

Introduced: 4/11/79
Referred: Health, Education
& Social Services;
Labor & Management

BY THE COMMERCE COMMITTEE
BY REQUEST

1 IN THE SENATE

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SENATE BILL NO. 263

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

ELEVENTH LEGISLATURE - FIRST SESSION

5

A BILL

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For an Act entitled: "An Act relating to the licensing of practitioners of
naturopathic healing; and providing for an effective
date."

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

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* Section 1. AS 08 is amended by adding a new chapter to read:

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CHAPTER 45. NATUROPATHS AND NATUROPATHIC PHYSICIANS.

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ARTICLE 1. BOARD OF NATUROPATHIC EXAMINERS.

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Sec. 08.45.010. ESTABLISHMENT; MEMBERSHIP; APPOINTMENT OF BOARD.

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(a) There is created the Board of Naturopathic Examiners, consisting of
three members appointed by the governor.

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(b) Members shall be licensed naturopathic physicians who have
been actively engaged in the practice of naturopathy in the state for at
least two years immediately preceding their appointment.

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Sec. 08.45.020. TERM OF OFFICE; COMPENSATION. (a) Board members
serve overlapping three-year terms. Vacancies on the board shall be
filled for the unexpired portion of the term.

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(b) Board members serve voluntarily except that members are
entitled to travel expenses and per diem as allowed by law for other
boards.

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Sec. 08.45.030. CHAIRMAN. (a) The board shall annually elect a
chairman from its members.

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Sec. 08.45.040. MEETINGS. The board shall hold a regular meeting
annually and other meetings as may be necessary. Special meetings may
be called by the chairman or by concurrence of two board members.

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1 Sec. 08.45.050. DUTIES AND POWERS. The board shall

2 (1) adopt regulations necessary to carry out the purposes of
3 this chapter;

4 (2) evaluate the qualifications of applicants;

5 (3) conduct hearings and keep records and minutes necessary
6 for carrying out the purposes of this chapter;

7 (4) provide for the issuance of temporary permits for persons
8 who are apparently qualified to engage in naturopathic medicine to
9 engage in the practice of naturopathic medicine until certification of
10 the results of the next examination given under AS 08.45.120.

11 ARTICLE 2. LICENSING OF NATUROPATHIC PHYSICIANS.

12 Sec. 08.45.100. LICENSING REQUIREMENT. A person may not engage in
13 the practice of naturopathy or naturopathic medicine unless he first
14 obtains a license as provided in this chapter.

15 Sec. 08.45.110. LICENSURE AS A NATUROPATHIC PHYSICIAN. To be
16 eligible for a license as a naturopathic physician, an applicant shall

17 (1) hold a high school diploma or the equivalent;

18 (2) have completed two years of postsecondary education at an
19 accredited college of liberal arts or sciences;

20 (3) have graduated from an accredited school or college of
21 naturopathic medicine that has as a requirement for graduation success-
22 ful completion of a course of instruction of at least nine months in
23 each of four years; and

24 (4) successfully complete an examination given by the board.

25 Sec. 08.45.120. EXAMINATION. Examination for licensing as a
26 naturopathic physician shall be held at a time and place and conducted
27 in a manner determined by the board. The examination may include prac-
28 tical demonstration and oral and written testing in those subjects
29 usually taught in accredited schools of naturopathic medicine.

1 Sec. 08.45.130. ENDORSEMENT. The board may license a person as a
2 naturopathic physician if the person is currently licensed as a naturo-
3 pathic physician in another state or in Canada and that state or pro-
4 vince in Canada maintains professional licensing standards equivalent to
5 those in this chapter, and if the state or province extends the same
6 privilege to those holding a license in this state.

7 Sec. 08.45.140. DENIAL, SUSPENSION OR REVOCATION OF LICENSE. The
8 board may deny, suspend, or revoke the license of a person or applicant
9 who

10 (1) has obtained or attempted to obtain a license under this
11 chapter by fraud or deceit;

12 (2) wilfully violates a provision of this chapter or a regula-
13 tion adopted under this chapter; or

14 (3) engages in unprofessional conduct.

15 Sec. 08.45.150. RENEWAL OF LICENSE. Licenses expire biennially on
16 a date set by the department and may be renewed by making an application
17 to the department and meeting the requirements established in this
18 chapter.

19 Sec. 08.45.160. FEES. The following fees shall be imposed under
20 this chapter:

21 (1) application for examination	\$ 25
22 (2) application for reexamination	10
23 (3) license issuance or biennial renewal	100
24 (4) issuance of temporary permit	25

25 ARTICLE 3. GENERAL PROVISIONS.

26 Sec. 08.45.200. APPLICABILITY OF ADMINISTRATIVE PROCEDURE ACT.
27 The board shall adopt regulations and conduct hearings in accordance
28 with the Administrative Procedure Act (AS 44.62).

29 Sec. 08.45.210. VIOLATIONS. (a) It is unlawful for a person to

1 (1) fraudulently obtain or furnish a license, renewal or
2 record required by this chapter;

3 (2) wilfully violate a provision of this chapter or a
4 regulation adopted under this chapter.

5 (b) A person who violates this section is guilty of a misdemeanor
6 and upon conviction is punishable by a fine of \$500, or by imprisonment
7 for one year, or by both.

8 Sec. 08.45.220. PRACTICING WITHOUT A LICENSE. A person who
9 practices naturopathy or naturopathic medicine without first obtaining a
10 license is guilty of a misdemeanor and, upon conviction, is punishable
11 by a fine of not more than \$1,000, or by imprisonment for not more than
12 one year, or by both.

13 Sec. 08.45.230. DEFINITIONS. In this chapter

14 (1) "board" means the Board of Naturopathic Examiners;

15 (2) "naturopathy" and "naturopathic medicine" means the
16 treatment of the human body through the use of natural agencies, forces,
17 processes, and products, with emphasis on the response of the individual
18 to the disease rather than its treatment in isolation; the term

19 (A) allows use of all systems of diagnosis, including
20 use of X-ray;

21 (B) allows treatment by physiological, nutritional,
22 psychological, mechanical, electrical, manual, hydrotherapeutic,
23 phytotherapeutic, mineral and organic substances and agencies which
24 are effective in stimulating normal function of tissues and organs
25 sensitized by disease;

26 (C) includes

27 (i) minor surgery, including the drawing of blood
28 for laboratory purposes;

29 (ii) use of local anesthetic for surgical repair or

1 care; and

2 (iii) the practice of natural childbirth in obstet-
3 rics, including related minor surgical procedures;

4 (D) excludes major surgery, the use of narcotics, radia-
5 tion therapy, and the use of synthetic prescription drugs;

6 (3) "unprofessional conduct" means

7 (A) habitual overuse of alcoholic beverages or depres-
8 sant, hallucinogenic or stimulant drugs, as defined in AS 17.12.-
9 150(3), or addiction to the use of narcotic drugs as defined in
10 AS 17.10.230(13); or

11 (B) conviction of an offense involving moral turpitude.

12 * Sec. 2. AS 08.01.010 is amended by adding a new paragraph to read:

13 (22) Board of Naturopathic Examiners.

14 * Sec. 3. AS 08.01.050(19) is amended to read:

15 (19) provide investigative services to the boards established
16 under AS 08.20, AS 08.32, AS 08.36, AS 08.45, AS 08.64, AS 08.68, AS 08.
17 71, AS 08.72, AS 08.80, AS 08.84, and AS 08.86, for the purpose of
18 assisting those boards in matters of professional discipline.

19 * Sec. 4. AS 08.03.010(c) is repealed and re-enacted to read:

20 (c) The following board has the termination date provided by this
21 subsection: Board of Naturopathic Examiners (AS 08.45.010) -- June 30,
22 1983.

23 * Sec. 5. AS 08.03 is amended by adding a new section to read:

24 Sec. 08.03.020. TERMINATION, CONTINUATION, AND REESTABLISHMENT OF
25 REGULATORY BOARDS. (a) Upon termination, each board listed in AS 08.-
26 03.010 shall continue in existence until June 30 of the next succeeding
27 year for the purpose of concluding its affairs. During this period,
28 termination does not reduce or otherwise limit the powers or authority
29 of each board. One year after the date of termination, a board not

1 continued shall cease all activities.

2 (b) The termination, dissolution, continuation or reestablishment
3 of a regulatory board shall be governed by the legislative oversight
4 procedures of AS 44.66.050.

5 (c) A board scheduled for termination under this chapter may be
6 continued or reestablished by the legislature for a period not to exceed
7 four years.

8 * Sec. 6. INITIAL TERM OF OFFICE. (a) One member of the Board of
9 Naturopathic Examiners first appointed under AS 08.45.010(a) shall serve a
10 term of one year; one shall serve a term of two years; and one shall serve a
11 term of three years. The length of the term of each of the members first
12 appointed shall be designated by the governor.

13 (b) The provisions of AS 08.45.010(b) do not apply to the members of
14 the first Board of Naturopathic Examiners appointed under AS 08.45.

15 * Sec. 7. LICENSING OF PRACTITIONERS OF NATUROPATHY OR NATUROPATHIC
16 MEDICINE WITHOUT EXAMINATION. The Board of Naturopathic Examiners shall
17 license all persons who, on the effective date of this Act, meet the qualifi-
18 cations of AS 08.45.110(1) - (3) and who apply for licensure under AS 08.45
19 not later than one year after the effective date of this Act.

20 * Sec. 8. AS 08.03.010(d) and (e) are repealed.

21 * Sec. 9. This Act takes effect July 1, 1979.

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