

Introduced: 4/23/85
Referred: Labor & Commerce,
Health, Education & Social Services
and Finance

1 IN THE SENATE

BY ABOOD

2

SENATE BILL NO.297

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH 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 (26) 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; and

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

23 ARTICLE 2. LICENSING OF NATUROPATHS.

24 Sec. 08.45.100. LICENSE REQUIRED. A person may not engage in
25 the practice of naturopathy or naturopathic medicine unless that
26 person has a valid license issued under this chapter.

27 Sec. 08.45.110. REQUIREMENTS FOR A LICENSE. To be eligible for
28 a license to practice naturopathy or naturopathic medicine, an appli-
29 cant must have the following qualifications:

- 1 (1) a high school diploma or its equivalent;
- 2 (2) completion of three full years of postsecondary educa-
- 3 tion at an accredited college or university;
- 4 (3) graduation from a school of naturopathy or naturopathic
- 5 medicine that requires for graduation the successful completion of a
- 6 course of resident instruction as follows:
- 7 (A) nine or more months of attendance a year for four
- 8 years;
- 9 (B) successful completion of a course of instruction
- 10 totaling 4,000 hours or more; the course of instruction must
- 11 include 1,500 hours of clinical experience, and the following
- 12 subjects: anatomy, physiology, histology and embryology; micro-
- 13 biology; pathology; immunology; public health; physical,
- 14 clinical, and x-ray diagnosis; first aid and emergency medicine;
- 15 obstetrics and gynecology; orthopedics; minor surgery and
- 16 proctology; otolaryngology; physiotherapy and manipulative
- 17 techniques; dietetics and clinical nutrition; botanical medicine;
- 18 naturopathic theory; therapeutics and clinical practice; and
- 19 jurisprudence;
- 20 (4) successful completion of an examination given by the
- 21 department; the department may waive the examination if the applicant
- 22 has successfully passed a similar examination in another state or in
- 23 Canada;
- 24 (5) no history of suspension or revocation for disciplinary
- 25 reasons of a license to practice naturopathy issued by another state
- 26 or a province of Canada;
- 27 (6) United States citizenship or lawful admission as a
- 28 permanent resident to this country; and
- 29 (7) good moral character.

1 Sec. 08.45.120. EXAMINATION. (a) The department shall hold an
2 examination for a license to practice naturopathy or naturopathic
3 medicine at a time, place, and manner determined by the department.
4 The department shall hold the examination at least twice a year if the
5 demand exists. The department shall limit the examination to the
6 subjects listed in AS 08.45.110(3). Each of the subjects listed in
7 AS 08.45.110(3) constitutes a separate examination section. The
8 examination must be objective and written, but the department may
9 supplement the written examination with oral examinations and demon-
10 strations or other practical tests.

11 (b) A passing grade on the examination is an average of 75
12 percent for the entire examination with a score below 70 percent for
13 no more than two sections.

14 Sec. 08.45.130. RECIPROCITY. The department may license a
15 person to practice naturopathy or naturopathic medicine if the person
16 is currently licensed to practice naturopathy or naturopathic medicine
17 in another state or a province of Canada and

18 (1) that state or province maintains professional licensing
19 standards equivalent to or higher than those in this chapter;

20 (2) that state or province extends the same licensing
21 privilege to those holding a license to practice naturopathy or
22 naturopathic medicine in this state; and

23 (3) the person demonstrates to the satisfaction of the
24 department qualifications equal to those required of a person licensed
25 under this chapter.

26 Sec. 08.45.140. DENIAL OF RENEWAL, SUSPENSION OR REVOCATION OF
27 LICENSE. The department may, to the extent necessary to protect the
28 public, reprimand or prescribe rehabilitation or education for, or
29 suspend, revoke, or decline to renew the license of, a licensee who

- 1 (1) has obtained a license under this chapter by fraud or
 2 deceit;
- 3 (2) wilfully violates a provision of this chapter or a
 4 regulation adopted under this chapter;
- 5 (3) habitually overuses alcoholic beverages;
- 6 (4) unlawfully uses a controlled substance;
- 7 (5) impersonates a medical doctor;
- 8 (6) practices naturopathy or naturopathic medicine under an
 9 assumed name;
- 10 (7) is incompetent;
- 11 (8) engages in dishonest or misleading business practices;
- 12 or
- 13 (9) 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 department shall charge the following
 17 fees:

- 18 (1) application for examination \$100
- 19 (2) license issuance or biennial renewal 200

20 Sec. 08.45.160. SCOPE OF NATUROPATHIC PRACTICE. (a) A naturo-
 21 path may

- 22 (1) perform physical examinations, write prescriptions for
 23 substances authorized by this chapter, and sign birth and death cer-
 24 tificates;
- 25 (2) use systems of diagnosis for which the naturopathic
 26 physician has been trained under AS 08.45.110(3);
- 27 (3) treat patients by physiological, nutritional, psycho-
 28 logical, mechanical, electrical, manual, hydrotherapeutic, or phyto-
 29 therapeutic methods, that are recognised naturopathic methods,

1 including acupuncture and the use of mineral and organic substances
2 and agencies;

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

7 (5) practice natural childbirth, including related minor
8 surgical procedures.

9 (b) A naturopath may not

10 (1) except as provided under (a)(5) of this section, per-
11 form surgery;

12 (2) use controlled substances;

13 (3) use radiation therapy; or

14 (4) use drugs, except local anesthetics, minerals, and
15 extracts, compounds or concentrates obtained from plants or animals.

16 Sec. 08.45.170. RENEWAL. (a) A license issued under this
17 section is valid for two years from the date of issuance.

18 (b) Before the department renews a license issued under this
19 chapter, the licensee shall submit to the department evidence that the
20 licensee has completed 20 hours of continuing education.

21 (c) The department may exempt a licensee from the continuing
22 education requirement of (b) of this section if a licensee submits an
23 application setting out extenuating circumstances that justify grant-
24 ing the exemption. The department may not give to a licensee more
25 than one exemption under this subsection in a five-year period.

26 (d) The department shall prescribe by regulation the courses
27 that will satisfy the continuing education requirements of this sec-
28 tion.

29 **ARTICLE 3. GENERAL PROVISIONS.**

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

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

10 Sec. 08.45.205. VIOLATIONS. (a) Except as provided in (b) of
11 this section, a person is guilty of a class B misdemeanor if the
12 person

13 (1) fraudulently obtains or furnishes a license, renewal,
14 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 license issued under this chapter is guilty of a
19 class A misdemeanor.

20 Sec. 08.45.220. DEFINITIONS. In this chapter

21 (1) "controlled substance" has the meaning given in AS 11.-
22 71.900;

23 (2) "department" means the Department of Commerce and
24 Economic Development;

25 (3) "naturopath" means a person who practices naturopathy
26 or naturopathic medicine;

27 (4) "naturopathy" or "naturopathic medicine" means a system
28 of healing the human body that involves diagnosis and treatment
29 through the use of natural agencies, forces, processes, and products,

1 with an emphasis on the response of the individual to the disease
2 rather than treatment of the disease in isolation.

3 * Sec. 3. Notwithstanding AS 08.45.110 as enacted in sec. 2 of this
4 Act, a person may apply for and receive a license to practice naturopathy
5 if the person

6 (1) is a resident of the state;

7 (2) is practicing naturopathy in the state on the effective date
8 of this Act;

9 (3) has a valid license to practice naturopathy issued, after
10 examination, by another state or a province of Canada;

11 (4) has graduated from a school of naturopathy that satisfies
12 the requirements of AS 08.45.110(3) as enacted in sec. 2 of this Act; and

13 (5) applies for the license within 30 days of the effective date
14 of this Act.

15 * Sec. 4. This Act takes effect July 1, 1986.