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Referred: Labor & Commerce and
Finance

Original sponsors: Martin and Tischer

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2

CS FOR HOUSE BILL NO. 347 (HESS)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND 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 more
12 of which at least 1,500 hours is clinical experience; the course of
13 instruction shall include:

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

15 (B) microbiology;

16 (C) pathology;

17 (D) immunology;

18 (E) public health;

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

20 (G) first aid and emergency medicine;

21 (H) obstetrics and gynecology;

22 (I) orthopedics;

23 (J) minor surgery and proctology;

24 (K) otolaryngology;

25 (L) physiotherapy and manipulative techniques;

26 (M) dietetics and clinical nutrition;

27 (N) botanical medicine;

28 (O) naturopathic theory, therapeutics and clinical
29 practice;

- 1 (P) jurisprudence;
2 (4) successfully complete an examination given by the
3 department;
4 (5) not have a license to practice naturopathic medicine in
5 another state, province, or territory, that is suspended or revoked
6 for disciplinary reasons;
7 (6) be a United States citizen or lawfully admitted to
8 permanent residence in this country; and
9 (7) be of good moral character.

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

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

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

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

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

28 (3) the person demonstrates to the satisfaction of the
29 department qualifications at least equal to those required of persons

1 licensed under this chapter.

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

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

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

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

9 (3) habitually overuses alcoholic beverages;

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

12 (5) impersonates another physician;

13 (6) practices under an assumed name; or

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

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

19 (1) application for examination \$ 50

20 (2) application for reexamination 10

21 (3) license issuance or biennial renewal 200

22 (4) issuance of temporary permit 50

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

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

28 (2) use systems of diagnosis for which the naturopathic
29 physician has been trained under AS 08.45.110(3);

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

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

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

12 (b) A naturopath may not

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

15 (2) use controlled substances as defined in AS 11.81.-
16 900(b)(6);

17 (3) use radiation therapy; or

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

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

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

27 (c) The department may exempt a licensee from the continuing
28 education requirement under (b) of this section upon an application of
29 the licensee setting out extenuating circumstances. A licensee may

1 not receive more than one exemption under this subsection in a five-
2 year period.

3 ARTICLE 3. GENERAL PROVISIONS.

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

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

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

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

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

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

21 Sec. 08.45.220. DEFINITIONS. In this chapter

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

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

29 * Sec. 3. LICENSING OF PRACTITIONERS OF NATUROPATHY OR NATUROPATHIC

1 MEDICINE WITHOUT EXAMINATION. The commissioner of commerce and economic
2 development shall license all persons who, on the effective date of this
3 Act, meet the qualifications of AS 08.45.110(1) - (3) and (5) - (7) and who
4 apply for licensure under AS 08.45 not later than June 30, 1985.

5 * Sec. 4. This Act takes effect July 1, 1984.