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AND TISCHER

1 IN THE HOUSE

2 HOUSE BILL NO. 347

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the licensing of practitioners of  
7 naturopathic medicine; 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 (24) regulation of naturopathy or naturopathic medicine  
12 under AS 08.45.

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

14 CHAPTER 45. NATUROPATHS.

15 ARTICLE 1. REGULATION OF NATUROPATHY.

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

17 (1) evaluate the qualifications of applicants for licenses  
18 under this chapter;

19 (2) conduct hearings and keep records necessary to carry  
20 out the purposes of this chapter;

21 (3) license naturopaths and renew licenses in accordance  
22 with AS 08.45.100 - 08.45.170; and

23 (4) provide for temporary permits to engage in the practice  
24 of naturopathic medicine for persons who are apparently qualified that  
25 are valid until certification of the results of the next examination  
26 given under AS 08.45.120.

27 ARTICLE 2. LICENSING OF NATUROPATHS.

28 Sec. 08.45.100. LICENSING REQUIREMENT. A person may not engage  
29 in the practice of naturopathy or naturopathic medicine unless that

1 person has a valid license or temporary permit under this chapter.

2 Sec. 08.45.110. LICENSURE AS A NATUROPATH. To be eligible for a  
3 license as a naturopath, an applicant shall

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

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

7 (3) have graduated from a legally chartered school or  
8 college of naturopathic medicine that has as a requirement for gradua-  
9 tion successful completion of a course of resident instruction of at  
10 least nine months actual attendance in each of four years and success-  
11 ful completion of a course of instruction totaling 4,000 hours or  
12 more; the course of instruction shall include:

13 (A) anatomy, physiology, histology, and embryology;

14 (B) microbiology;

15 (C) pathology;

16 (D) immunology;

17 (E) public health;

18 (F) physical, clinical, and x-ray diagnosis;

19 (G) first aid and emergency medicine;

20 (H) obstetrics and gynecology;

21 (I) orthopedics;

22 (J) minor surgery and proctology;

23 (K) otolaryngology;

24 (L) physiotherapy and manipulative techniques;

25 (M) dietetics and clinical nutrition;

26 (N) botanical medicine;

27 (O) naturopathic theory, therapeutics and clinical

28 practice;

29 (P) jurisprudence;

1 (4) successfully complete an examination given by the  
2 department;

3 (5) not have a license to practice naturopathic medicine in  
4 another state, province, or territory, that is suspended or revoked  
5 for disciplinary reasons;

6 (6) be a United States citizen or lawfully admitted to  
7 permanent residence in this country; and

8 (7) be of good moral character.

9 Sec. 08.45.120. EXAMINATION. (a) An examination for licensing  
10 as a naturopath shall be held at a time and place and shall be con-  
11 ducted as determined by the department. The examination shall be  
12 limited to the subjects listed in AS 08.45.110(3), each of which shall  
13 constitute a separate examination section. The examination shall be  
14 objective and in writing, but may be supplemented by oral examina-  
15 tions, and by demonstrations or other practical tests as the depart-  
16 ment may require.

17 (b) To pass the examination an applicant shall receive an over-  
18 all average of 75 percent and may not receive less than 70 percent in  
19 more than two sections.

20 Sec. 08.45.130. ENDORSEMENT. The department may license a  
21 person as a naturopath if the person is currently licensed as a natur-  
22 opath in another state or in a province of Canada and

23 (1) that state or province maintains professional licensing  
24 standards equivalent or higher than those in this chapter;

25 (2) that state or province extends the same licensing  
26 privilege to those holding a license in this state; and

27 (3) the person demonstrates to the satisfaction of the  
28 department qualifications at least equal to those required of persons  
29 licensed under this chapter.

1           Sec. 08.45.140. DENIAL, SUSPENSION OR REVOCATION OF LICENSE.

2           The department may deny, suspend, or revoke the license of a person or  
3           applicant who

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

6                   (2) wilfully violates a provision of this chapter or a  
7           regulation adopted under this chapter;

8                   (3) habitually overuses alcoholic beverages;

9                   (4) unlawfully uses a controlled substance as defined in  
10          AS 11.81.900(b)(6);

11                   (5) impersonates another physician;

12                   (6) practices under an assumed name; or

13                   (7) is convicted of a crime involving moral turpitude,  
14          including murder, sexual assault, robbery, kidnapping, incest, arson,  
15          burglary, theft, and forgery.

16           Sec. 08.45.150. FEES. The following fees are imposed under this  
17          chapter:

18                   (1) application for examination ..... \$ 25

19                   (2) application for reexamination ..... 10

20                   (3) license issuance or biennial renewal ..... 100

21                   (4) issuance of temporary permit ..... 25

22           Sec. 08.45.160. SCOPE OF NATUROPATHIC PRACTICE. (a) A naturo-  
23          path in the course of the practice of naturopathic medicine may

24                   (1) perform physical examinations, write prescriptions for  
25          substances authorized in this chapter, and sign birth and death cer-  
26          tificates;

27                   (2) use systems of diagnosis for which the naturopathic  
28          physician has been trained;

29                   (3) treat patients by physiological, nutritional, psycho-

1 logical, mechanical, electrical, manual, hydrotherapeutic, phytothera-  
2 peutic, mineral and organic substances and agencies, including acu-  
3 puncture, that are effective in stimulating normal function of tissues  
4 and organs sensitized by disease;

5 (4) draw blood for laboratory purposes, and use electrical  
6 or other methods for the repair and care of superficial lacerations  
7 and abrasions, benign superficial lesions, and the removal of foreign  
8 bodies located in superficial structures; and

9 (5) practice natural childbirth in obstetrics, including  
10 related minor surgical procedures.

11 (b) A naturopath may not

12 (1) perform surgery except as provided under (a)(5) of this  
13 section;

14 (2) use controlled substances as defined in AS 11.81.-  
15 900(b)(6);

16 (3) use radiation therapy; or

17 (4) use drugs except antiseptics, local anesthetics, min-  
18 erals and extracts, compounds or concentrates obtained from plants or  
19 animals.

20 Sec. 08.45.170. CONTINUING EDUCATION. (a) The department may  
21 prescribe by regulation continuing education requirements for persons  
22 licensed under this chapter.

23 (b) Before a license issued under this chapter may be renewed,  
24 the licensee shall submit to the department evidence of completion of  
25 continuing education requirements.

26 (c) The department may exempt a licensee from the continuing  
27 education requirement under (b) of this section upon an application of  
28 the licensee setting out extenuating circumstances. A licensee may  
29 not receive more than one exemption under this subsection in a five-

1 year period.

2 ARTICLE 3. GENERAL PROVISIONS.

3 Sec. 08.45.200. TITLES AND ABBREVIATIONS. (a) A person li-  
4 censed under this chapter may use the following titles: "Naturopath",  
5 "Doctor of Naturopathy" or its abbreviation, "N.D.". A person li-  
6 censed under this chapter may not use a title in a manner that sug-  
7 gests that the person practices a form of medicine or a healing art  
8 other than naturopathy.

9 (b) A person may not use a title or abbreviation listed in (a)  
10 of this section unless the person is licensed under this chapter.

11 Sec. 08.45.205. VIOLATIONS. (a) A person is guilty of a  
12 class B misdemeanor if the person

13 (1) fraudulently obtains or furnishes a temporary permit,  
14 license, renewal, or record required by this chapter;

15 (2) wilfully violates a provision of this chapter or a  
16 regulation adopted under this chapter.

17 (b) A person who practices naturopathy or naturopathic medicine  
18 without a valid temporary permit or license issued under this chapter  
19 is guilty of a class A misdemeanor.

20 Sec. 08.45.220. DEFINITIONS. In this chapter

21 (1) "department" means the Department of Commerce and  
22 Economic Development;

23 (2) "naturopathy" and "naturopathic medicine" means a  
24 system of healing the human body that includes diagnosis and treatment  
25 through the use of natural agencies, forces, processes, and products  
26 with emphasis on the response of the individual to the disease rather  
27 than its treatment in isolation.

28 \* Sec. 3. LICENSING OF PRACTITIONERS OF NATUROPATHY OR NATUROPATHIC  
29 MEDICINE WITHOUT EXAMINATION. The commissioner of commerce and economic

1 development shall license all persons who, on the effective date of this  
2 Act, meet the qualifications of AS 08.45.110(1) - (3) and (5) - (7) and who  
3 apply for licensure under AS 08.45 not later than June 30, 1984.

4 \* Sec. 4. This Act takes effect July 1, 1983.