

Original sponsor: Commerce Committee
by request

Offered: 5/13/80
Referred: Rules

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR SENATE BILL NO. 263

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

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

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

10 * Section 1. AS 08.01.010 is amended by adding a new paragraph to read:

11 (22) practice of naturopathy or naturopathic medicine

12 (AS 08.45).

13 * Sec. 2. AS 08 is amended by adding a new chapter to read:

14 CHAPTER 45. NATUROPATHS AND NATUROPATHIC PHYSICIANS.

15 ARTICLE 1. REGULATION OF NATUROPATHY.

16 Sec. 08.45.010. DUTIES AND POWERS. The commissioner shall

17 (1) evaluate the qualifications of applicants;

18 (2) conduct hearings and keep records and minutes necessary
19 for carrying out the purposes of this chapter; and

20 (3) provide for the issuance of temporary permits for persons
21 who are apparently qualified to engage in naturopathic medicine to
22 engage in the practice of naturopathic medicine until certification of
23 the results of the next examination given under AS 08.45.120.

24 ARTICLE 2. LICENSING OF NATUROPATHIC PHYSICIANS.

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

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

- 1 (1) hold a high school diploma or the equivalent;
- 2 (2) have completed two years of postsecondary education at an
- 3 accredited college of liberal arts or sciences;
- 4 (3) have graduated from an accredited school or college of
- 5 naturopathic medicine that has as a requirement for graduation success-
- 6 ful completion of a course of instruction of at least nine months in
- 7 each of four years; and
- 8 (4) successfully complete an examination given by the commis-
- 9 sioner.

10 Sec. 08.45.120. EXAMINATION. Examination for licensing as a

11 naturopathic physician shall be held at a time and place and conducted

12 in a manner determined by the commissioner. The examination may include

13 practical demonstration and oral and written testing in those subjects

14 usually taught in accredited schools of naturopathic medicine.

15 Sec. 08.45.130. ENDORSEMENT. The commissioner may license a

16 person as a naturopathic physician if the person is currently licensed

17 as a naturopathic physician in another state or in Canada and that state

18 or province in Canada maintains professional licensing standards equiva-

19 lent to those in this chapter, and if the state or province extends the

20 same privilege to those holding a license in this state.

21 Sec. 08.45.140. DENIAL, SUSPENSION OR REVOCATION OF LICENSE. The

22 commissioner may deny, suspend, or revoke the license of a person or

23 applicant who

- 24 (1) has obtained or attempted to obtain a license under this
- 25 chapter by fraud or deceit;
- 26 (2) wilfully violates a provision of this chapter or a regula-
- 27 tion adopted under this chapter; or
- 28 (3) engages in unprofessional conduct.

29 Sec. 08.45.150. FEES. The following fees shall be imposed under

1 this chapter:

- 2 (1) application for examination \$ 25
3 (2) application for reexamination 10
4 (3) license issuance or biennial renewal 100
5 (4) issuance of temporary permit 25

6 ARTICLE 3. GENERAL PROVISIONS.

7 Sec. 08.45.200. VIOLATIONS. (a) It is unlawful for a person to

- 8 (1) fraudulently obtain or furnish a license, renewal or
9 record required by this chapter;
10 (2) wilfully violate a provision of this chapter or a regula-
11 tion adopted under this chapter.

12 (b) A person who violates this section is guilty of a class B
13 misdemeanor.

14 Sec. 08.45.210. PRACTICING WITHOUT A LICENSE. A person who prac-
15 tices naturopathy or naturopathic medicine without first obtaining a
16 license is guilty of a class A misdemeanor.

17 Sec. 08.45.220. DEFINITIONS. In this chapter

- 18 (1) "commissioner" means the commissioner of commerce and
19 economic development;
20 (2) "department" means the Department of Commerce and Economic
21 Development;
22 (3) "naturopathy" and "naturopathic medicine" means the
23 treatment of the human body through the use of natural agencies, forces,
24 processes, and products, with emphasis on the response of the individual
25 to the disease rather than its treatment in isolation; the term

26 (A) allows use of all systems of diagnosis, including
27 use of X-ray;

28 (B) allows treatment by physiological, nutritional,
29 psychological, mechanical, electrical, manual, hydrotherapeutic,

1 phytotherapeutic, mineral and organic substances and agencies which
2 are effective in stimulating normal function of tissues and organs
3 sensitized by disease;

4 (C) includes

5 (i) minor surgery, including the drawing of blood
6 for laboratory purposes;

7 (ii) use of local anesthetic for surgical repair or
8 care; and

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

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

13 (4) "unprofessional conduct" means

14 (A) habitual overuse of alcoholic beverages or depres-
15 sant, hallucinogenic or stimulant drugs, as defined in AS 17.12.-
16 150(3), or addiction to the use of narcotic drugs as defined in
17 AS 17.10.230(13); or

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

19 * Sec. 2. LICENSING OF PRACTITIONERS OF NATUROPATHY OR NATUROPATHIC
20 MEDICINE WITHOUT EXAMINATION. The commissioner of commerce and economic
21 development shall license all persons who, on the effective date of this Act,
22 meet the qualifications of AS 08.45.110(1) - (3) and who apply for licensure
23 under AS 08.45 not later than one year after the effective date of this Act.

24 * Sec. 3. This Act takes effect July 1, 1980.