

Offered: 3/23/82
Referred: Finance

Original sponsor: Colletta by request

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

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CS FOR SENATE BILL NO. 274 (HESS)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TWELFTH LEGISLATURE - SECOND SESSION

5

A BILL

6

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 08.01.010 is amended by adding a new paragraph to read:

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(24) practice of naturopathy or naturopathic medicine

12

(AS 08.45).

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* Sec. 2. 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. REGULATION OF NATUROPATHY.

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Sec. 08.45.010. DUTIES AND POWERS. The Department of Commerce

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and Economic Development shall

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(1) evaluate the qualifications of applicants for licenses

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under this chapter;

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(2) conduct hearings and keep records necessary to carry out

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the purposes of this chapter;

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(3) license naturopathic physicians in accordance with

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AS 08.45.100 - 08.45.160; and

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(4) provide for temporary permits for persons who are appar-

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ently qualified to engage in naturopathic medicine to engage in the

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practice of naturopathic medicine until certification of the results of

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the next examination given under AS 08.45.120.

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ARTICLE 2. LICENSING OF NATUROPATHIC PHYSICIANS.

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Sec. 08.45.100. LICENSING REQUIREMENT. A person may not engage

1 in the practice of naturopathy or naturopathic medicine unless he first
2 obtains a license as provided in this chapter.

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

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

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

8 (3) have attended at least 90 percent of the hours required
9 for graduation and graduated from a legally chartered school or college
10 of naturopathic medicine that has as a requirement for graduation suc-
11 cessful completion of a course of resident instruction of at least nine
12 months actual attendance in each of four years and successful completion
13 of a course of instruction totaling 4,500 hours or more; the course of
14 instruction shall include:

15 (A) anatomy and physiology;

16 (B) histology and embryology;

17 (C) microbiology;

18 (D) pathology;

19 (E) immunology;

20 (F) public health;

21 (G) toxicology;

22 (H) physical, clinical, x-ray and symptomatology diag-

23 nosis;

24 (I) first aid and emergency medicine;

25 (J) obstetrics and gynecology;

26 (K) orthopedics;

27 (L) minor surgery;

28 (M) proctology;

29 (N) otolaryngology;

- 1 (O) physiotherapy;
2 (P) manipulative techniques;
3 (Q) dietetics and clinical nutrition;
4 (R) herbology;
5 (S) naturopathic theory and practice;
6 (T) naturopathic therapeutics;
7 (U) clinical practice; and
8 (V) jurisprudence;

9 (4) successfully complete an examination given by the depart-
10 ment;

11 (5) not have a license to practice naturopathic medicine in
12 another state, province, or territory, which is suspended or revoked for
13 disciplinary reasons;

14 (6) be a United States citizen or lawfully admitted to perman-
15 ent residence in this country; and

16 (7) be of good moral character.

17 Sec. 08.45.120. EXAMINATION. (a) An examination for licensing as
18 a naturopathic physician shall be held at a time and place and shall be
19 conducted as determined by the department. The examination shall be
20 limited to the subjects listed in AS 08.45.110(3), each of which shall
21 constitute a separate examination section. The examination shall be
22 objective and in writing, but may be supplemented by oral examinations,
23 and by demonstrations or other practical tests as the department may
24 require.

25 (b) To pass the examination an applicant shall receive an overall
26 average of 75 percent and may not receive less than 70 percent in more
27 than two sections.

28 Sec. 08.45.130. ENDORSEMENT. The department may license a person
29 as a naturopathic physician if the person is currently licensed as a

1 naturopathic physician in another state or in a province of Canada and

2 (1) that state or province maintains professional licensing
3 standards equivalent to those in this chapter;

4 (2) that state or province extends the same licensing privi-
5 lege to those holding a license in this state; and

6 (3) the person demonstrates to the satisfaction of the depart-
7 ment qualifications at least equal to those required of persons licensed
8 under this chapter.

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

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

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

16 (3) engages in unprofessional conduct;

17 (4) impersonates another physician;

18 (5) practices under an assumed name; or

19 (6) is convicted of a crime involving moral turpitude.

20 Sec. 08.45.150. FEES. The following fees are imposed under this
21 chapter:

22 (1) application for examination\$ 25

23 (2) application for reexamination 10

24 (3) license issuance or biennial renewal 100

25 (4) issuance of temporary permit 25

26 Sec. 08.45.160. NATURE OF NATUROPATHIC PRACTICE. A naturopathic
27 physician in the course of the practice of naturopathic medicine

28 (1) may perform physical examinations, write prescriptions
29 for substances authorized in this chapter, and sign birth and death

1 certificates;

2 (2) may use systems of diagnosis for which he has been
3 trained under AS 08.45.110(3);

4 (3) may treat patients by physiological, nutritional, psycho-
5 logical, mechanical, electrical, manual, hydrotherapeutic, phytothera-
6 peutic, mineral and organic substances and agencies, including acupunc-
7 ture, that are effective in stimulating normal function of tissues and
8 organs sensitized by disease;

9 (4) may

10 (A) draw blood for laboratory purposes, and use electri-
11 cal or other methods for the repair and care of superficial lacera-
12 tions and abrasions, benign superficial lesions, and the removal of
13 foreign bodies located in superficial structures;

14 (B) practice natural childbirth in obstetrics, including
15 related minor surgical procedures;

16 (5) may not

17 (A) perform surgery except as provided under (4)(B) of
18 this section;

19 (B) use controlled substances as defined in AS 11.81.-
20 900(b)(6) including cannabis;

21 (C) use radiation therapy; and

22 (D) use drugs except antiseptics, local anesthetics,
23 minerals and their extracts, and compounds or concentrates obtained
24 from plants or animals.

25 Sec. 08.45.170. CONTINUING EDUCATION. (a) The department may
26 prescribe by regulation continuing education requirements for persons
27 licensed under this chapter.

28 (b) Before a license issued under this chapter may be renewed, the
29 licensee shall submit to the department evidence of completion of con-

1 tinuing education requirements.

2 (c) The department may exempt a licensee from the continuing
3 education requirement under (b) of this section upon an application of
4 the licensee setting out extenuating circumstances. A licensee may not
5 receive more than one exemption under this subsection in a five-year
6 period.

7 ARTICLE 3. GENERAL PROVISIONS.

8 Sec. 08.45.200. TITLES AND ABBREVIATIONS. (a) A person licensed
9 under this chapter may use the following titles: "Doctor of Naturopathy"
10 or its abbreviation, "N.D.", "Naturopath", or "Naturopathic Physician".
11 A person licensed under this chapter may not use his title in a manner
12 that suggests that he practices a form of medicine or a healing art
13 other than naturopathy.

14 (b) A person may not use a title or abbreviation listed in (a) of
15 this section unless he is licensed under this chapter.

16 Sec. 08.45.205. VIOLATIONS. (a) It is unlawful for a person to

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

19 (2) wilfully violate a provision of this chapter or a regula-
20 tion adopted under this chapter.

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

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

26 Sec. 08.45.220. DEFINITIONS. In this chapter

27 (1) "department" means the Department of Commerce and Economic
28 Development;

29 (2) "naturopathy" and "naturopathic medicine" means the

1 treatment of the human body through the use of natural agencies, forces,
2 processes, and products, with emphasis on the response of the individual
3 to the disease rather than its treatment in isolation;

4 (3) "unprofessional conduct" means

5 (A) the habitual overuse of alcoholic beverages or
6 cannabis or the unlawful use of controlled substances as defined in
7 AS 11.81.900(b)(6); or

8 (B) conviction of an offense that is a crime of moral
9 turpitude, including murder, sexual assault, robbery, kidnapping,
10 incest, arson, burglary, theft, and forgery.

11 * Sec. 3. LICENSING OF PRACTITIONERS OF NATUROPATHY OR NATUROPATHIC
12 MEDICINE WITHOUT EXAMINATION. The commissioner of commerce and economic
13 development shall license all persons who, on the effective date of this Act,
14 meet the qualifications of AS 08.45.110(1) - (7) and who apply for licensure
15 under AS 08.45 not later than June 30, 1983.

16 * Sec. 4. This Act takes effect July 1, 1982.