LUPER, President, Alaska Association Of Naturopathic Physicians (AKANP), supported CSSB 107. He appreciated the testimony and wanted to speak to the essence of the bill, which was that it allowed naturopathic physicians to practice as they were educated. Naturopaths came into the practice after 4 years of college, an additional 4 years of medical education, and testing by a national board in a wide variety of competencies including minor surgeries and the use of pharmaceuticals. Most states that licensed Naturopathic Doctors did allow some degree of prescription authority; Alaska was one of the places that did not.

DR. LUPER stressed that he wanted to provide the care to his patients that he was trained to provide. He said he had seen a patient that week, a 43 year old woman with 3 children, who complained of fatigue, menstrual problems and headache. He gathered history, performed a number of tests and examinations, and came back with a diagnosis of hypothyroidism. Because he could not prescribe the necessary medication, she had to endure the added time and expense and the delay in treatment required to see an MD. He said he would be happy to answer any questions the committee might have.

SENATOR THOMAS noted that they had heard previous testimony that the difference in education [between MD's and naturopaths] was the residency served by MD's that required them to work under licensed physicians in a hospital environment for a period of time. He asked if Dr. Luper could explain why he thought that was not valid, or if in fact the residency was also required of naturopaths.

DR. LUPER said he was in charge of the residency program at Southwest School of Naturopathic Medicine and he did think residency was a good idea; residency was the place that doctors

got to hone their skills. He felt it was unfortunate that the residency positions available to naturopathic physicians were fewer than the physicians themselves. The reason was that naturopathy was not subsidized by the federal government as was medical or osteopathic practice. The AKANP was trying to correct that, but it would take some time.

He said that the bottom line however, was that Naturopathic Doctors were trained well enough after 4 years of medical school and the thousands of hours of patient contact they had while in school, to diagnose, treat, prescribe and perform minor surgical procedures. He pointed out that naturopaths were all trained under licensed physicians.

[6:20:06 PM](#)

EMILY KANE, Naturopathic Physician, Juneau, AK, wanted to make a point that might alleviate Dr. Raster's concerns and those of his board. She said her understanding was that one version of this bill specifically excluded narcotics and chemotherapy from the potential list of legend drugs; she was not personally interested in either narcotics or chemotherapeutics and would guess that she spoke for most naturopaths in that regard. She asked if her understanding was correct.

CHAIR DAVIS agreed that it was still written that way as far as she knew and asked Mr. Bullard to speak to that.

DR. KANE asked why then, Dr. Raster was concerned about those categories.

CHAIR DAVIS said that although Dr. Raster spoke to them, they were never in the bill.

[6:22:03 PM](#)

DR. RASTER said he could not find those exclusions in the current version of the bill.

SENATOR THOMAS questioned whether on page 2, [line 28], the verbiage "except as authorized under AS 08.45.056" would cover that.

MR. BULLARD advised that the exclusions were not in the current bill.

CHAIR DAVIS wondered why they had been removed. She said they were running out of time, but the bill was clearly not in the

shape they thought it was; those exclusions should not have come out.

MR. BULLARD referred Chair Davis to Version \A where the exclusions did appear on page 2, lines 30-31.

MR. OBERMEYER said he believed that Section 08.45.050 had not changed except under AS 08.45.056 and that the current restrictions on controlled substances would cover narcotics. Chemotherapy was not addressed. If they determined that this profession should be regulated by the Alaska State Medical Board, then the law would have to be changed.

SENATOR ELTON asked Mr. Bullard about a possible anomaly on page 4, line 3 and lines 27-29. Line 3 provided that the council would create a list that the department "may" approve for use by naturopaths; beginning on line 27 it said that "(b) An endorsement issued under (a) of this section authorizes the licensee to prescribe and administer prescription drugs and medical devices that are on the formulary approved by the Alaska Naturopathic Council under AS 08.45.054." He asked if line 29 should say approved by the Department rather than by the Naturopathic Council.

MR. BULLARD agreed with Senator Elton that the verbiage as written was incorrect.

CHAIR DAVIS announced her intention to close public comment on the bill until corrections could be made. She held SB 107 in committee.

There being no further business to come before the committee, Chair Davis adjourned the meeting at [6:27:04 PM](#).