

AMENDMENT No. 1

OFFERED IN THE SENATE  
TO: CSSB 175(L&C)

BY SENATOR MCGUIRE

1 Page 1, line 15, through page 2, line 2:

2 Delete "or, in a form that is not a controlled substance, an herbal or homeopathic  
3 remedy, a dietetic remedy, or hydrotherapy"

4 Insert ", a homeopathic remedy, or a dietetic remedy"

5

6 Page 2, lines 3 - 13:

7 Delete all material and insert:

8 "(c) The status of a drug or remedy that a naturopath may give, prescribe, or  
9 recommend under this chapter or may not give, prescribe, or recommend under this  
10 chapter is not changed by compounding the drug or remedy."

11

12 Page 2, following line 13:

13 Insert new bill sections to read:

14 "\*\* Sec. 3. AS 08.45.060 is amended to read:

15 **Sec. 08.45.060. Grounds for suspension, revocation, or refusal to issue a**  
16 **license.** The department may, after a hearing, impose a disciplinary sanction on a  
17 person licensed under this chapter when the department finds that the licensee

18 (1) secured a license through deceit, fraud, or intentional  
19 misrepresentation;

20 (2) engaged in deceit, fraud, or intentional misrepresentation in the  
21 course of providing professional services or engaging in professional activities;

22 (3) advertised professional services in a false or misleading manner;

23 (4) has been convicted of a felony or other crime that affects the

1 licensee's ability to continue to practice competently and safely;

2 (5) failed to comply with this chapter, with a regulation adopted under  
3 this chapter, or with an order of the department;

4 (6) continued to practice after becoming unfit due to

5 (A) professional incompetence;

6 (B) addiction or severe dependency on alcohol or a drug that  
7 impairs the licensee's ability to practice safely;

8 (C) physical or mental disability;

9 (7) engaged in lewd or immoral conduct in connection with the  
10 delivery of professional service to patients;

11 **(8) has procured, sold, prescribed, or dispensed drugs in violation**  
12 **of a law regardless of whether there has been a criminal action.**

13 \* **Sec. 4.** AS 08.45.200(3) is amended to read:

14 (3) "naturopathy" means the use of hydrotherapy, **a dietetic remedy**  
15 **[DIETETICS], an herbal remedy, a homeopathic remedy,** electrotherapy,  
16 sanitation, suggestion, mechanical and manual manipulation for the stimulation of  
17 physiological and psychological action to establish a normal condition of mind and  
18 body [; IN THIS PARAGRAPH, "DIETETICS" INCLUDES HERBAL AND  
19 HOMEOPATHIC REMEDIES].

20 \* **Sec. 5.** AS 08.45.200 is amended by adding new paragraphs to read:

21 (4) "dietetic remedy" means nutritional therapy, nutritional counseling,  
22 a nutritional substance, vitamins, or minerals used to promote health and to diagnose,  
23 treat, or prevent disease, illness, or conditions;

24 (5) "herbal remedy" means a substance derived from or a concentrate  
25 or extract of a plant, tree, root, moss, or fungus;

26 (6) "homeopathic remedy" means a remedy defined in the current  
27 version of Homeopathic Pharmacopoeia of the United States;

28 (7) "hydrotherapy" means the application of water to the external body  
29 in all forms and temperatures to promote health and to diagnose, treat, and prevent  
30 disease, illness, and conditions;

31 (8) "prescription drug" means a drug on the Prescription Drug Product

1 List or the Drug Products with Approval under Section 505 of the Act Administered  
2 by the Center for Biologics Evaluation and Research List in the Approved Drug  
3 Products with Therapeutic Equivalence Evaluations compiled by the United States  
4 Food and Drug Administration in effect at the time of the prescription, gift, or  
5 recommendation, or that has, at the time of the prescription, gift, or recommendation,  
6 gone through a preapproval process by the United States Food and Drug  
7 Administration."

8

9 Renumber the following bill section accordingly.