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COMMITTEE REPORT

SENATE

2/22/82

FURTHER: FINANCE

Date: 3-17-82

Mr. President: HEALTH, EDUCATION & SOCIAL SERVICES
The Committee on HEALTH, EDUCATION & SOCIAL SERVICES has had SB 274
licensing of practitioners of naturopathic healing

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s) same title
- replace with CS for _____ new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

[Signature]

[Signature]

[Signature]

[Signature]

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Signature]

[Signature]

CHAIRMAN

POSITION PAPER

Senate Bill No. 274

"An Act relating to the licensing of practitioners of naturopathic healing; and providing for an effective date."

The bill provides for the licensing of naturopaths and defines qualifications necessary for licensure.

Definition

Naturopathy is defined as a system of treatment which emphasizes assistance to nature and includes the use of natural substances and physical means. Methods of treatment commonly include corrective nutrition, use of vitamins, minerals, enzymes and botanical preparations, counseling, hypnotherapy, massage, manipulation and other physical methods. There is apparently some controversy among naturopaths regarding the use of surgical methods.

Educational Background of Naturopaths

The National College of Naturopathic Medicine with campuses in Portland, Oregon and Wichita, Kansas, is the only residential institution in the U.S. offering a curriculum in naturopathy. The course duration is four years. Admissions requirements include high school graduation and two years of college or university (there has been discussion with regard to expansion to three years). There is also a correspondence school of naturopathy in California. Graduates of this program would not be eligible for licensure in Alaska under the requirements contemplated in S.B. 274.

Current Status of Naturopathy in Alaska

Alaska currently has no statute providing for the licensure of naturopathic physicians. The Attorney General has held that, to the extent that naturopathy constitutes the practice of medicine as defined in the Alaska Statutes, any person practicing naturopathy would be required to be licensed by the State Board of Medical Examiners.

Position of the Department of Health and Social Services

The scientific basis of naturopathy has been questioned by the medical community. In a 1968 study, the U. S. Department of Health, Education and Welfare stated that "naturopathic theory and practice are not based upon the body of basic knowledge related to health, disease and health care which has been widely accepted by the scientific community." This position has remained unaltered. The American Public Health Association has also expressed reservations.

Certain disease categories would not appear to be amenable to successful treatment through naturopathic methods. A few examples would include malignancies, diabetes in certain age groups or of certain degrees of severity, certain types of infectious diseases, etc. Protection of the public would

POSITION PAPER SB 274
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require that the public clearly understands the limitations of the naturopathic approach and that the practitioner be able to recognize those conditions in which his therapy would not be beneficial.

The Bill contains no reference to standards of practice to be expected.

The Department recommends against the passage of Senate Bill 274. If, however, the Legislature enacts the Bill, the Department would strongly recommend limiting the scope of practice by prohibiting surgery, use of x-ray, and obstetrical practice by naturopaths.

Recommended by:

E. S. Rabeau

E. S. Rabeau, M.D., Director
Division of Public Health

Date:

Feb 16, 1982

Approved by:

Helen D. Beirne

Helen D. Beirne, Commissioner
Department of Health and
Social Services

Date:

2-16-82

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Senate Bill No. 274

Title "An Act relating to the licensing of practitioners of naturopathic healing..."

Requested by Commissioner's Office Date 2/16/82

II. FISCAL DETAIL

Agency Affected Department of Health and Social Services

Program Category Affected Health/Public Health

BRU, Program, Or Subprogram(s) Affected _____

(Note: If more than one budget component is affected, separate line item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	0	0	0	0	0	0
200 TRAVEL	0	0	0	0	0	0
300 CONTRACTUAL	0	0	0	0	0	0
400 COMMODITIES	0	0	0	0	0	0
500 EQUIPMENT	0	0	0	0	0	0
600 LAND & STRUCTURES	0	0	0	0	0	0
700 GRANTS, CLAIMS, ETC.	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER (Specify Source)	0	0	0	0	0	0

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	0	0	0	0	0	0
PART TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

IV. DATE 2/16/82

PREPARED BY E. S. Babeau, M.D.

AGENCY Dept. of Health and Social Services

Original: Legislative Finance
cc: Budget and Management

PHONE 465-3090

Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/81)

1 CC

March 1, 1982

274

Senator Charles Parr
Senator Vic Fisher
Senator Mike Colletta

Dear Senators;

My family and I strongly support the passage of Senate Bill No 274 so that Alaskans may have the health care that they seek. As it is now if they wish the services of a Naturopathic Doctor they must make an expensive trip to another state.

No medical Doctor should be on the board for examination. A board of Naturopathic Doctors from another state (I would chose Oregon) or from a Naturopathic college would be the most acceptable.

As for a family member being helped by a Naturopathic Doctor an aunt (73 years old) of ours has been brought back to good health by one in Portland, Oregon. Several years ago her life had become one of pain & general very poor health. Blood pressure that would not come down despite many changes in medication & then changes in medical Doctors, all to no avail. At our suggestion she went to a clinic of very fine Naturopathic doctors & from that time on her health improved & her blood pressure is now normal. She walks two miles or so a day weather permitting, drives her car again & is enjoying life as it should be.

Why are Naturopathic Doctors licened only in a few states. They simply do not have the "political clout" that the medical profession has. The American Medical Political Action group gives large donations to politicians campaigning for election or re-election. Billions of dollars are made yearly for the patented medicines that medical doctors prescribe while a Naturopath deals mainly with diet, vitamins (can't be patented) herbs & other natural forms of healing.

Thank you Senators for your involvement in this matter.

Cordially,

Mrs Clifford Homan

Mrs. Clifford Homan & Family
2630 Third Ave
Ketchikan, Alaska
99901

Sen: Parr - would your office staff please make a copy of this for Sen Fisher & Colletta. My copies are too dim to send. Thank you.

STATE OF HAWAII NATUROPATHIC LAW

CHAPTER 455 NATUROPATHY

SECTION

- 455-1 DEFINED
- 455-2 APPLICATION FOR EXAMINATION; FEE
- 455-3 QUALIFICATIONS OF APPLICANTS
- 455-4 STATE BOARD OF EXAMINERS IN NATUROPATHY
- 455-5 ORGANIZATION OF THE BOARD
- 455-6 POWERS AND AUTHORITY OF THE BOARD
- 455-7 EXAMINATIONS
- 455-8 LICENSE TO PRACTICE; BIENNIAL REGISTRATION
- 455-9 PENALTY

§455-1 Defined. For the purpose of this chapter the practice of naturopathy means the scientific application of air, light, sunshine, water, earth, cold and heat, electricity, hygiene and dietetics, bio-chemic system, psychotherapy, mechanical movements, manipulations, and appliances, specifically to eliminate toxic conditions from the human body and to promote the quality, quantity and flow of the vital fluids without the use of drugs, aiding nature with natural and

congenial agents or means either tangible or intangible to restore and maintain normal functioning; provided, that the practice of naturopathy shall not include the Hawaiian art of lomilomi or massage. [L 1925, c 77, pt of §1; RL 1935, §1300; RL 1945, §2651; RL 1955, §66-1]

§455-2 Application for examination; fee. Any person desiring to practice naturopathy shall apply in writing to the state board of examiners in naturopathy upon a blank form prepared and furnished by the board and shall include in the application such facts concerning the applicant as the board shall require. Each application shall be filed by the applicant and sworn to before an officer authorized to administer oaths. At the time of the application each applicant shall pay an examination fee of \$50 [75] to the department of regulatory agencies which shall not be refunded if the applicant fails to pass the examination.

No person shall be licensed to practice naturopathy unless he has been duly examined and has passed such examination. [L 1925, c 77, pt of §1; RL 1935, §1301; am L 1937, c 221, §1; RL 1945, §2652; RL 1955, §66-2; am L 1957, c 316, §6; am L Sp 1959 2d, c 1, §15; am L 1963, c 114, §3; HRS §455-2; am L 1969, c 106, §1]

For additional licensing requirements, see L 1975, c 118, §35, appended as note to HRS §436-4.

Revision Note

Fee as modified by administrative action pursuant to §92-28 is shown in brackets.

§455-3 Qualifications of applicants. No application shall be received unless the applicant has resided in the State for not less than one year immediately preceding the date of application. Each applicant shall be a graduate of a high school. Each applicant shall, in addition, have had a two year liberal arts and science course from an accredited college or university and be a graduate of a legally chartered school, university, or college of naturopathy which requires a course of resident instruction of at least four years of nine months each of actual attendance, and includes in its course of study the subjects hereinafter listed for the minimum hours hereinafter listed:

Anatomy	650
Histology and embryology	130
Chemistry and toxicology	250
Physiology	300
Bacteriology	130
Hygiene and sanitation	130
Pathology	150
Diagnosis	100
Naturopathic theory and practice	900
Obstetrics and gynecology	260
Jurisprudence	50
Clinical practice	400
Biochemistry and dietetics	240
Therapeutics	130
Total	4520

Each applicant shall be attended such school, university, or college for at least ninety per cent of the hours required. The addition of two years of liberal arts and science course shall not apply to persons who, on May 9, 1949, were

lawfully licensed to practice naturopathy in the State or to persons holding diplomas or attending legally chartered naturopathic schools, universities, or colleges on such date. [L 1925, c 77, pt of §1; RL 1935, §1302; am L 1935, c 221, §2; RL 1945, §2653; am L 1949, c 214, §1; RL 1955, §66-3]

Hawaii Bar Journal

For discussion of residence qualification, see *The New Resident: Hawaii's Second-Class Citizen*, Steven K. Christensen, 5 HBJ 77.

§455-4 State board of examiners in naturopathy. The governor shall appoint in the manner prescribed by section 26-34 the state board of examiners in naturopathy, consisting of three members. Each member shall serve until his successor is appointed and qualified. All members of the board shall, before appointment, have been licensed to practice naturopathy in the State under the laws thereof in force at the date of the issuance of the license. [L 1937, c 221, §3; RL 1945, §2654; RL 1955, §66-4; am L Sp 1959 2d, c 1, §5]

Cross References

Boards, generally, see §26-34 and notes thereto.
Departmental administration, see §§26-9 and 26-35.

§455-5 Organization of the board. The board of examiners in naturopathy may elect a president, a vice-president, and a secretary who shall each serve one year or until a successor is elected. The board may make such rules as it deems expedient to carry this chapter into effect. Two members of the board constitute a quorum for the transaction of business. The board shall serve without pay, provided, that the expenses of conducting examinations shall be paid out of the office expenses of the department of regulatory agencies upon vouchers signed by a majority of the board. [L 1937, c 221, §4; RL 1945, §2655; RL 1955, §66-5; am L Sp 1959 2d, c 1, §15; am L 1963, c 114, §3]

Cross References

Rulemaking, see chapter 91.

§455-6 Powers and authority of the board. The state board of examiners in naturopathy may:

- (1) Adopt and use a seal to be affixed to all official acts of the board;
- (2) Make rules and regulations to determine the means, terms, translations, and definitions relating to the practice of naturopathy in the State;
- (3) Revoke or suspend any license issued to any person to practice naturopathy upon any of the following causes:
 - (A) Procuring or aiding or abetting in the procuring of a criminal abortion;
 - (B) Obtaining of or any attempt to obtain a license to practice naturopathy through fraud, misrepresentation, bribery, or deceit;
 - (C) Continued practice by a person knowingly having an infectious or contagious disease;

- (D) Advertising by means of knowingly false or deceptive statements;
- (E) Advertising, practicing, or attempting to practice under a name other than one's own;
- (F) Habitual drunkenness, or addiction to the use of morphine, cocaine, or other habit-forming drugs;
- (G) Professional misconduct, gross carelessness, neglect, or manifest incapacity; any one or more of the causes having been proved to the satisfaction of the board.

The board may not suspend or revoke a license, however, for any of these causes unless the person accused has been given at least twenty days' notice, in writing, and a public hearing in conformity with chapter 91.

The board may compel the attendance of witnesses and the production of relevant books and papers for the investigation of matters that may come before them and the presiding officer of the board may administer the requisite oaths.

In case any license is revoked for any of the causes named in this section, the holder thereof shall be immediately notified of the revocation, in writing, by the board. Licenses to practice naturopathy may be restored by the board. [L 1949, c 214, §2; RL 1955, §66-6; am L Sp 1959 2d, c 1, §19; HRS §455-6; am L 1969, c 106, §2; am L 1974, c 205, §2(16)]

§455-7 Examinations. The state board of examiners in naturopathy shall conduct examinations at such times and places as it deems best, in the following subjects: anatomy; histology and embryology; chemistry and toxicology; physiology; bacteriology; hygiene and sanitation; pathology; diagnosis or analysis, including clinical, physical, x-ray, symptomatology, dermatology, and mental diseases; naturopathic theory and practice; obstetrics and gynecology; jurisprudence; clinical practice; biochemistry; therapeutics, including physiotherapy, hydrotherapy, electrotherapy, heliotherapy, phytotherapy, orthopedics; and such other subjects as the board may require. The examination shall be conducted in writing, but it may be supplemented by oral examinations, and by demonstrations or other practical tests as the board may require. If the applicant receives a general average of seventy-five per cent and does not fall below sixty per cent in more than two branches of the examination, he shall be considered as having passed the examination. [L 1937, c 221, §5; RL 1945, §2656; RL 1955, §66-7; am L Sp 1959 2d, c 1, §19; HRS §455-7, am L 1969, c 106, §3]

Cross References

Disposal of examination papers, see §94-5.

§455-8 License to practice; biennial registration. Licenses to practice naturopathy shall be issued by the board in such form as the board determines, to those who qualify according to this chapter. Naturopathy physicians licensed under this chapter shall observe and be subject to all state regulations relative to reporting births and deaths and all matters pertaining to the public health with equal rights and obligations as physicians, surgeons, and practitioners of other schools of medicine. Every person holding a license to practice in the State shall reregister with the state board of examiners in naturopathy on or before December 31 of each odd-numbered year and shall pay a reregistration fee of \$15. The failure to so reregister and pay the reregistration fee constitutes a forfeiture of

Sec. 455-8**PROFESSIONS AND OCCUPATIONS**

license; provided that the license shall be reinstated upon written application therefor together with payment of all delinquent fees and the sum of \$75. [L 1925, c 77, pt of §1; RL 1935, §1303; am L 1937, c 221, §6; RL 1945, §2657; RL 1955, §66-8; am L 1957, c 316, §7; am L Sp 1959 2d, c 1, §19; HRS §455-8; am L 1969, c 106, §4; am L 1975, c 118, §18]

§455-9 Penalty. Any person except a licensed naturopath who practices or attempts to practice naturopathy, or any person who buys, sells, or fraudulently obtains any diploma or license to practice naturopathy whether recorded or not, or any person who uses the title "natureopath", "naturopath", or "N.D.", or any word or title to induce the belief that he is engaged in the practice of naturopathy without complying with this chapter, or any person who violates this chapter, shall be fined not more than \$200, or imprisoned not more than one year, or both. [L 1925, c 77, pt of §1; RL 1935, §1304; RL 1945, §2658; RL 1955, §66-9]

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Packet of HB 327

FEBRUARY 16, 1982

The National College of Naturopathic Medicine (NCNM) is one of several Naturopathic medical colleges in North America. The College is located on a seven-acre campus in suburban Portland, Oregon, where three separate buildings house all academic classrooms and laboratories, administrative offices, a teaching clinic and a gymnasium.

NCNM was founded in 1956, when a small group of Naturopathic physicians in the Pacific Northwest saw the need to support the growth of their profession through an independent private college. The College struggled through many years with small classes and inadequate space. With the recent resurgence in interest in natural health, and increased demand by the public for physicians trained in the application of natural therapeutics, the College has enjoyed tremendous growth. The College now enjoys an international reputation, and is recognized as a leader in Naturopathic medical education.

The College, which will graduate its twenty-sixth class in June of this year, receives no aid, grants; or financial assistance of any kind from any level of government; the operating budget of the College is thus supported solely through income derived from tuition, gifts, endowments and the student teaching clinic.

There are presently 143 students enrolled in the four-year program at NCNM. These students come from all over the United States and Canada and several other foreign countries. Their mean age at matriculation is approximately 26 years, and women account for about 45% of the total student population.

Requirements for admission to NCNM are comparable to those of most U.S. medical schools; but, in fact, most students at NCNM have earned a baccalaureate degree or higher before matriculation. The student body includes persons with all kinds of educational and professional backgrounds, ranging from philosophy to chemist and from religion to biology. The student body has included numerous Ph.D.s, medical doctors, osteopathic physicians, chiropractors, nurses, pharmacists, laboratory technicians and ministers.

The faculty currently numbers 47 persons, with all classes being taught by experts in their field. The faculty consists largely of Ph.D.s and Naturopathic physicians, but also includes technicians, medical doctors, chiropractors and other professionals.

The four-year curriculum consists of relatively intense study. The average student spends 30 to 35 hours per week in the classroom during the first two years, and about 35 to 40 hours per week in classes and clinic during the second two years. An NCNM student spends nearly five thousand hours in classes and clinical training in four years.

The first two, or basic science, years consist of courses in basic medical sciences such as anatomy, physiology, biochemistry, microbiology, pharmacology and pathology, as well as courses in physical and clinical diagnosis, laboratory diagnosis and radiological diagnosis. In addition, students are grounded in the history of medicine, the philosophy of medicine, and first aid and emergency procedures. During this time they are also introduced to some therapeutic modalities including manipulation and clinical nutrition.

The second two years emphasize the clinical sciences, consisting of both classes and clinical training. During this time students receive training in the therapeutic modalities such as botanical medicine, homeopathic medicine, clinical nutrition, acupuncture and physical medicine (including manipulation). They also take courses in medical specialties such as obstetrics, gynecology, pediatrics, minor surgery and orthopedics, as well as courses in gastroenterology, cardiovascular medicine, neurology, endocrinology, dermatology, urology, proctology, oncology and otorhinolaryngology. Courses related to the management of a practice such as jurisprudence and business fill out the final two years. (This is not a complete list of courses.)

The philosophical basis of Naturopathic medicine, and that which distinguishes it from other schools of the healing arts, is its understanding of vis mediatrix naturae- the healing power of nature. This is to say that the Naturopathic physician works with the body's own recuperative powers, and therefore attempts in his or her therapies to support the body's attempt to heal itself. The clinical application of this philosophy requires that in addition to any symptomatic treatment which is provided for a patient, the therapeutics used are those which support, normalize, correct or otherwise sustain one's health. The emphasis, then, is on building optimal health more than on treating disease.

It is during the clinical years that the students have an opportunity to begin applying their classroom knowledge to practical situations. The Clinical training is supervised by physicians or other specialists, and totals more than the equivalent of 40 hours per week for one year.

Naturopathic physicians are trained as general practitioners, and are specialists in natural therapeutics. NCNM graduates, we feel, are among the best, if not the best, trained Naturopathic physicians in the world.

The National College of Naturopathic Medicine is a founding organization and supporter of the Council on Naturopathic Medical Education (CNME.) The Council is currently working with the U.S. Department of Education in order to gain approval as the recognized accrediting body for Naturopathic medical education in the United States.

(A copy of the Council's Educational Standards is attached.)

Since NCNM's curriculum was used as the model for the Council's educational standards, it is expected that NCNM meets or exceeds these standards. An application for recognition by the Council is pending.

NCNM is recognized by all state and (Canadian) provincial Boards of Naturopathic Examiners (or their equivalent), and by several foreign governments.

The College is also recognized by U.S. Veterans Administration for training of veterans under the "G.I. Bill," and by the Immigration and Naturalization Service, U.S. Department of Justice, for the training of foreign students.

The National College is approved as a degree-granting institution by the Oregon Educational Coordinating Commission. Because the College has met the rather stringent standards of this agency, both the College itself and the public can be assured of its educational integrity and stability.

(A copy of the Oregon Educational Coordinating Commission's standards for approval is attached.)

NCNM has not, until very recently, had the opportunity to approach any federally recognized accrediting body. In December, 1981, the College was invited to apply for Candidate for Accreditation status with the Northwest Association of Schools and Colleges, and is currently proceeding with this application. This is mentioned to report on the progress being made in seeking accreditation, and does not imply that the College has any standing with that agency.

COUNCIL ON NATUROPATHIC MEDICAL EDUCATION
EDUCATIONAL STANDARDS FOR NATUROPATHIC COLLEGES

OBJECTIVES

The objectives of each institution should be clearly defined and should address the preparation of the naturopathic doctor to provide patient care; the development of postgraduate education and the conduct of research should be discussed when applicable to that institution.

ORGANIZATION

A naturopathic college should be incorporated under the laws of the state of its residence as a nonprofit, nonproprietary institution, exempt from taxation due to its devotion to educational purposes. There should be no disbursing of income or assets which inure to the benefit of any private party.

Control shall be vested in a board composed of naturopathic practitioners and men and women from the community. It is recommended that board members not serve in administrative or instructional capacities while active on the board. Under no circumstances shall more than one-third of the active board occupy administration or instructional positions in the college.

Membership on such a governing body requires the members to assume major obligations and responsibilities, some of which are outlined here:

Obligations

- To develop goals, objectives, and policies for the college, and to ensure its effectiveness in serving the students, the profession, and society;
- To safeguard the funds, properties, and integrity of the college.

Responsibilities

- To be thoroughly familiar with the charter (Articles of Incorporation) and bylaws under which the college functions;
- To be knowledgeable about the nature, purpose, policies and programs of the college;
- To formulate, but not administer, broad policy consistent with the charter, bylaws, nature and purpose of the college;
- To support the policies it formulates;
- To keep authority in the board as a whole and in properly called and constituted meetings for which official minutes are kept and available for inspection;
- To attend and participate in meetings of the board and support the college with time, talent, and substance;
- To assume the responsibility to see that adequate monies are made available to meet operating costs;

Catalog

The college shall issue, at least biennially, a bulletin setting forth the character of the work which it offers. The content and format shall follow the usual pattern of professional college catalogs.

Such announcement shall list the trustees (directors), president, dean, and other administrative officers. It shall contain a listing of the members of the faculty with their respective academic credentials, i.e., degrees, issuing schools, and dates.

The courses are to be set forth, showing for each subject its contents, and value in term, semester or quarter hours.

Information is to be given regarding entrance requirements, discipline, attendance, grades, promotion, and graduation.

Tuition, matriculation, laboratory, graduation and special fees shall be listed.

There should be brief descriptions of the library, laboratories and clinic facilities.

Calendar

The calendar, as published in the catalog, shall designate the beginning and ending dates of the terms, the vacation periods, and the legal holidays observed. Colleges may elect to use the semester, trimester, term or quarter system.

SCHOLASTIC REGULATIONS

Admission

The admission of students shall be in the hands of an officer who is a member of a standing Admissions Committee of at least three members, and his/her decisions shall be subject to the approval of the Committee.

Documentary evidence of students' preliminary education shall be obtained and kept on file. All transcripts of records from other colleges shall be obtained directly from such schools.

No applicant will be barred from admission because of race, color, creed, sex, age, or physical handicap.

Preprofessional Education

All candidates must furnish proof of having acquired at least two years (60 semester hours or 90 quarter hours) of course work leading to a baccalaureate degree in the arts and sciences, including at least 30 quarter hours (24 semester hours) of laboratory sciences in biology and chemistry.

Advanced Standing

Applicants for admission to advanced standing shall be required to furnish evidence: (1) that they can meet the same entrance requirements as candidates for the first year class; (2) that courses equivalent in content and quality to

CURRICULUM

The following standards are intended not as an exact description of a college's curriculum, but rather as guidelines for the typical acceptable program. It is expected that the actual program taught by each college will be prepared by their academic departments to meet the needs of their students and will exceed the outline presented here. This policy has been adopted to preserve the autonomy and uniqueness of each naturopathic institution, and to encourage innovative and experimental programs enhancing the quality of naturopathic education.

Length of Study: The curriculum should be presented over a period of 12 quarters (10 - 11 weeks per quarter) and should total no less than 4200 hours.

Core Curriculum:

I. Basic Sciences

A. The Basic Sciences program should provide an in-depth study of human anatomy, physiology and pathology. Extensive use of laboratory experience (25-40% of class hours) is recommended to aid the student in developing a practical understanding of the material presented.

B. Recommended course minimums:

1. Anatomy - 350 hours
(Embryology, Histology, Gross Dissection)
2. Physiology - 250 hours
3. Pathology - 125 hours
4. Biochemistry - 125 hours
5. Public Health - 175 hours
(Public Health, Genetics, Microbiology, Immunology)
6. Naturopathic Philosophy - 100 hours
7. Pharmacology - 100 hours

II. Clinical Sciences

A. The Clinical Sciences should thoroughly prepare the student to diagnose the causes of human ailments and to treat them effectively using natural therapeutics. Laboratory experiments and clinical demonstrations should be used (10-20% of class hours) to assist development of practical skills.

B. Recommended course minimums:

1. Diagnostic Courses

- | | |
|--------------|-------------|
| Physical | - 75 hours |
| Clinical | - 100 hours |
| Laboratory | - 50 hours |
| Radiological | - 50 hours |

2. Therapeutic Courses

- | | |
|---|-------------|
| Materia Medica
(Botanical medicine, homeopathy, emergency drugs) | - 150 hours |
| Nutrition | - 125 hours |
| Physiotherapy | - 150 hours |
| Psychological Therapy | - 75 hours |

LIBRARY SERVICES

The library should be staffed by a trained librarian, and should be equipped and organized to meet the needs of the faculty and students. The physical surroundings, operating hours, and orientation programs should be conducive to optimum use. Reference materials are to be available to encourage use of the library for class assignments, student and faculty research, and program development.

The annual budgetary provisions should be adequate to maintain currency in the basic and clinical sciences.

Institutions affiliated with other accredited colleges may include their library facilities in their library program.

RESEARCH

Each institution should make adequate provisions to stimulate research by both students and faculty.

PHYSICAL FACILITIES

Each college shall own or enjoy the full use of buildings adequate to accommodate the student body with classrooms, laboratories, clinic and library facilities, and offices for the administration and faculty. There shall be a vault for safekeeping of valuable records and documents.

The plant and grounds, equipment and facilities, shall be maintained in efficient, sanitary, and presentable condition. All laws covering sanitation, fire protection, and other regulations respecting public institutions shall be enforced. There shall be sufficient personnel employed to carry out proper maintenance.

~~POSTGRADUATE~~ CONTINUING EDUCATION

In addition to the general requirements outlined earlier in these "Standards", the following are added to apply to postgraduate (continuing) education programs:

Objective

The objective of the Postgraduate Division shall be to provide postgraduate education to better assist the naturopathic doctor in the care of the public.

Organization

A postgraduate dean, director, or chairman shall be appointed by the chief administrative officer subject to approval by the Board.

Administration

Supervision -- The postgraduate dean shall be under the direction of the chief administrative officer and shall have adequate authority to manage the operation of this department.

Physical Facilities

Plant -- The sites for extension classes must offer adequate facilities in relation to the needs of the course being presented.

OREGON EDUCATIONAL COORDINATING COMMISSION
PROPOSED AMENDMENTS TO OREGON ADMINISTRATIVE RULES
CHAPTER 583, DIVISION 30

NOTE: Matter underlined is new; matter [*italic and bracketed*] is existing language to be omitted.

**STANDARDS AND PROCEDURES FOR
APPROVAL OF DEGREE REQUIREMENTS
IN CERTAIN OREGON PRIVATE AND
ALL OUT-OF-STATE INSTITUTIONS**

Scope and Purpose

583-30-005 (1) ORS 348.835 provides that certain Oregon private and all out-of-state institutions of learning shall not confer or offer to confer any degree in recognition of the attainment or proficiency of a person without first having submitted the requirements for the degree to the Oregon Educational Coordinating Commission and having obtained the Commission's approval. This applies to each degree program at each location proposed by an institution.

(2) The purpose of this rule is to provide standards and procedures for submission of requirements and for Commission review and approval of the same, and to assure that institutions covered by this rule meet minimum standards of quality in their operation and conferral of degrees. It is also the purpose of these rules to help prevent deception of the public resulting from the conferring and use of fraudulent or substandard degrees. Regulation of degree requirements as evidence of academic achievement is in the public interest.

Stat. Auth.: ORS Ch. 348

Hist: ECC 22, f. & ef. 12-22-75; ECC 2-1980, f. & ef. 4-14-80

Exemptions

583-30-010 This rule shall not apply to:

(1) Any school or institution of learning which has been established and conducted within Oregon, and has conferred degrees for a period of 15 years prior to March 4, 1935;

(2) Any school conducted under the public educational system of the State of Oregon;

(3) Any Oregon school which is a member in good standing of the Northwest Association of Schools and Colleges;

[(4) Any school which confers degrees only for proficiency in any system or method of healing;]

[(5) Any school now conferring the degree of doctor of optometry;]

[(6)] Schools of theology operating on a post-baccalaureate degree level.

Stat. Auth.: ORS Ch. 348

Hist: ECC 22, f. & ef. 12-22-75; ECC 2-1980, f. & ef. 4-14-80

Definitions as Used in OAR 583-30-005 to 583-30-045

583-30-015 (1) "Institution of Learning" or "Institution" means post-secondary educational institution subject to this rule.

(2) "Degree" means any academic or honorary title of designation, mark, appellation, series of letters or words, such as, but not limited to, associate, bachelor, master, doctor, or fellow which signifies, purports, or is generally taken to signify satisfactory completion of the requirements of an academic program of study beyond the secondary school level or a recognized title conferred for meritorious recognition which may be used for any purpose whatsoever. "Degree" does not include certificate, diploma, license, report, document, or title which signifies satisfactory completion of requirements of a non-degree program.

(3) "Confer" includes awarding, granting, bestowing, or giving of a degree.

(4) "Good Standing" means full accreditation with the Northwest Association of Schools and Colleges.

(5) "Commission" means the Oregon Educational Coordinating Commission.

(6) "Out-of-State" or "Foreign" educational institution means either a public or private institution which is not an Oregon school.

(7) "Attainment" or "Proficiency" means the completion and mastery of a program or field of study or competence in the skills generally required in the profession or field of study.

(8) "Advertising" means any form of public notice used in school recruiting and promotional activities, however disseminated including, but not limited to, catalogues and other school publications, signs, mailing pieces, radio or television advertisement, and audiovisual material.

(9) "Oregon School" means any school or institution of learning which initially establishes operations solely in Oregon and continuously maintains its main headquarters in Oregon.

(10) "Part-time faculty" means teaching staff employed by an institution less than full-time throughout the academic year.

(11) "Credit for prior learning" means credit which is awarded for learning which is not sponsored by an institution and occurs prior to matriculation.

Stat. Auth.: ORS Ch. 348

Hist: ECC 22, f. & ef. 12-22-75; ECC 2-1980, f. & ef. 4-14-80

Exercise of Commission Authority

583-30-020 (1) After initial approval by the Commission for an institution to grant a certain degree (or degrees), periodic reports may be required. Failure to conform to the established standards may result in loss of Commission approval. No institution shall receive approval for a period longer than five years. Prior to the expiration of the five-year period, or any lesser period designated by the Commission at the time of approval, the institution must initiate the reevaluation process by making application to the Commission for renewal of its authority. The Commission upon review and evaluation of the application shall make a final decision of approval or disapproval in not less than two nor more than 11 months.

(2) If any institution of learning fails to maintain the required standards or fails to report significant institutional changes within 90 days of the change including the offering of approved degree programs at new locations either within Oregon or elsewhere, the Commission may revoke its approval subject to rule 583-30-045 of these rules. The Commission may make periodic contact and/or send a representative or qualified examining or evaluation committee to an institution to gather information as authorized under rule 583-30-040. All costs of an evaluation shall be borne by the institution requesting approval.

Stat. Auth.: ORS Ch. 348

Hist: ECC 22, f. & ef. 12-22-75; ECC 2-1980, f. & ef. 4-14-80

Eligibility to Apply

583-30-025 In order to make application for the review of its degree-granting authority, an institution subject to this rule must have a representative in Oregon residence and a headquarters with a physical location and address in Oregon and identify its agent for the transaction of business with the Commission; or, if a foreign or out-of-state institution, it must designate a responsible agent within the State of Oregon and provide his/her name, address, and telephone number.

Stat. Auth.: ORS Ch. 348

Hist: ECC 22, f. & ef. 12-22-75; ECC 2-1980, f. & ef. 4-14-80

Application Procedure

583-30-030 Institutions making application shall do so on a form provided by the Commission, which shall be designed to meet the standards in rule 583-30-035.

Stat. Auth.: ORS Ch. 348

Hist: ECC 22, f. & ef. 12-22-75

Standards

583-30-035 The following standards shall be used by the Commission in determining the completeness of an application and in its review of the degree-granting authority of an institution:

(1) Objectives. The objectives of the institution shall be clearly stated; they should make evident the ends which the institution hopes to achieve; and their implementation should be obvious in the administration of the institution, individual course objectives, and the total program which has been planned for students.

(2) Curriculum and Academic Standards. The institution shall make known the standards of excellence, mastery, and competence for its programs and courses of study and shall validate the effectiveness of its instruction by evaluating the proficiency of its students in their particular field of study before the granting of degrees. Special training for a given profession or vocation shall be sufficient in extent and quality to insure that recipients of the degree can perform acceptably the duties of the particular profession or vocation involved.

(3) Administration. The education and experience of directors, administrators, supervisors, and instructors should be sufficient to insure that the student will receive educational services consistent with institutional objectives. The administration of the institution shall be such that the lines of authority are clearly drawn. The institution shall present with its application a catalog and a brief, narrative explanation of how the administration of the institution is or is to be organized and how the administrative responsibility for each of the following is or is to be managed:

- (a) Faculty and staff recruitment;
- (b) Personnel records management;
- (c) Faculty pay scale and policies;
- (d) Standards and practices relating to evaluation, improvement of instruction, promotion, retention, and tenure;
- (e) Admissions policies including procedures used to solicit students;
- (f) Development and administration of policies governing rejection and retention of students, job placement, and student counseling and advising services;
- (g) Curriculum requirements;
- (h) Tuition and fee policies; and
- (i) Financial management policies.

(4) Faculty. Faculty members of any institution conferring degrees shall be qualified by training and experience to give effective instruction in the particular fields involved. There shall be submitted to the Commission a resume for each faculty member participating in a program in Oregon, including the following information:

- (a) Academic rank or title;
- (b) Degree or degrees held, the institution(s) that conferred the degree(s), the date(s) thereof, and whether earned or honorary;
- (c) The faculty members' assignments by course number and title and the number of students involved in each course;
- (d) Where faculty members have responsibilities for other than teaching, the nature of these responsibilities and the proportion of the faculty member's time required for them;
- (e) Full-time equivalency; and
- (f) The length of time each faculty member has been with the institution. Institutions which primarily employ part-time faculty must show how the following are provided:

- (a) Faculty participation in the development of curriculum to afford continuity and stability in the educational program.
- (b) Opportunity for counseling and informal association between students and faculty.

(5) Student Recruitment, Selection, and Retention. Recruitment and selection policies and practices shall be such as to assure that the personal goals and abilities of prospective

students are compatible with the institution's purpose and academic standards and that student retention practices are consistent with the institution's objectives. The data submitted to the Commission shall include the following:

(a) A statement of the institution's recruitment, selection, and retention policies;

(b) The number of applicants for admission, number admitted, and the number enrolled during the past year, the attrition rate compared to the total school enrollment, and the reasons for student leaving if known; and

(c) The distribution of students in each of the various years in school and in each degree program.

(6) Financial Condition:

(a) The institution shall demonstrate to the satisfaction of the Commission its financial solvency and stability by submitting certified audit reports, the posting of an adequate bond, or other appropriate evidence.

(b) The potential of a proposed program for retaining students over time will be a factor in assessing projected financial stability.

(7) Physical Plant, Materials, and Equipment. Instructional space, equipment, laboratories, recreational facilities, gymnasiums, health centers, and instructional materials shall be adequate to achieve all institutional and program objectives. Institutions without the educational resources of a traditional campus and out-of-state domiciled institutions shall furnish evidence that provisions are made for faculty and student access to all necessary teaching and learning resources.

(8) Library Resources:

(a) The library resources shall be adequate to support the instruction, research, and services pertinent to the institution's goals and courses of study. Evidence for evaluation shall include:

- (A) Financial support;
- (B) Circulation;
- (C) Number of volumes exclusive of documents;
- (D) List of periodicals;
- (E) List of reference books;
- (F) List of instructional media available; and
- (G) List of special collections.

(b) Institutions that do not maintain an on-site library shall furnish evidence that provisions have been made for faculty and student access to adequate library services.

(9) Entrance Requirements. Entrance requirements for post-secondary degree studies shall include graduation from a secondary school or its equivalent or such other requirements as are generally employed by institutions offering similar degrees.

(10) Educational Credentials:

(a) Upon satisfactory completion of educational or training and the payment of all tuition and fees owed by the student to the institution, the student shall be given appropriate educational credentials by the institution indicating that the course or courses of instruction or study have been satisfactorily completed by the student.

(b) In addition, for each student who graduates or withdraws, the institution shall prepare, permanently file, and make available a transcript that specifies all courses completed, provided that all tuition and fees owed by the student to the institution have been paid. Each course entry shall include a title, the number of credits awarded, and a grade. The transcript shall separately identify all credits awarded by transfer and for prior learning experience, correspondence courses, and credit by examination.

(11) Records:

(a) In addition to the transcript requirement provided for under section (10), the institution shall maintain adequate records to document the performance and progress of each student. The records and accounts pertaining to each period of

enrollment of each student shall be kept intact and in good condition by the educational institution for a period of at least three years following the termination of such enrollment period.

(b) The records to be retained shall include, but not necessarily be limited to, any of the following information that does not appear on permanently filed transcripts:

(A) Records and accounts which are evidence of tuition and fees charged to and received from or on behalf of all students.

(B) Records of previous education or training of students at the time of admission and records of credit, if any, granted by the institution at the time of admission.

(C) Records of the student's grades and progress.

(D) Individual instructor's class records.

(E) Records of interruption for unsatisfactory progress or conduct.

(F) Records of refunds of tuition, fees, and other charges made to the student.

(c) Institutions shall maintain and have available for inspection for a period of three years following their use complete records and copies of all advertising, sales, and enrollment materials used by or on behalf of the institution.

(d) If any educational institution proposes to discontinue its operation, the chief administrative officer of the institution shall file with the Oregon Educational Coordinating Commission the original or legible true copies of all such information as is customarily required by colleges when considering students for transfer or advanced study, including but not necessarily limited to, all records required in section (10) and subsection (a) of this section. In the event it appears to the Commission that any such records of an educational institution discontinuing its operations are in danger of being destroyed, secreted, mislaid, or otherwise made unavailable to the Commission, the Commission may seek a court order to protect and, if necessary, take possession of the records. The Commission shall select an appropriate permanent location for such records.

(12) Advertising:

(a) The institution and its agents shall not utilize advertising of any type which is false or misleading, either by actual statement, omission, or insinuation.

(b) References to accreditation will be limited to accreditation currently held by the school through nationally recognized accrediting agencies as listed by the United States Department of Education.

(c) When an institution advertises that it is accredited it must identify the accrediting agency.

(d) An institution shall have records available to document any statements made through its advertising including salary and placement claims.

(e) An institution shall not advertise that it is in any way licensed, endorsed, recommended, approved, or accredited by the Oregon Educational Coordinating Commission.

(f) The institution shall provide students and other interested parties with a brochure or catalog. The brochure or catalog must be revised and published at least every two years.

The following may be included in the brochure or catalog: "This institution has met the requirements of the Oregon Educational Coordinating Commission to grant degrees."

If any of the following items of information are not included in the catalog or brochure, it shall refer to other specific documents containing the omitted information:

(A) Name and address of the school;

(B) Date of publication;

(C) Admission requirements and procedures;

(D) A statement of tuition and other student charges related to enrollment such as deposits, fees, books and supplies, tools and equipment, and other charges for which a student may be responsible. This information may be presented as an addendum or insert to the main publication;

(E) A description of the extent and nature of part-time or full-time job placement assistance, if any, available to students or graduates;

(F) Specifics describing the availability of student housing, counseling and other student services, if any;

(G) A school calendar including beginning and ending dates of classes and programs, holidays, and other dates of importance;

(H) A statement of the objectives of the institution;

(I) A list of all institutional administrators and faculty members, including their titles and academic qualifications;

(J) A statement of institutional policy relative to standards of progress required of the student. This policy shall describe the grading system of the school, the minimum grades considered satisfactory, conditions for interruption for unsatisfactory grades or progress, a description of the probationary period, if any, and conditions for re-entrance for those students dismissed for unsatisfactory progress. A statement shall be made regarding progress records kept by the institution and furnished to the student;

(K) A statement of institutional cancellation and refund policy;

(L) A description of the available space, facilities and equipment;

(M) A description of the objectives, requirements, and length of each program offered.

(N) For each program or field of study that prepares students for a licensed or certified occupation, a statement that indicates whether or not the appropriate agency or association recognizes the program for purposes of licensing or certification in that occupation. For all such programs, this information must be provided at the beginning of each program description in the catalog, brochure, and supplementary publications.

(O) Policy and procedures relative to the granting of credit for prior learning if offered.

(P) A statement explaining the arrangements, or lack thereof, for transfer of the institution's credits to other institutions.

(Q) A description of the types of financial assistance available to students enrolled in the institution.

(R) Any other material facts concerning the school and the instruction which are reasonably likely to affect the decision of the potential student;

(13) Credit for Prior Learning:

(a) Institutions awarding credit for prior learning shall have clearly state policies relating to administrative responsibility, student eligibility, means of assessment, recording of results and transcripts, storage of documentation, student fees and maximum number of credits allowable.

(b) Credit for prior learning normally should be awarded in subject matter fields in which the institution offers comparable courses or curriculum and has available faculty expertise or where nationally validated examinations or other procedures for establishing credit equivalency can be relied upon. However, credit may be accepted when appropriately evaluated through contractual or other means.

(c) Systematic and rigorous procedures for assessing prior learning shall be used. They shall insure that learning is carefully articulated, documented, and measured in the context of the role of the institution and the educational objective of the student. Requirements must be specific that each student must demonstrate the learning achieved before credit is awarded.

(14) Requirements for all Associate, Baccalaureate and graduate degrees shall provide for an appropriate balance of credits between those earned in the major discipline and in general education. These requirements shall be in keeping with those generally employed by institutions offering similar degrees.

(15) Cancellation and Refund Policy. The institution shall maintain a fair and equitable policy in reference to refund of the unused portion of tuition fees and other charges in the event the student fails to enter the course, or withdraws at any time prior to completion of the course. Such a policy shall be in keeping with generally accepted practice of institutions of higher education.

(16) Other Information. The applicant shall provide any other information about the institution and its programs required by the Commission.

Stat. Auth.: ORS Ch. 348

Hist: ECC 22, f. & ef. 12-22-75; ECC 2-1980, f. & ef. 4-14-80

Review Procedures

583-30-040 (1) The Commission may send a representative or an examining or evaluation committee to inspect any institution of learning subject to ORS 348.835. The examining committee shall be comprised minimally of a Commission staff reviewer, or a designee; an institutional representative of a college accredited by the Northwest Association of Schools and Colleges; and a third party drawn from the general professional field of the institution undergoing review. In those instances in which a representative of the Commission or an examining committee has been assigned to inspect an institution, the representative's or committee's report shall be submitted as part of the documentation necessary for Commission action.

(2) In lieu of a review in accordance with part of the standards used by the Commission as listed in OAR 583-30-035, the Commission may acknowledge the adequacy of accreditation by an association recognized by the United States Department of Education.

(3) Final action for approval by the Commission will be held open to the public and the applicant institution shall be invited to attend.

Stat. Auth.: ORS Ch. 348

Hist: ECC 22, f. & ef. 12-22-75; ECC 26, f. & ef. 6-8-77; ECC 2-1980, f. & ef. 4-14-80

Revocation of Approval

583-30-045 Approval obtained under ORS 348.835 may be revoked for proper cause by the Commission at its discretion, after a hearing. Such hearing shall be held only after the institution of learning involved has been given 20 days' notice in writing of the time and place of such hearing.

Stat. Auth.: ORS Ch. 348

Hist: ECC 22, f. & ef. 12-22-75

Alaska State Legislature



Senate

SENATOR MIKE COLLETTA

January 19, 1982

Senator Charles Parr, chairman
Health, Education and Social Services
State Capitol
Pouch V
Juneau, Alaska 99811

Dear Senator Parr: *Charlie,*

I have enclosed a copy of SB 274 - a bill relating to the licensing of practitioners of naturopathic healing. In addition, you will find a copy of a letter received from the American College of Naturopathic Medicine, dated January 4, 1981.

In her letter, Mary C. Price, Assistant Academic Dean, offers some suggestions as to how an amendment could better help the Department of Commerce approve colleges meeting the requirements of a licensed Naturopathic Physician. As both SB 274 and HB 327 are currently in the House and Senate Health, Education and Social Services Committees, consideration of the proposed amendment may be of interest to you.

Sincerely,

Mike Colletta

Mike Colletta

MC/dls

cc: Rep. Terry Martin

Enclosures



AMERICAN COLLEGE OF NATUROPATHIC MEDICINE

2121 Lancaster Drive N.E.
Salem, Oregon 97303

COLLEGE (503) 378-7237
CLINIC (503) 378-7236

January 4, 1982

Senator Mike Colletta
4608 Lois Drive
Anchorage, Alaska 99503

Dear Senator Colletta,

The college would like to go on record in support of Senate Bill #274, which provides for the licensure of Naturopathic physicians.

We would also like to be available as a resource for information concerning the profession and its educational status. Please feel free to call on us if the need arises.

We are anxious to support this bill because it has always been our desire to provide as many licensure opportunities, as possible, for our graduates. For that reason, we have developed an educational system and curriculum designed to meet or exceed the requirements of all states currently licensing Naturopathic physicians. In addition, we have worked closely with the Northwest Association of Schools and Colleges, which is the regional accrediting body, for the last three years. We felt that if the Naturopathic colleges could gain regional accreditation it would help open more states for licensure. Prior to this, no regional accrediting body had ever accepted an application from a Naturopathic College. After three years of close work, we finally received permission at their December meeting to proceed with our application and self study. This is a great accomplishment for our profession and will extend to the two other Naturopathic colleges in this region.

Although we have been given permission to proceed with our self study, it could be up to two years before that bears fruit. Therefore, we also support an amendment to Senate Bill #274 giving the Department of Commerce and Economic Development the authority to approve colleges.

Enclosed you will find a copy of our suggestion as to how this amendment could be worded.

In effect, it provides for a one year interim period during which colleges can complete the application process, as well as to come into compliance with any regulations that the Department

may adopt that the other states do not already have as regulations. It still allows for the department to examine each person's credentials, that graduated in the past, to ascertain that they have A) a high school diploma, B) two years of college work, and C) have successfully completed, in residence, a 4,500 hour program with all necessary subjects.

In summary, we support Senate Bill 0274, as well as an amendment to allow the Department of Commerce to approve the colleges. We also look forward to providing any information or assistance needed to help pass this bill. We commend you on your efforts on behalf of this bill and thank you, in advance, for your future efforts.

Sincerely,

Mary C. Price

MARY C. PRICE
Assistant Academic Dean

MCP:mp

Enclosure

cc: Dr. Pettijohn

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

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

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

(3) have attended at least 90 percent of the hours required for graduation and graduated from a school or college of naturopathic medicine that has as a requirement for graduation successful completion of a course of resident instruction of at least nine months actual attendance in each of four years and successful completion of a course of instruction totaling 4,500 hours or more;

(4) the course of study shall include:

(A) anatomy (including histology and embryology) and physiology;

(B) microbiology, immunology and public health;

(C) pathology and diagnosis (including physical, clinical, x-ray, and symptomatology diagnosis);

(D) first aid and emergency medicine;

(E) obstetrics and gynecology;

(F) orthopedics;

(G) minor surgery;

(H) proctology;

(I) otolaryngology;

(J) physiotherapy and manipulative techniques;

(K) clinical nutrition;

(L) herbology;

(M) naturopathic theory, practice and therapeutics;

(N) clinical practice;

(O) jurisprudence;

(5) graduate from a school or college of naturopathic medicine, approved by the department if the applicant graduates more than 1 year after the effective date of this act, provided that the department adopts rules for approval of colleges within six months of the effective date of this act to allow schools and colleges adequate time for the application process to be completed;

(6) successfully complete an examination given by the department.

POSITION PAPER

Senate Bill No. 274

"An Act relating to the licensing of practitioners of naturopathic healing; and providing for an effective date."

The bill provides for the licensing of naturopaths and defines qualifications necessary for licensure.

Definition

Naturopathy is defined as a system of treatment which emphasizes assistance to nature and includes the use of natural substances and physical means. Methods of treatment commonly include corrective nutrition, use of vitamins, minerals, enzymes and botanical preparations, counseling, hypnotherapy, massage, manipulation and other physical methods. There is apparently some controversy among naturopaths regarding the use of surgical methods.

Educational Background of Naturopaths

The National College of Naturopathic Medicine with campuses in Portland, Oregon and Wichita, Kansas, is the only residential institution in the U.S. offering a curriculum in naturopathy. The course duration is four years. Admissions requirements include high school graduation and two years of college or university (there has been discussion with regard to expansion to three years). There is also a correspondence school of naturopathy in California. Graduates of this program would not be eligible for licensure in Alaska under the requirements contemplated in S.B. 274.

Current Status of Naturopathy in Alaska

Alaska currently has no statute providing for the licensure of naturopathic physicians. The Attorney General has held that, to the extent that naturopathy constitutes the practice of medicine as defined in the Alaska Statutes, any person practicing naturopathy would be required to be licensed by the State Board of Medical Examiners.

Position of the Department of Health and Social Services

The scientific basis of naturopathy has been questioned by the medical community. In a 1968 study, the U. S. Department of Health, Education and Welfare stated that "naturopathic theory and practice are not based upon the body of basic knowledge related to health, disease and health care which has been widely accepted by the scientific community." This position has remained unaltered. The American Public Health Association has also expressed reservations.

Certain disease categories would not appear to be amenable to successful treatment through naturopathic methods. A few examples would include malignancies, diabetes in certain age groups or of certain degrees of severity, certain types of infectious diseases, etc. Protection of the public would

POSITION PAPER SB 274

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require that the public clearly understands the limitations of the naturopathic approach and that the practitioner be able to recognize those conditions in which his therapy would not be beneficial.

The Bill contains no reference to standards of practice to be expected.

The Department recommends against the passage of Senate Bill 274. If, however, the Legislature enacts the Bill, the Department would strongly recommend limiting the scope of practice by prohibiting surgery, use of x-ray, and obstetrical practice by naturopaths.

Recommended by: *E. S. Rabeau*
E. S. Rabeau, M.D., Director
Division of Public Health

Date: *Feb 16, 1982*

Approved by: *Helen D. Beirne*
Helen D. Beirne, Commissioner
Department of Health and
Social Services

Date: *2-16-82*

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Senate Bill No. 274

Title "An Act relating to the licensing of practitioners of naturopathic healing..."

Requested by Commissioner's Office Date 2/16/82

II. FISCAL DETAIL

Agency Affected Department of Health and Social Services

Program Category Affected Health/Public Health

BRU, Program, Or Subprogram(s) Affected _____

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	0	0	0	0	0	0
200 TRAVEL	0	0	0	0	0	0
300 CONTRACTUAL	0	0	0	0	0	0
400 COMMODITIES	0	0	0	0	0	0
500 EQUIPMENT	0	0	0	0	0	0
600 LAND & STRUCTURES	0	0	0	0	0	0
700 GRANTS, CLAIMS, ETC.	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER (Specify Source)	0	0	0	0	0	0

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	0	0	0	0	0	0
PART TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

IV. DATE 2/16/82

PREPARED BY E. S. Rabeau, M.D.

AGENCY Dept. of Health and Social Services

PHONE 465-3090

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/81)

100

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

POUCH K- STATE CAPITOL
JUNEAU, ALASKA 99811

March 29, 1979

Mike Colletta, Chairman
Rules Committee
Alaska State Senate
Pouch V
Juneau, Alaska 99811

Re: The Practice of Naturopathy in Alaska

Dear Senator Colletta:

This letter is in response to your recent request for information regarding the practice of naturopathy in Alaska.

Although one statute, AS 08.02.010, makes passing reference to "naturopath", Alaska has no statute which regulates the practice of naturopathy. It was this lack of legislation which led the Idaho Association of Naturopathic Physicians, Inc., to file against some 30 states and several municipalities in order to compel the defendants to recognize naturopathy as a discipline distinct from the orthodox practice of medicine. While the suit involving Alaska has yet to be decided, a companion case, Idaho Association of Naturopathic Physicians, Inc. v. United States Food and Drug Administration, et al. 582 F.2d 849 (4th Cir. 1978), the United States Court of Appeals for the fourth circuit unanimously affirmed decisions of two United States district courts dismissing the county and state defendants from the actions filed by the Association. We have no reason to believe that the outcome of the suit involving Alaska will diverge from the fourth circuit decision.

Although the Medical Board has apparently taken the position that it is not responsible for the licensure of naturopaths, naturopathy may constitute the practice of medicine within the meaning of AS 08.64.380(2)(A) (C) or (D):

"Practice of medicine" or "practice of osteopathy" means

(A) maintaining an office or place of business for the purpose of treating the sick or injured

March 29, 1979

- 2 -

for pay or . . .

(C) the assumption or promulgation of a title which tends to show that the person is willing or qualified to diagnose or treat the sick or injured . . . or

(D) for a fee prescribing, directing or recommending for the use of a person, a drug or medicine for the treatment, cure or relief of a disease, infirmity, bodily injury or defect.

Given the Medical Board's posture with respect to naturopathy, it is highly unlikely that the State would undertake any action to prosecute or otherwise discipline an individual naturopath for the unlawful practice of medicine. In essence, then, naturopathy within the State of Alaska is an unlicensed activity.

It is my understanding from my conversation with your administrative assistant, Carlos Mercer, that you are currently contemplating legislation to regulate the practice of naturopathy in the State. In formulating this legislation, two fundamental issues arise: (1) does the practice of naturopathy constitute a practice which poses a risk to the health and safety of Alaskans such that it should be regulated? (2) in what manner can the State best control entrance into the occupation and support and enforce standards of practice among licensed practitioners?

I am available to meet with you at any time to discuss in further detail the background of the naturopathy suit and to assist you in the preparation of legislation to regulate naturopathy in Alaska.

Sincerely yours,

AVRUM M. GROSS
ATTORNEY GENERAL

By:


Bruce M. Botelho

Assistant Attorney General

All physicians were sent a copy of HB 327, concerning the licensing of Naturopathic Practitioners, and the questionnaire asked for comments. Those received were:

4	Favor
57	Opposed
5	Unknown
12	No comment

Remarks:

Number of respondents

Quackery	25
Poorly trained, inadequate for duties in bill	18
Licensing would mislead public, danger to citizens	15
May delay needed treatment	9
No surgery, x-ray	9
No obstetrics	9
No prescription capabilities	8
Fraudulent, life threatening	8
State cannot legislate hospital privileges	7
State should investigate practitioners for education/ preparation; followup on fraud and incompetence	4
Responsibilities too broad	4
Waste of state money	2

All Physicians were asked if they had any contact with the rural health delivery system, and for comments

45	Yes
25	No
44	No response
2	Unknown

Comments

Number of respondents

System in good balance, appropriate, constantly upgraded	18
Health Aides work well, need more financial support, skill upgrading	10
Need alcohol abuse education	7
Need EMS communications upgrading	5
Need more health promotion, prevention	5
Expensive	5

alaska
state
hospital
association

319 Seward St., Juneau, Alaska 99801 • (907) 586-1790
REPRESENTING ACUTE, LONG TERM AND OUTPATIENT FACILITIES

Chairman of the Board
Tom Mingen
Fairbanks Memorial
Hospital
Fairbanks

Chairman-Elect
Ronald A. Pavellas
Alaska Hospital and
Medical Center
Anchorage

Secretary/Treasurer
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Anchorage

Alternate Delegate to the
American Hospital Assoc.
Edward Zeme
Cordova Community
Hospital
Cordova

Delegate to the American
Health Care Association
Jack Bush
St. Ann's Nursing Home
Juneau

Alternate Delegate to the
American Health Care
Association
Emma G. Ivy
Wangell General Hospital
Wangell

Delegate to the Association
of Western Hospitals
McCarr Heming
South Peninsula Hospital
 Homer

Alternate Delegate to the
Association of Western
Hospitals
Daniel Van Wieringen
Kodiak Island Hospital
Kodiak

Trustee Delegate to the
American Hospital Assoc.
Mae Kallish
Trustee, Providence
Hospital
Anchorage

Alternate Trustee Delegate
to American Hospital
Association
Robert Jensen
Central Peninsula Hospital
Sitka

President
Dennis L. DeWitt
Juneau

February 16, 1982

The Honorable Charles H. Parr
Alaska State Senate
Pouch V, State Capitol Building
Juneau, Alaska 99811

Subject: Opposition to SB 274

Dear Senator Parr:

Taber's Cyclopedic Medical Dictionary, Thirteenth Edition, defines Naturopathy as "a therapeutic system which does not use drugs or therapy but employs nature forces, such as light, heat, air, water and massage". Webster's New World Dictionary, Second College Edition, defines Naturopathy as "a system of treating disease largely employing natural agencies, such as air, water, sunshine, etc. and rejecting the use of drugs and medicines."

We believe that Section 08.45.160 Nature of Naturopathic Practice, goes far beyond the traditional definition of Naturopathy and in fact creates a limited license to practice Medicine, Podiatry or Osteopathy. By allowing the use of anesthetic and drugs which are commonly available on a prescriptive basis only, this measure seems to us to vary from the practice of Naturopathy.

Of greater specific concern to us is Section 08.45.160 (1) which gives any person licensed under this Chapter staff privileges in every Alaskan hospital and nursing home. This is a right not granted to any other licensed health professional. Each hospital or nursing home should and must, under state and federal law and regulation, establish a policy for acquiring staff privileges including a review of the competency of the particular applicant. This protects the liability of the facility and offers an important quality of care protection to the patients receiving care at a facility.

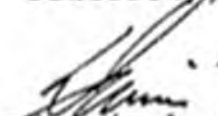
February 16, 1982
The Honorable Charles H. Parr
Page Two

The level of licensure suggested in SB 274 would not permit the Naturopath the ability to treat a patient for cardiac arrest while performing anesthesia. As a result, no hospital could permit a Naturopath to perform services except under the direction of a physician licensed pursuant to Chapter 64 of Title 8, who could provide total care to a patient receiving services in a hospital or nursing home.

While we acknowledge the right of the Legislature to determine the type of health practitioners who might receive licenses under Alaskan law, we believe that mandating hospital or nursing home staff privileges would not be in the public interest. Further we believe that the proposed scope of Naturopathic practice is overly broad and ought to be much more in keeping with current definitions of Naturopathy.

We believe that as a minimum the bill should be amended on page 4, lines 19 and 20, to delete "admit patients to hospitals and nursing homes". Such an amendment would permit access to health facility staff privileges in the same manner as is currently available for example, to physicians, dentists, podiatrists, psychologists and nurse or lay midwives.

Sincerely,



Dennis L. DeWitt
President

DLD:bf

PROVIDENCE HOSPITAL

200 PROVIDENCE DRIVE - POUCH 6604
ANCHORAGE, ALASKA 99502
PHONE: (907) 276-4511



SERVING IN THE WEST SINCE 1864

April 8, 1981

Honorable Charles Parr
Pouch V
Juneau, Alaska 99811

Position Paper: H.B. 327 and S.B. 274 - "An Act relating to the licensing of practitioners of naturopathic healing; and providing for an effective date"

Position Taken: Opposed to passage

Dear Senator Parr:

Providence Hospital opposes passage of H.B. 327 and S.B. 274.

Specifically, we oppose Section 08.45.160 which would permit a naturopathic physician to admit patients to hospitals and nursing homes, perform minor surgery, use our x-ray equipment for diagnosis, and the other provisions outlined in that section.

Providence Hospital and our medical staff have always stood firm on our accrediting bylaws and standards. Not only do we insist that physicians be well-educated and trained in recognized programs leading to board certification of M.D.'s, but it is standard procedure that all our physicians be board eligible or board certified in their specialties. In the past we have denied privileges to physicians we felt (through evidence and background data) were not qualified to meet good standards of practice.

To grant privileges through legislation to naturopathic practitioners, who certainly do not meet these standards, would be irresponsible and would not be in the best interest of the public we serve and who expect us to protect them.

As with laetrile, Philippine faith healers, and other purported miracle curing practitioners, we do not object to people having freedom of choice outside the walls of a hospital. However, we do question the potential effects to the public when a person might

Honorable Charles Parr
Page 2
April 8, 1981

seek help or treatment from untested or testimonial type cures and later find that their problem has become more complicated and more difficult to treat. We have seen this happen with laetrile when cancer patients have come to us too late.

We are primarily concerned with quality health care standards. We do not believe that it is the intent of the legislature to decide who will be permitted to practice medicine in a hospital, especially since the courts of our land have consistently held the hospital responsible for the practice of inpatient medicine.

Thank you for your consideration. We will appreciate any support in defeating H.B. 327 and S.B. 274.

Sincerely,


Al M. Camosso
Administrator

AMC/mm

cc: Dennis DeWitt
William Dann
William Faulkner, O.D.
Ron Hammett
Donald DeMers
Don Brennan
Alaska Hospital Administrators
Advisory Board

Clinic of Natural Medicine

Patton D. Pettijohn, N.D.

Naturopathic Physician

Dear *Senator Parr,*

I am urging you along with hundreds of other Alaskans to support passage of Senate bill 274 or House bill 327. This bill provides licensure for practitioners of naturopathic healing with a fair definition of naturopathy. Without licensing procedures for naturopathic physicians it puts in question the rights of thousands of Alaskans to choose for themselves what type of health care service they use.

The problem stems from the broad definition of the practice of medicine. As defined in present Alaska statute 08.64.380., any one who maintains an office or place of business for the purpose of treating the sick or injured for pay constitutes the practice of medicine. At the present time naturopaths may be challenged that they are practicing medicine without license to do so. We contend that we are not practicing medicine but instead naturopathy and Alaska has no licensing procedure for us. (refer to the enclosed attorney general letter) Another problem with the lack of licensure is that there is no regulation to protect the public interests by making sure that those who practice as naturopaths are qualified and licensed to do so.

By way of background, I am a life long resident of Anchorage. The state of Alaska through the student loan program helped finance my bachelor of science in human biology and four year Doctor of Naturopathic Medicine degree. I have been examined by the state of Oregon Naturopathic Board of Examiners and hold a current license to practice naturopathy in Oregon. Alaska is my home and I feel that I should have the right to practice my profession here without the threat of prosecution.

I hope you will take the time to examine the enclosed information that will help inform you as to the exact nature of our education and qualifications as health care professionals. I have also enclosed naturopathic licensing laws from Oregon and Hawaii. Please feel free to contact me at any time for additional information.

Sincerely,

Patton Pettijohn
Patton D. Pettijohn N.D.

Feb. 11, 1963

Dear Mr. Ram,

I am writing concerning House bill 377 and Senate bill 374, which would recognize and license qualified naturopaths in this State. It is very important to me, as an individual, to be able to create whatever health care I feel is most beneficial to me. I have gained good health through naturopathy. Whole traditional medicine has failed. Because of my support of non-traditional health care, I do not enjoy the benefit of insurance coverage. Passage of the above mentioned legislation will encourage recognition of naturopathy by insurance companies. We are all responsible for our own health and well being and one should not be discriminated against just because one does not follow traditional health care methods.

Thank you for your time and consideration

Sincerely,
Susan S. Dinkin

SEA 5705
Indian, AK
95810

February 10th, 1982

Dear Mr. Charles Park,

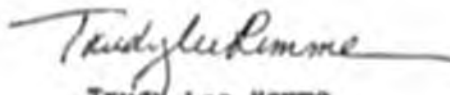
I'm writing this letter to ask you to PLEASE support the new bill introduced in the state legislature concerning naturopathic physicians in Alaska. I've never (ever) written to any public official before, but personally am very concerned with this affair and trully wish for some effective changes in this state, of which I've been a resident for over ten years.

Because of my preference for naturopathic services rather than the standard medical practice of hospital, drugs, and the like, I am facing risk of zero coverage through insurance companies etc., etc. Frankly, it's far more than a medical "preference", but instead, a super strong belief in natural, curative methods of health care. When it comes to dealing with our most precious bodies, I absolutely refuse to resort to standard medical procedures! And so you see,() this issue is crucial to not only this thirty-two year old woman, but to all the many other health minded individuals who hold the same understandings as to the curative functions of our own human bodies.

I believe that all persons should have the right to choose natural methods of health care by qualified, professional people here in Alaska. It is without a doubt the oncoming answer to many health problems throughout the country where-in orthodox methods of medicine have otherwise failed. Let's not discourage properly trained, competant naturopathic physicians from settling in Alaska any longer because of legal matters stiffling a successful practice. I pleadingly ask that you will support house bill 327 and senate bill 274 concerning this important matter.

Thankyou so much for your time and interest.

Sincerely,



Trudy Lee Kenne
1635 E. 26th Street
Anchorage, Alaska
99504

MSG 82-00007978 PRTY 1 02/12/82 15:59:31 ORIG: LA00 IN= 0015 OUT= 0060
FROM: JEAN, ANCH INFO TO: POM, JUNEAU INFO
TARGET: LJH2 SUBJ: POM PAGE 0000

TO: COLLETTA, FISCHER, KELLY, PARR AND STIMSON
REPRESENTATIVES BEIRNE, CATO, MALONE, MARTIN AND SMITH

FROM: PEGGY OCHAP
1303 W 23RD, #15
ANCHORAGE 99503 (H) 278-1033

I BELIEVE IN PREVENTIVE MEDICINE AND NATURAL HEALING BY QUALIFIED
AND LICENSED HEALTH CARE PROFESSIONALS. I WOULD LIKE TO SUPPORT
HB 327 AND SB 274 LICENSING NATUROPATHIC PHYSICIANS IN ALASKA.

MSG 82-00007429 PRTY 1 02/10/82 16:24:01 ORIG: LA09 IN= 0014 OUT= 0112
FROM: JEAN, ANCH INFO TO: POM, JUNEAU INFO
TARGET: LJH2 SUBJ: POM PAGE 000

TO: SENATORS PARR, STIMSON, COLLETTA, FISCHER AND KELLY
REPRESENTATIVES BEIRNE, MARTIN, CATO, MALONE, AND SMITH

FROM: BARBARA PETRUFKA
P.O. BOX 4-1910
ANCHORAGE 99509 (H) 345-1773

I URGE YOUR SUPPORT FOR HR 326 AND SB-274.

MSG 82-00007989 PRTY 1 02/12/82 16:23:19 ORIG: LA00 IN= 0016 OUT= 0064
FROM: JEAN, ANCH INFO TO: POM, JUNEAU INFO
TARGET: LJH2 SUBJ: POM PAGE 0008

TO: SENATORS PARR, STIMSON, COLLETTA, FISCHER AND KELLY
REPRESENTATIVES BEIRNE, MARTIN, CATO, MALONE AND SMITH

FROM: REBECCA KURTZ
SRA BOX 1548-M
ANCHORAGE 99507 345-1928

THIS IS CONCERNING HB 327 AND SB 274. PLEASE SUPPORT THESE.

MSG 82-00009015 PRY 1 02/12/82 18:53:14 ORIG: LA00 IN= 0022 CUT= 0081
FROM: JEAN, ANCH INFO TO: POM, JUNEAU INFO
TARGET: LJH2 SUBJ: POM . PAGE 0003

TO: SENATORS PARR, STIMSON, FISCHER, COLLETTA & KELLY
REPRESENTATIVES BEIRNE, MARTIN, CATO, SMITH AND MALONE

FROM: CONNIE STEVENS
1065 W 20TH
ANCHORAGE 99503 (H) 276-5766

I AM FOR THE LICENSING OF NATUROPATHIC PHYSICIANS IN ALASKA
(HB 327, SB 274).

MSG 82-00008155 PRTY 1 02/15/82 17:30:19 ORIG: LA00 IN= 0013 OUT= 0061
FROM: JEAN, ANCH INFO TO: POM, JUNEAU INFO
TARGET: LJH2 SUBJ: POM PAGE 0001

TO: SENATORS COLLETTA, FISCHER, KELLY, PARR AND STIMSON
REPRESENTATIVES BEIRNE, CATO, MALONE, MARTIN AND SMITH

FROM: LOREN UHLENKOTT
1016 W 6TH, SUITE 415
ANCHORAGE (W) 276-5566

I SUPPORT PASSAGE OF SB 274 HB 327 WHICH IS THE LICENSING OF
NATUROPATHIC PHYSICIANS IN ALASKA.

MSG 82-00008155 PRTY 1 02/15/82 17:30:19 ORIG: LA00 IN= 0013 OUT= 0061
FROM: JEAN, ANCH INFO TO: POM, JUNEAU INFO
TARGET: LJH2 SUBJ: POM PAGE 0009

TO: SENATORS COLLETTA, FISCHER AND PARR
REPRESENTATIVES CATO AND SMITH

FROM: KAREN REDSTONE
1509 WEST 45TH, APT 3
ANCHORAGE 99503 (H) 274-5320

IT IS VERY IMPORTANT TO ME PERSONALLY AND TO MY FAMILY THAT
HB 327 AND SB 274 ARE PASSED. I HAVE BENEFITTED FROM THE
PREVENTATIVE CARE GIVEN TO ME BY MY NATUROPATH. IT IS IMPORTANT
THAT HE AND OTHERS ARE LICENSED SO THAT THIS CARE MAY CONTINUE.

MSG 82-00008155 PRTY 1 02/15/82 17:30:19 ORIG: LA00 IN= 0013 OUT= 0061
FROM: JEAN, ANCH INFO TO: POM, JUNEAU INFO
TARGET: LJH2 SUBJ: POM

PAGE 0003

TO: SENATORS COLLETTA, FISCHER, KELLY, PARR AND STIMSON
REPRESENTATIVES BEIRNE, CATO, MALONE, MARTIN AND SMITH

FROM: KAREN PALINSKI
7031 OAKWOOD DRIVE
ANCHORAGE 99507 (H) 349-6437

I SUPPORT HB 326 AND SB 274. I WOULD LIKE THEM PASSED.

MSG 82-00008155 PRTY 1 02/15/82 17:30:19 ORIG: LA00 IN= 0013 OUT= 0061
FROM: JEAN, ANCH INFO TO: POM, JUNEAU INFO
TARGET: LJH2 SUBJ: POM

PAGE 0006

TO: SENATORS COLLETTA, FISCHER, KELLY, PARR AND STIMSON

FROM: SHIRLEY HARMON
P.O. BOX 10-1242
ANCHORAGE 99511

(H) 345-0017

I STRONGLY SUPPORT PASSAGE OF SB-274, LICENSING NATUROPATHIC
PHYSICIANS, SO THAT ALL ALASKANS SEEKING PREVENTIVE MEDICINE
AND NATURAL HEALING CAN IDENTIFY QUALIFIED HEALTH CARE
PROFESSIONALS.

MSG 82-00007417 PRTY 1 02/10/82 16:09:16 ORIG: LA00 IN= 0013 OUT= 016
FROM: JEAN, ANCH INFO TO: POM, JUNEAU INFO
TARGET: LJH2 SUBJ: POM

PAGE 000

TO: SENATORS PARR, STIMSON, COLLETTA, FISCHER AND KELLY
REPRESENTATIVES BEIRNE, MARTIN, CATO, MALONE AND SMITH

FROM: BARBARA PETRUFKA
P.O. BOX 4-1910
ANCHORAGE 99509 (H) 345-1773

I URGE YOUR SUPPORT FOR HB 327 AND SB 274.

PURPOSE: This bill would add naturopaths to the list of professions like hairdressers and physical therapists who are statutorily regulated and licensed in the State of Alaska. Alaska law currently contains no provisions with regards to this group of health care providers.

Sec.1 Adds naturopathy to the scope of Title 8.

Sec.2 The Department of Commerce and Economic Development is authorized to license and regulate naturopaths. Eligibility for licensure includes a high school diploma, two years of undergraduate work and at least 90% completion of a four-year program of study at a school accredited by the National Association of Naturopathic Physicians. The courses to be included in the program of study are listed. The last requirement is successful completion of a test given by the department, which may be supplemented by oral examinations or other practical tests.

This section allows for equivalency standards for attainment of a license. Since these proposed regulations are similar to laws in other states, transference of licensure is not difficult to assess. Revocation is based on allegations of fraud or deceit; wilful violations of the provisions of the bill, or unprofessional conduct. The fees for examination and licensure are set out.

A naturopath under this statute may:

1. perform physical examinations, write prescriptions for authorized substances, admit patients to nursing homes and hospitals, and sign birth and death certificates.
2. use diagnostic systems.
3. treat persons by stimulation of normal functions.
4. perform minor surgery in superficial locations of the body, use local anesthetics and practice natural childbirth.

A naturopath is prohibited from performing major surgery, using narcotics, using radiation therapy, and using any drugs other than those provided for under this chapter.

Misconduct with regard to use of a naturopathic license or observance of the provisions of this chapter is punishable as a Class B misdemeanor. Practice of naturopathy without a license is a Class A misdemeanor.

This chapter includes definitions of department, naturopath and unprofessional conduct.

Sec.3 This section allows the Commissioner of Commerce and Economic Development to retroactively license all persons who qualify under this chapter and who apply no later than 6/30/82.

Sec.4 Effective date is 7/1/81/.

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 327

Title An Act Relating to the licensing of Practitioners of Naturopathic Medicine

Requested by Martin

Date April 9, 1981

II. FISCAL DETAIL

Agency Affected Department of Commerce and Economic Development

Program Category Affected Public Protection

BRU, Program, or Subprogram(s) Affected Regulation and licensing of professions - Admin

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL		1.1	.5	.6	.7	.8
300 CONTRACTUAL		1.5	1.1	1.2	1.3	1.4
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	2.6	1.6	1.8	2.0	2.2

FUNDING (Thousands of Dollars)

	0	2.6	1.6	1.8	2.0	2.2
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	0	0	0	0	0	0
FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

TRAVEL (12% inflation factor projected)

Hold 3 Hearings; one day each;

one staff person; Anchorage,

Fairbanks and Juneau.

FY82 only

\$ 680.00

Hold 2 Exams in Anchorage. One

staff person. Ongoing.

398.00

1,078.00 Total

CONTRACTUAL (7% inflation factor projected)

Room rental for hearings and exams.

Transcription, printing, telephone,

postage. Additional room rental for FY 82 only

****PLEASE NOTE****

THE ORIGINAL FILE CONTAINS AN OVERSIZED DOCUMENT THAT IS UNSUITABLE FOR FILMING. PLEASE REFER TO THE ALASKA STATE ARCHIVES TO VIEW THE ORIGINAL.

NEWSPAPER CLIPPING

"TRADITIONAL HEALER DELLA KEATS"

TUNDRA TIMES

1/28/1981, P14

Insert the following:

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

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

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

(3) have attended at least 90 percent of the hours required for graduation and graduated from a ^{legally chartered} school or college of naturopathic medicine that has as a requirement for graduation successful completion of a course of resident instruction of at least nine months actual attendance in each of four years and successful completion of a course of instruction totaling 4,500 hours or more;

(4) the course of study shall include:

(A) anatomy (including histology and embryology) and physiology;

(B) microbiology, immunology and public health;

(C) pathology and diagnosis (including physical, clinical, x-ray, and symptomatology diagnosis);

(D) first aid and emergency medicine;

(E) obstetrics and gynecology;

(F) orthopedics;

(G) minor surgery;

(H) proctology;

(I) otolaryngology;

(J) physiotherapy and manipulative techniques;

(K) clinical nutrition;

(L) herbology;

(M) naturopathic theory, practice and therapeutics;

(N) clinical practice;

(O) jurisprudence;

(5) successfully complete an examination given by the department.

(6) not have a license to practice naturopathic medicine in another state, province or territory which is currently suspended or revoked for disciplinary reasons

(7) be a citizen of the USA or be lawfully admitted for permanent residence

(8) be of good moral character.

Change from Naturopathic
From Alaska statute
8.64.200

4
basis to
state. rather
than former
confusion

From AS 8.64.312
from Oregon Statute
685.018

Page 4 line 2

Insert:

(3) and demonstrates to the satisfaction of the department qualifications at least equal to those required of persons eligible for licencing under this chapter.

Sec. 08.45. 140. Continuing Education Requirements. (a) Practioners under this section shall pursue a high degree of competence in Naturopathic Medicine by completing continuing education requirements delineated by the department.

(b) Before a license may be renewed the licensee shall submit evidence to the department that continuing education requirements prescribed by regulations adopted by the department have been met.

(c) The department may exempt a naturopathic practitioner from the requirements of (b) of this section upon an application by the licensee giving evidence satisfactory to the department that said is unable to comply with the requirements because of extenuating circumstances; however, no person may be exempted from the requirements of this subsection more than once in any five year period.

Page 4 line 10

Insert:

From ORS
685.110

- (4) impersonates another physician.
- (5) practices under an assumed name.
- (6) is convicted of a crime involving moral turpitude.

Page 4 line 19

Delete:

admit patients to hospitals and nursing homes,

From Hospital
DHSS

Page 4 line 23

Insert:

mechanical (including acupuncture),

From Naturopaths

Page 5 line 10

Delete:

use narcotics;

From Naturo ->

Insert:

use controlled substances as defined in state law;

From Naturo ->

Page 5 line 12

Delete:

use drugs except ... maintenance of life.

Insert:

use drugs except antiseptics, local anesthetics, minerals and extracts, compounds or concentrates obtained from plants or animals.

From Nat

Page 4 line 28

Delete:

perform minor surgery, including the drawing of

Insert:

draw

Page 5 line 1

Delete:

surgical

Page 5

Delete:

lines 4 & 5

Page 5 line 9

Delete:

major

Insert:

surgery (except as provided in (4) (C) of this section);

From DHS
Assoc



staff

POSITION PAPER

House Bill No. 327

"An Act relating to the licensing of practitioners of naturopathic healing; and providing for an effective date."

The bill provides for the licensing of naturopaths and defines qualifications necessary for licensure.

Definition

Naturopathy is defined as a system of treatment which emphasizes assistance to nature and includes the use of natural substances and physical means. Methods of treatment commonly include corrective nutrition, use of vitamins, minerals, enzymes and botanical preparations, counseling, hypnotherapy, massage, manipulation and other physical methods. There is apparently some controversy among naturopaths regarding the use of surgical methods.

Educational Background of Naturopaths

The National College of Naturopathic Medicine, with campuses in Portland, Oregon and Wichita, Kansas, is the only residential institution in the U.S. offering a curriculum in naturopathy. The course duration is four years. Admissions requirements include high school graduation and two years of college or university (there has been discussion with regard to expansion to three years). There is also a correspondence school of naturopathy in California. Graduates of this program would not be eligible for licensure in Alaska under the requirements contemplated in H.B. 327.

Current Status of Naturopathy in Alaska

Alaska currently has no statute providing for the licensure of naturopathic physicians. The Attorney General has held that, to the extent that naturopathy constitutes the practice of medicine as defined in the Alaska Statutes, any person practicing naturopathy would be required to be licensed by the State Board of Medical Examiners.

Position of the Department of Health and Social Services

The scientific basis of naturopathy has been questioned by the medical community. In a 1968 study, the U. S. Department of Health, Education and Welfare stated that "naturopathic theory and practice are not based upon the body of basic knowledge related to health, disease and health care which has been widely accepted by the scientific community." This position has remained unaltered. The American Public Health Association has also expressed reservations.

Certain disease categories would not appear to be amenable to successful treatment through naturopathic methods. A few examples would include malignancies, diabetes in certain age groups or of certain degrees of severity, certain types of infectious diseases, etc. Protection of the public would

POSITION PAPER HB 327
Page 2

require that the public clearly understands the limitations of the naturopathic approach and that the practitioner be able to recognize those conditions in which his therapy would not be beneficial.

The Bill contains no reference to standards of practice to be expected.

The Department recommends against the passage of House Bill 327. If, however, the Legislature enacts the Bill, the Department would strongly recommend limiting the scope of practice by prohibiting surgery, use of x-ray, and obstetrical practice by naturopaths.

Recommended by:

E. S. Rabeau

E. S. Rabeau, M.D., Director
Division of Public Health

Date:

2-16-82

Approved by:

Helen D. Beirne

Helen D. Beirne, Commissioner
Department of Health and
Social Services

Date:

2-17-82

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. House Bill No. 327
 Title "An Act relating to the licensing of practitioners of naturopathic healing..."
 Requested by Commissioner's Office Date 2-16-82

II. FISCAL DETAIL
 Agency Affected Department of Health and Social Services
 Program Category Affected Health/Public Health
 BRU, Program, Or Subprogram(s) Affected _____
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	0	0	0	0	0	0
200 TRAVEL	0	0	0	0	0	0
300 CONTRACTUAL	0	0	0	0	0	0
400 COMMODITIES	0	0	0	0	0	0
500 EQUIPMENT	0	0	0	0	0	0
600 LAND & STRUCTURES	0	0	0	0	0	0
700 GRANTS, CLAIMS, ETC.	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER (Specify Source)	0	0	0	0	0	0

POSITIONS

FULL TIME	0	0	0	0	0	0
PART TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

IV. DATE 2-16-82 PREPARED BY E. S. Rabeau, M.D.
 AGENCY Dept. of Health & Social Services
 Original: Legislative Finance PHONE 465-3090
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

JCC

WE PETITION YOU

AS OUR LEGISLATOR TO RECOGNIZE BY LAW, THE NATUROPATHIC PROFESSION. WE FEEL IT IS OUR CONSTITUTIONAL RIGHT TO BE ABLE TO MAKE OUR OWN CHOICE IN SELECTING THE TYPE OF DOCTOR AND THE TYPE OF TREATMENT FOR US OR OUR FAMILY. WE WOULD PREFER TO BE ABLE TO CHOOSE BECAUSE OF AVAILABILITY, FROM ALL OF THE DIFFERENT TYPES OF TREATMENT AND ESPECIALLY AT TIMES, THE NATURAL METHOD OR NATUROPATHIC SYSTEM. WE THE UNDERSIGNED HAVE USED OR WOULD LIKE TO USE NATUROPATHIC SERVICES. WOULD YOU ACT IN OUR BEHALF TO ASSURE US OF OUR CONTINUED FREEDOM OF CHOICE?

NAME	ADDRESS	DATE
Deborah Brooks	4202 Hayes Anch. 99503	3/4/81
Esther Dornbeck	3234 Linden Dr. Anch. 99502	3-5-81
Stephanie Howard	301 Lummell. 99504	3-5-81
Chris Halder	2606 Humbolt	3-5-81
Kim Caldwell	P.O. Box 3298 Palmer AK 99645	3-5-81
Kevin Marquis	815 N. Park #2 Anchorage 99504	3-5-81
Linda Biggers	Box 43 Hope, AK	3-5-81
Scarlett Dickmeyer	Box 545 FIRDWOOD AK	3-5-81
Karen Kallen	General Delivery AKiak, AK ⁹⁹⁵⁵²	3/6/81
Lee Olson	3922 Apollo Dr Anchorage 99504	3-6-81
Janice Dahl	1931 Wickenham Dr. Anch. AK	3/6/81
Donna Rice	Box 10102 Anchorage, Alaska ⁹⁹⁵⁰¹	3/6/81
Pauline Wynn	1751 Falcon Cir Anch AK	99504
Joan Kattenbach	Box 635 Eagle River AK	99577
Kathy Mann	7401 Chad St Anchorage AK	99501
Deane Jolev	510 Jule Circle Anchorage, AK	99503
Ann Thurgood	3030 Montgomery Ave Anch AK	99507
Lorraine M. Jandig	3404 Oregon Dr. Anch. AK	99503
Lorrie L. Whelan	2949 E. 88th Anchorage 99507	3/6/81
Donna Smith	5701 S. 16th Ave Anch 99504	3-9-81
Lynn Clarke	1840 South Pine St Anch 99507	3-10-81
Cathleen Horvath	4998 Klondike AK	99504 3/10
Jerry S. Clark	3800 Cordell Circle ⁹⁹⁵⁰⁴ Anchorage AK	99502 3/9/81
Paula Ploeg	5670 Silverado Way Anchorage AK	
Althea L. Stevens	500 40th Anchorage AK	3/10/81

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NAME	ADDRESS	DATE
Ann Buckling	1035 W. 20 th Anchorage AK	3/10/81
Nancy Rojas	2907 La Honda Dr. #6 Anch. AK 99503	3/10/81
Janet Embury	2910 W. 34 th Ave Anchorage 99503	3/10/81
Pipp B. B. B.	ST RT B Bx 9250 Palmer AK	3/10/81
Margaret D. D.	1570 Garden St Anchorage	3/10/81
Sharon D. D.	5112 E 5 th Anch AK	3/10/81
Lawrence D. Meshkin	241 N. Park Anch. AK 99504	3/10/81
Susan Faulk, President of Better Alaska Bath Experiences	Box 4-381 Anchorage AK ^{3/10/81}	3/10/81
Peter Raynor	5132 W. 72 nd Anchorage AK 99502	3/11/81
Riviera L. L.	1303 W 39 th Anch. AK 99507	3/11/81
Margie Mathews	6930 Aitona Ave Anch AK 99502	3/11/81
Don H. H.	1221 11 th Anch AK 99502	3/11/81
Nancy Buchanan	P.O. Box 6091 Anchorage 99502	3-11-81
Miss M. Wickell	4500 GOLFFIELD Anch AK 99503	3-12-81
Juliana K. K.	400 N. 11 th St. Anch. AK	3/12/81
Laura - Huntington	Box 3 Homer, AK 99605	3/12/81
Laura - Huntington	Box 3 Homer AK 99605	3/12/81
Beverly Kosburgh Lee	Box 326 Anchorage AK 99587	3/12/81
H. Lee	Box 326 Anchorage AK 99587	3/12/81
Ann Silment	SR 1504 Wasilla AK 99687	12 Mar 1981
Kathleen Whitson	4040 FALKER ST Anch. AK 99504	3/12/81
David Orendan	" " " "	" "
LARRY C. NELSON	1611 DIAMOND DR. ANCH AK 99503	3/12/81
Pauline Lites	SRA Box 478 Anch AK 99577	3/12/81
Don Cook	SR 1503 Eagle River, AK 99577	3/12/81

WE PETITION YOU

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NAME	ADDRESS	DATE
William G. Merrill	612 Channing St.	March 13, 1981
Nadene Calderwood	7900 Montgomery Ave	March 13, 1981
Carol Lawrence	1414 1/2 Carlisle	3/13/81
Naomi Palmer	P.O. Box 4-294 Anch 99509	3/13/81
Adrienne Bove	4343 San Roberto #14, 99504	3/13/81
Cristina D. Bennett	730 W 19th Ave Apt 99503	3-13-81
Carol Rhodes	1061 E. 17th Ave Anch 99501	3-13-81
Janet	101 E. 17th Anchorage, AK 99501	3/13/81
Dana Pace	SRA 191 Anchorage, AK 99502	3/13/81
Lillian Borisyuk	1909 W. HILLCREST TENCH., AK	3-13-81
Concetta Elder	SRA Box 19 Anch 99507	3/16/81
Marjorie	721 W 85th Anch 99502	3/16/81
Janet		
Linda Arnett	1022 1/2 Street, Anch, 99501	3/16/81
W. B. Sursky	1417 W 710 Regis Blvd Anch 99503	3/16/81
Carol V. Krasinsky	3520 Wentworth 99504	3/17/81
Susan J. Clark	8800 Cordell Cir. Apt 4	3/17/81
Constance M. Walker	2103 W 45th, Anch 99503	3/17/81
Billie A. Perkins	SR Box 206-211 W. 11th St	March 17, 1981
Karen Gasper	614 Jewell Lake Road	March
May Keele	7500 DeSoto Rd, H530	3/18/81
Kay Staci	3701, BOREALIS 99503	3/18/81
Art D. Orlov	1201 Divard #1002 99502	3-18-81
Shirley M. Harman	1621 Demond Dr. Anch 99507	3-18-81

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NAME	ADDRESS	DATE
William G. Merrill	6112 Chicago St.	March 13, 1981
Nadine Caldwell	7907 Montgomery Dr	March 13, 1981
Charles [unclear]	1414 1/2 [unclear]	3/13/81
Dawn Palmer	P.O. Box 4-294 Anch 99509	3/13/81
Adrienne Bove	4343 San Roberto #14, 99504	3/13/81
Cristina D. Bennett	720 W 19th Ave Apt 99503	3-13-81
Carol Rhodes	1061 E. 17th Ave Anch 99501	3-13-81
[unclear]	101 E. 17th Anchorage, Alaska 99501	3/13/81
Nana Pace	SRA 191 Anchorage AK 99502	3/13/81
Allen Backuski	1908 W. HILLCREST RANCH, AK.	3-13-81
[unclear]	SRA Box 19 Anch 99501	3/16/81
[unclear]	721 W 85th Anch 99502	3/16/81
Janet Hunter		
Chuck Arnett	102811 Street, Anch, 99501	3/16/81
W. B. Suszyski	1417 W 710 Knight St. Anch 99503	3/16/81
Frank V. Ramsey	3520 Wentworth 99504	3/17/81
Judson J. Clark	8200 Cordell Cir. Apt 41	3/17/81
Constance M. Walker	2103 W 45th, Anch 99503	3/17/81
Bill A. Perkins	SR Box 2102-111 Wadella Ak	March 17, 1981
Karen Gasper	6141 Jewel Lake Road	March 17
Mary Koshin	7500 DeBuan Rd, H530	3/18/81
Kay Stoli	3041 [unclear] 99503	3/18/81
Rich [unclear]	1500 [unclear] #1002 99502	3-18-81
Shelley M. Hansen	1621 Demand Dr. Anch 99507	3-18-81

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NAME	ADDRESS	DATE
Mark Grindle	1924 Stonegate Cr.	3/24/81
Diana Lay	705172 Solomon Sp. 9	3/24/81
Kara Rinn	1509 St. 45 th Apt 4	3-24-81
Tudah Blakemore	801 Airport Hts #375	3-24-81
ERIC H. AKOLA	1260 FRIENDLY LN.	3/25/81
Karen Button	40 Box 1582	3/25/81
Suey Means	234 East 15 th (Vic. Anch 99501)	3/25/81
Lythia Prandall	R30 W 26 th #5 Anch. AK 99503	3/26/81
Brenda & Annelita	P.O. Box 1622 Palmer AK 99645	3/26/81
ANDRE PEKARSKI	Rox 461 Greenwood 99587	3/26/81
Ellie Stacey	3/2 8766 Indian Ak 99540	3/26/81
Dave Silt	Box 116 (Anchorage) 99587	3/26/81
Keri (E. Allen)	P.O. Box 4-520 Anchorage AK 99507	3/27/81
Harland Noble	301 - S. Bragaw Anchorage AK 99504	
Lythia Prandall	R30 W 26 th #5 Anch	3/27/81
Audrey Tamara	P.O. Box 6343 Anch. AK 99502	3-27-81
Earle Fading	2404 Oregon Anch AK 99503	3-27-81
Smith Allen	110 W 6 th Ave Anch AK 99501	
Susan W. Brown	7737 Henshawville Anch, AK 99502	3/30/81
Michael W. Ostrowski	130 East 8 th Anch AK 99501	3/30/81
Michael Ostrowski	130 E 8 th Anch AK 99501	3/30/81
Kelly A. Thomas	926 W 11 th Apt 10 Anch AK 99501	3/30/81
Michelle Haley	3601 W. ... Anch	3/30/81
Mrs. (Carol) Heimer	P.O. Box 251 Eagle River AK 99507	3/31/81
Jane Colby	JRA Box 1740-C Anch AK 99507	3-31-81

Clinic of Natural Medicine

Patton D. Pettijohn, N.D.

Naturopathic Physician

4/1/81

Dear Senator Parr,

I am writing to inform you of the enclosed Senate bill 274 / house bill 327. It provides licensure for practitioners of Naturopathic healing and a fair definition of Naturopathy. I hope you will understand that without licensing procedures for Naturopathic physicians it puts in question the rights of thousands of Alaskans to choose for themselves what type of health care service they use. Naturopathic physicians also have constitutional rights to practice their profession and livelihood as trained in Alaska.

At this time there is no definition or licensing procedure for Naturopathic medicine in Alaska as there is in other states. The main problem stems from the fact that the practice of "medicine" as defined by Alaska Statute is so broad that Naturopaths may be challenged that they are practicing medicine without license to do so. We contend that we are not practicing "medicine" but Naturopathy and Alaska has no licensing procedures for us. I am however, licensed to practice Naturopathy in Oregon.

Clinic of Natural Medicine

Patton D. Pettijohn, N.D.

Naturopathic Physician

Another problem with the lack of licensure is that there is no regulating body to protect the public interests by making sure that those who practice as naturopathic physicians are qualified to do so.

By way of background, I am a life long resident of Anchorage, born here in 1951. The state, through the student loan program, financed my complete education both my bachelor degree in Human Biology and Doctor of Naturopathic medicine degree. Alaska is my home and I should have the right to practice my profession without the threat of being prosecuted.

Enclosed is information that will serve to inform you as to the exact nature of our education and qualifications as health care professionals. I will enclose naturopathic licensing laws from Oregon & Hawaii as well. Will you to contact me at any time or Senator Colletta's office for further information. I urge you to support Senate Bill 274.

Sincerely,

Patton Pettijohn N.D.

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

POUCH K-STATE CAPITOL
JUNEAU, ALASKA 99811

March 29, 1979

Mike Colletta, Chairman
Rules Committee
Alaska State Senate
Pouch V
Juneau, Alaska 99811

Re: The Practice of Naturopathy in Alaska

Dear Senator Colletta:

This letter is in response to your recent request for information regarding the practice of naturopathy in Alaska.

Although one statute, AS 08.02.010, makes passing reference to "naturopath", Alaska has no statute which regulates the practice of naturopathy. It was this lack of legislation which led the Idaho Association of Naturopathic Physicians, Inc., to file against some 30 states and several municipalities in order to compel the defendants to recognize naturopathy as a discipline distinct from the orthodox practice of medicine. While the suit involving Alaska has yet to be decided, a companion case, Idaho Association of Naturopathic Physicians, Inc. v. United States Food and Drug Administration, et al. 582 F.2d 849 (4th Cir. 1978), the United States Court of Appeals for the fourth circuit unanimously affirmed decisions of two United States district courts dismissing the county and state defendants from the actions filed by the Association. We have no reason to believe that the outcome of the suit involving Alaska will diverge from the fourth circuit decision.

Although the Medical Board has apparently taken the position that it is not responsible for the licensure of naturopaths, naturopathy may constitute the practice of medicine within the meaning of AS 08.64.380(2)(A) (C) or (D):

"Practice of medicine" or "practice of osteopathy" means

(A) maintaining an office or place of business for the purpose of treating the sick or injured

for pay or . . .

(C) the assumption or promulgation of a title which tends to show that the person is willing or qualified to diagnose or treat the sick or injured . . . or

(D) for a fee prescribing, directing or recommending for the use of a person, a drug or medicine for the treatment, cure or relief of a disease, infirmity, bodily injury or defect.

Given the Medical Board's posture with respect to naturopathy, it is highly unlikely that the State would undertake any action to prosecute or otherwise discipline an individual naturopath for the unlawful practice of medicine. In essence, then, naturopathy within the State of Alaska is an unlicensed activity.

It is my understanding from my conversation with your administrative assistant, Carlos Mercer, that you are currently contemplating legislation to regulate the practice of naturopathy in the State. In formulating this legislation, two fundamental issues arise: (1) does the practice of naturopathy constitute a practice which poses a risk to the health and safety of Alaskans such that it should be regulated? (2) in what manner can the State best control entrance into the occupation and support and enforce standards of practice among licensed practitioners?

I am available to meet with you at any time to discuss in further detail the background of the naturopathy suit and to assist you in the preparation of legislation to regulate naturopathy in Alaska.

Sincerely yours,

AVRUM M. GROSS
ATTORNEY GENERAL

By:


Bruce M. Botelho

Assistant Attorney General

BMB:vr

**OREGON LAW
Relating to Naturopathic Medicine**

The practice of naturopathic medicine was first recognized in Oregon law in 1927 and by the United States Congress in 1931.

Oregon Revised Statutes, Chapter 685 (revised 1977), 685.101 — 685.990, provides the licensing authority for Naturopathic Physicians in the state of Oregon:

Chapter 685

Naturopaths

GENERAL PROVISIONS

- 685.010 Definitions
- 685.020 Licensee required to practice naturopathy; title and abbreviations usable by licentiate
- 685.030 Application of chapter
- 685.040 Application of health laws
- 685.050 Execution of birth and death certificates

LICENSING

- 685.060 Minimum educational requirements for license
- 685.070 Application for examination; license fee
- 685.080 Examination of applicants; issuing license
- 685.085 Reciprocal license
- 685.090 Recording license with county clerk
- 685.100 Annual renewal of license
- 685.102 Continuing education course required; exemptions
- 685.104 Effect of failure to comply with ORS 685.102; reissuance of registration

- 685.106 Approval of continuing education programs
- 685.110 Denial or revocation of license by board
- 685.125 License denial or revocation procedure; promulgation and review of rules and orders.

STATE BOARD

- 685.160 Naturopathic Board of Examiners; appointment; confirmation
- 685.170 Officers of board
- 685.190 Compensation and expenses of board members; compensation of secretary
- 685.201 Disposition of receipts

ENFORCEMENT

- 685.210 Enforcement; employing attorney; jurisdiction

PENALTIES

- 685.990 Penalties

CROSS REFERENCES

- Administrative procedures and rules of state agencies, Ch. 183
- Health certificate, signature by physician licensed by Board of Medical Examiners only, 433.010
- Legislative review of need for agency, 182.615
- Military or naval service persons relieved from pay-

- ment of fees, 408.450
- Naturopaths exempt from jury duty, 10.040
- Physician-patient privileged communications, 44.040
- Professional corporations, Ch. 58

685.020

Professional designation of licensed naturopath, 676.110
Use of professional designation by unlicensed person prohibited, 676.120

685.050

Falsification of health certificate prohibited, 106.990

685.060

Waiver of educational requirement for admission to examination, 670.010

685.110

Denial, suspension or revocation of license prohibited solely because of criminal conviction, 670.280
Injunction against practicing after suspension or revocation of license, 676.220

685.160

Administrative agencies generally, Ch. 182
Assistant Director for Health as ex officio member of board, 184.835

685.190

Subsistence and mileage allowance for travel, 292.210 to 292.250

685.201

Expenditures without allotment prohibited in certain cases, 291.238

685.210

Attorney General to supervise all legal proceedings for state agencies, 180.220, 180.230

Note: Section 41, chapter 842, Oregon Laws 1977, is operative July 1, 1986, and provides:

Sec. 41. ORS 685.010, 685.020, 685.030, 685.040, 685.050, 685.060, 685.070, 685.080, 685.085, 685.090, 685.100, 685.102, 685.104, 685.106, 685.110, 685.125, 685.160, 685.170, 685.190, 685.201, 685.210 and 685.990 relating to naturopaths are repealed.

GENERAL PROVISIONS

685.010 Definitions. As used in this chapter.

(1) "Board" means the Naturopathic Board of Examiners.

(2) "Drugs" means all medicines and preparations and all substances, except non-poisonous plant substances, food and water, used or intended to be used for the diagnosis, cure, treatment, mitigation or prevention of diseases or abnormalities of man, which are recognized in the latest editions of the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia, official National Formulary, or any supplement to any of them, or otherwise established as drugs.

(3) "Minor surgery" means the use of electrical or other methods for the surgical repair and care incident thereto of superficial lacerations and abrasions, benign superficial lesions, and the removal of foreign bodies located in the superficial structures; and the use of antiseptics and local anesthetics in connection therewith.

(4) "Naturopathy," which includes physiotherapy and minor surgery, is defined as a system of treating the human body by use of drugless methods, which has for its object the maintaining of the body in, or of restoring it to, a state of normal health.

[Amended by 1953 c. 557 §4]

685.020 License required to practice naturopathy; title and abbreviations usable by licentiates.

(1) No person shall practice, attempt to practice, or claim to practice naturopathy in this state without first complying with the provisions of this chapter.

(2) Licentiates under this chapter may use any or all of the following terms: "Doctor of Naturopathy" or its abbreviation, "N.D.," "Naturopath" or "Naturopathic Physician." However, none of these terms, or any combination of them, shall be so used as to convey the idea that the physician who uses them practices anything other than drugless therapy.

685.030 Application of chapter. Nothing in this chapter shall be construed to:

(1) Apply to any physician and surgeon, osteopath or chiropractor, or to any Christian Scientist or other person who by religious or

spiritual means endeavors to prevent or cure disease or suffering in accord with the tenets of any church.

(2) Authorize licentiates to practice optometry or administer chiropractic adjustments, or any system or method of treatment not authorized in this chapter, or to administer or write prescriptions for or dispense drugs, or do major surgery.

(3) Prevent one licensed under this chapter from the administration of the anesthetics or antiseptics authorized in subsection (3) of ORS 685.010 or the use of radiopaque substances administered by mouth or rectum necessary for Roentgen diagnostic purposes.

(4) Authorize the administration of any substance by the penetration of the skin or mucous membrane of the human body for a therapeutic purpose.

[Amended by 1953 c 557 §4]

685.040 Application of health laws. Licentiates under this chapter shall observe and are subject to all state, county and municipal laws and regulations relating to public health.

685.050 Execution of birth and death certificates. Licentiates under this chapter are authorized to sign birth and death certificates. Such certificates so signed shall be accepted as fulfilling all the requirements of the laws dealing with such certificates.

LICENSING

685.060 Minimum educational requirements for license. (1) The minimum educational requirements for license under the provisions of this chapter shall be:

(a) A high school education, as shown by diploma or certificate of graduation from a standard high school, or the equivalent of such an education, which shall be certified by a Superintendent of Public Instruction; and

(b) At least two years' satisfactory liberal arts and sciences study, or either, in a college or university accredited by either the Northwest Association of Secondary and Higher Schools or a like regional as-

sociation or in a college or university in Oregon approved for granting degrees by the Oregon State Board of Education as evidenced by certificate or transcript of credits from the college or university; and

(c) Graduation from a naturopathic school or college approved by the State Board of Naturopathic Examiners and which requires for graduation a period of actual attendance of four years of at least nine months each, and teaching adequate courses in all subjects necessary to the practice of naturopathy.

(2) The studies required of the applicant for a license to practice naturopathy in this state shall include anatomy, histology, embryology, physiology, chemistry, pathology, bacteriology, public health and hygiene, toxicology, obstetrics and gynecology diagnosis, theory, practice and philosophy of naturopathy, electrotherapy, hydrotherapy, physiotherapy, clinics, eye-ear-nose-throat, minor surgery, first aid, herbology, proctology, dietetics, jurisprudence, and such other naturopathic subjects as the board may require, except materia medica, pharmacology and major surgery, with a total of not less than 4,000 lecture or recitation hours.

[Amended by 1953 c 557 §4, 1969 c 381 §5]

685.070 Application for examination; license fee. Any person who wishes to practice naturopathy in this state shall make application to the board for an examination for a license to practice naturopathy. The application shall be filed with the board not less than 10 days before the date of the examination upon blanks provided by the board. All persons licensed under this chapter shall pay to the board a license fee of \$25, \$10 of which must accompany the application for examination. The balance shall be paid when the applicant has been granted a license. Under no condition will the application fee of \$10 be returned to the applicant. Affidavits of two reputable citizens of the state attesting the good moral character of the applicant shall be filed with the application for examination.

685.080 Examination of applicants; issuing license. (1) For the purpose of determining the qualifications of applicants for license under this

chapter, the board shall hold meetings and conduct examinations of applicants for licenses at such time and places and under such rules and regulations as a majority of the board may determine. The time and place of holding such an examination shall be published at least 30 days prior to the date of the examination.

(2) At the time and place the board has previously designated, the applicant shall appear before the board to be examined as to his fitness to practice naturopathy. The examination shall be in writing and embrace and be restricted to the subjects listed in ORS 685.060.

(3) If the applicant answers correctly 75 percent of the questions asked on each of the subjects of the examination, the board shall issue to such applicant a license to practice naturopathy. If however, an applicant fails to pass an examination, the applicant shall, without losing credits for subjects passed and without paying another fee, be permitted, within one year from date of failure to pass, to take another examination at the convenience of the board, but the applicant shall, not less than 10 days before the date of the examination, notify the board of his intention to take the examination.

685.085 Reciprocal license. A person licensed to practice naturopathy under the laws of another state who demonstrates to the satisfaction of the board that he possesses qualifications at least equal to those required of persons eligible for licensing under this chapter, may be issued a license to practice in this state without written examination upon payment of the license fee required under ORS 685.100.

[1973 c. 469 §2]

685.090 Recording license with county clerk. Before engaging in practice in any part of the state, the holder of a license under this chapter shall present such a license, or a certified copy, for record to the county clerk of the county in which the holder of the license resides. A county clerk is entitled to collect a fee of \$1 for recording the license or for making a certified copy of it. Annually, on January 1, county clerks shall, when requested by the board, furnish the board with a list of such licenses on record in their respective counties

685.100 Annual renewal of license. (1) On or before January 1 of each year, every person holding a license under this chapter shall apply to the board for a certificate of annual registration and at the time of applying shall pay to the board an annual registration fee not to exceed \$75, as determined by the board and approved by the Executive Department. A person holding a license under this chapter who is at least 70 years of age and retired from the practice of naturopathy shall apply to the board for a certificate of annual registration and at the time of applying shall pay to the board an annual registration fee not to exceed \$30, as determined by the board and approved by the Executive Department. The application shall be made upon a blank form furnished by the board, and shall contain such information as may be necessary to enable the board to identify the applicant for registration and the licensee to be what he claims to be in the application.

(2) Upon receipt of an application for annual registration, accompanied by the annual registration fee, the board shall issue to the applicant a certificate of annual registration. The certificate shall, at all times, be displayed in the office of the person to whom it was issued unless the person is retired from the practice of naturopathy and does not maintain an office.

(3) The failure, neglect or refusal of any person holding a license under this chapter, to pay the annual registration fee as required by subsection (1) of this section shall, after 30 days from January 1 of each year, automatically revoke his license. A revoked license shall not be restored except upon written application therefor and the payment of a restoration fee of \$25 for each year the license remains revoked, which is in addition to the annual registration fee for each year the registration fee remains unpaid. An applicant for the restoration of a license so revoked shall not be required to submit to any examination as to his qualification to practice under this chapter. However, the board may deny the restoration of any license for which the required registration fees have not been paid during the years for which they are due if it finds that grounds for refusal to grant or for revocation of the license exist under ORS 685.110.

(4) On or before December 1 of each year the secretary of the board shall notify each person holding a license under this chapter that the annual registration application and fee are due on or before January 1 following.

[Amended by 1967 c.44 §2, 1969 c.26 §2, 1969 c.381 §6, 1973 c.182 §5]

685.102 Continuing education course required; exemptions. (1) Except as provided in subsection (2) of this section, each person holding a license under this chapter shall submit at the time he submits the annual registration fee, evidence satisfactory to the board of his successful completion of an approved program of continuing education in naturopathy, completed in the calendar year preceding the date on which the evidence is submitted.

(2) The board may exempt any person holding a license under this chapter from the requirements of subsection (1) of this section upon an application by him showing evidence satisfactory to the board that he is unable to comply with the requirements because of physical or mental condition or because of other unusual or extenuating circumstances. However, no person shall be exempted from the requirements of subsection (1) of this section more than once in any five-year period.

(3) Notwithstanding subsection (2) of this section, a person holding a license under this chapter may be exempted from the requirements of subsection (1) of this section upon an application by him showing evidence satisfactory to the board that he is or will be in the next calendar year at least 70 years of age and is retired or will retire in the next calendar year from the practice of naturopathy.

(4) A person who is exempted from the requirements of subsection (1) of this section shall not practice naturopathy. A violation of this subsection is grounds for suspension or revocation of the license of the person granted the exemption by the board.

[1969 c.381 §2, 1973 c.824 §(7)]

685.104 Effect of failure to comply with ORS 685.102; reissuance of registration. (1) The board shall refuse to issue the certificate of annual

registration to any person holding a license under this chapter who fails to submit with his annual registration fee proof required under ORS 685.102, unless it has exempted the person from the requirements of subsection (1) of ORS 685.102. The board shall return the annual registration fee to the person.

(2) After January 1 of any year, the board may issue a certificate of annual registration to any holder of a license under this chapter who had been refused such certificate under subsection (1) of this section upon submission of the evidence required under subsection fees for each year the registration fee remains unpaid and a restoration fee of \$25 for each year the license remains revoked.

(3) If the person completes an approved program after January 1 to meet the requirement of ORS 685.102 for the year beginning January 1, such completion does not meet the requirements of ORS 685.102 for the subsequent year.

[1969 c.381 §3, 1973 c.182 §6]

685.106 Approval of continuing education programs. (1) The board may offer a program of continuing education in naturopathy to meet the requirements of ORS 685.102. The board may also approve a program to be presented by persons reasonably qualified to do so.

(2) Any person seeking approval of a program of continuing education in naturopathy, to be offered to assist persons holding licenses under this chapter to comply with the requirements of subsection (1) of ORS 685.102, shall submit to the board, at such time as the board may require, copies of courses of study to be offered and proof of such other qualifications as the board may require. Approval granted to any program of continuing education shall be reviewed periodically and approval may be withdrawn from any program that fails to meet the requirements of the board.

(3) Any program of continuing education in naturopathy offered or approved under this section shall consist of at least 20 hours of study covering new, review, experimental, research and specialty subjects in the field of naturopathy.

[1969 c.381 §4]

685.110 Denial or revocation of license by board. The board may refuse to grant or may suspend or revoke a license to practice naturopathy in this state for any of the following reasons:

(1) The use of fraud or deception in securing a license.

(2) The impersonation of another physician.

(3) Practicing naturopathy under an assumed name.

(4) The procuring, aiding or abetting in procuring an abortion; provided, that for the purpose of this subsection an abortion means the removal from the womb of a woman the product of conception at any time prior to delivery of the child; provided further, that nothing in this chapter shall be construed to authorize any licentiate under this chapter to perform an abortion.

(5) The conviction of a crime involving moral turpitude.

(6) Any other reason that renders the applicant or licentiate unfit to perform the duties of a naturopathic physician.

[Amended by 1953 c 555 §2; 1971 c 734 §132]

685.120 [Repealed by 1971 c 734 §21]

685.125 License denial or revocation procedure; promulgation and review of rules and orders. (1) Where the board proposes to refuse to issue or renew a license, or proposes to revoke or suspend a license, opportunity for hearing shall be accorded as provided in ORS 183.310 to 183.500.

(2) Promulgation of rules, conduct of hearings, issuance of orders and judicial review of rules and orders shall be as provided in ORS 183.310 to 183.500.

[Amended by 1971 c 734 §134]

STATE BOARD

685.160 Naturopathic Board of Examiners; appointment; confirmation. (1) There hereby is created the Naturopathic Board of Examiners in the Health Division. The board shall consist of three members appointed by the Governor for terms of three years commencing July 1, and until their successors are appointed and qualified. A majority of

the members of the board constitutes a quorum. The Governor shall fill all vacancies in the membership of the board. All appointments of members of the board by the Governor are subject to confirmation by the Senate in the manner provided in ORS 171.560 and 171.570. No person shall be appointed to membership on the board, who is not a citizen of the State of Oregon, or who has not been in continuous practice of naturopathy in this state for five years immediately prior to the date of appointment, or who is interested financially in any medical or drugless school or college, or who is connected, directly or indirectly, with the dispensing, prescribing or sale of pharmaceutical drugs.

(2) The board shall carry into effect the provisions of this chapter and is authorized to issue licenses to practice naturopathy in this state. The possession of a common seal by the board hereby is authorized.

[Amended by 1971 c 650 §14; 1973 c 792 §40]

685.170 Officers of board. Annually the board shall elect one of its members president and one of its members secretary, who severally shall have power during their terms of office to summon witnesses, administer oaths and to take testimony and affidavits, certifying thereto, under their hand and the seal of the board. The secretary of the board shall keep a record of all actions of the board, including a detailed roster of applicants for license. The board in lieu of electing one of its members as secretary, may employ or appoint a person to act as secretary to the board who shall perform such duties and functions as may be prescribed by the board.

[Amended by 1973 c 829 §68]

685.180 [Repealed by 1973 c 829 §71]

685.190 Compensation and expenses of board members; compensation of secretary. (1) A member is entitled to compensation and expenses as provided in ORS 292.495.

(2) The board may fix the compensation of the secretary subject to ORS 240.245. Such compensation shall not prohibit the secretary from receiving reimbursement for actual and necessary travel and other expenses incurred in the performance of his official duties.

[Amended by 1967 c 44 §3; 1969 c 314 §86]

685.200 [Amended by 1967 c 637 § 32, repealed by 1973 c 427 § 28 (685 201 enacted in lieu of 685 200)]

685.201 Disposition of receipts. All moneys received by the Health Division under this chapter shall be paid into the General Fund in the State Treasury and placed to the credit of the Health Division account and such moneys hereby are appropriated continuously and shall be used only for the administration and enforcement of this chapter.

[1973 c 427 § 29, (enacted in lieu of 685 200)]

ENFORCEMENT

685.210 Enforcement; employing attorney; jurisdiction. (1) The district attorneys of the state shall

prosecute all persons charged with violation of any of the provisions of this chapter. However, the board shall have power to retain its own attorney to prosecute or assist in prosecuting any person so charged and to pay such attorney such sums as may be just for such services from the Naturopathic Fund.

(2) Justice courts, municipal courts and circuit courts have concurrent jurisdiction for the prosecution of offenses under this chapter.

PENALTIES

685.990 Penalties. Violation of any provision of this chapter is punishable, upon conviction, by a fine of not less than \$50 nor more than \$500.

Original sponsor: Colletta by request

BY THE HEALTH, EDUCATION, AND
SOCIAL SERVICES COMMITTEE

1 IN THE SENATE

2 CS FOR SENATE BILL NO. 274 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

*registration
certification*

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 (24) 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 Department of Commerce
17 and Economic Development shall

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

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

22 (3) license naturopathic physicians in accordance with
23 AS 08.45.100 - 08.45.160; and

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

28 ARTICLE 2. LICENSING OF NATUROPATHIC PHYSICIANS.

29 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;

- (O) physiotherapy;
- (P) manipulative techniques;
- (Q) dietetics and clinical nutrition;
- (R) herbology;
- (S) naturopathic theory and practice;
- (T) naturopathic therapeutics;
- (U) clinical practice; and
- (V) jurisprudence;

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

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

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

(7) be of good moral character.

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

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

Sec. 08.45.130. ENDORSEMENT. The department may license a person 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 depart³
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, ~~admit patients to hospitals~~

1 ~~and nursing homes,~~ and sign birth and death certificates;

2 (2) may use all systems of diagnosis, including x-ray;

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

8 (4) may

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

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

15 (5) may not

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

18 (B) use controlled substances as defined in AS 11.81.900
19 (b)(6) including cannabis;

20 (C) use radiation therapy; and

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

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

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

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

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) "department" means the Department of Commerce and Economic
19 Development;

20 (2) "naturopathy" and "naturopathic medicine" means the
21 treatment of the human body through the use of natural agencies, forces,
22 processes, and products, with emphasis on the response of the individual
23 to the disease rather than its treatment in isolation;

24 (3) "unprofessional conduct" means

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

28 (B) conviction of an offense that is immoral or wrong in
29 itself as a crime of moral turpitude, including murder, sexual

1 assault, robbery, kidnapping, incest, arson, burglary, theft, and
2 forgery.

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

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

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THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Senate Bill No. 274

Title "An Act relating to the licensing of practitioners of naturopathic healing..."

Requested by Commissioner's Office Date 2/16/82

II. FISCAL DETAIL

Agency Affected Department of Health and Social Services

Program Category Affected Health/Public Health

BRU, Program, Or Subprogram(s) Affected _____

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	0	0	0	0	0	0
200 TRAVEL	0	0	0	0	0	0
300 CONTRACTUAL	0	0	0	0	0	0
400 COMMODITIES	0	0	0	0	0	0
500 EQUIPMENT	0	0	0	0	0	0
600 LAND & STRUCTURES	0	0	0	0	0	0
700 GRANTS, CLAIMS, ETC.	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER (Specify Source)	0	0	0	0	0	0

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	0	0	0	0	0	0
PART TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

IV. DATE 2/16/82

PREPARED BY E. S. Rabeau, M.D.

AGENCY Dept. of Health and Social Services

Original: Legislative Finance

PHONE 465-3090

cc: Budget and Management

Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/81)

CC
j

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB 274
 Title An Act Relating to the licensing of Practitioners of Naturopathic Medicine
 Requested by Martin Date April 9, 1981

II. FISCAL DETAIL

Agency Affected Department of Commerce and Economic Development
 Program Category Affected Public Protection
 BRU, Program, or Subprogram(s) Affected Regulation and licensing of professions - Admin
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL		1.1	.5	.6	.7	.8
300 CONTRACTUAL		1.5	1.1	1.2	1.3	1.4
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	2.6	1.6	1.8	2.0	2.2

FUNDING (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
GENERAL FUND	0	2.6	1.6	1.8	2.0	2.2
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
FULL TIME	0	0	0	0	0	0
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

TRAVEL (12% inflation factor projected)

Hold 3 Hearings; one day each;
 one staff person; Anchorage,
 Fairbanks and Juneau.
 FY82 only

\$ 680.00

Hold 2 Exams in Anchorage. One
 staff person. Ongoing.

398.00
 1,078.00 Total

CONTRACTUAL (7% inflation factor projected)

Room rental for hearings and exams.
 Transcription, printing, telephone,
 printing. (Additional room rental for fy 82 only)

1,500.00

IV. DATE 4/9/81

PREPARED BY Nicholas Coti, Management Analyst
 AGENCY Division of Occupational Licensing
 PHONE 465-7535

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

Bill 2
pls see me -
C

Introduced: 3/12/81
Referred: Health, Education &
Social Services

1 IN THE SENATE

BY COLLETTA BY REQUEST

2 SENATE BILL NO. 274

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST 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:

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22 (3) license naturopathic physicians in accordance with
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24 (4) provide for temporary permits for persons who are appar-
25 ently qualified to engage in naturopathic medicine to engage in the
26 practice of naturopathic medicine until certification of the results of
27 the next examination given under AS 08.45.120.

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

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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
7 an 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 accredited by the National Association of~~
11 ~~Naturopathic Physicians that has as a requirement for graduation suc-~~
12 ~~cessful completion of a course of resident instruction of at least nine~~
13 ~~months actual attendance in each of four years and successful completion~~
14 ~~of a course of study totaling 4,500 hours or more; the course of~~
15 instruction shall include:

16 ✓(A) anatomy and physiology; SEC. I

17 ✓(B) histology and embryology; SEC I

18 (C) microbiology; SEC II

19 (D) pathology; SEC III

20 (E) immunology SEC II

21 (F) public health; ~~SEC II~~ hygiene

22 (G) toxicology;

23 (H) physical, clinical, x-ray and symptomatology diag- SEC III

24 nosis;

25 (I) first aid and emergency medicine; SEC III

26 (J) obstetrics and gynecology; SEC IV

27 (K) orthopedics; SEC VI

28 (L) minor surgery; SEC V

29 (M) proctology; SEC V

Hydrotherapy
electrotherapy
Diagnosis
Chemistry
Bacteriology

- 1 (N) otolaryngology; SEC VI
2 (O) physiotherapy; SEC VI
3 (P) manipulative techniques; ~~SEC VII~~ SEC VI
4 (Q) dietetics ^{OR} and clinical nutrition; SEC VII
5 (R) herbology; BOTANICAL MEDICINE SEC VII
6 (S) naturopathic theory and practice; SEC VII
7 (T) naturopathic therapeutics; SEC VII
8 (U) clinical practice; and SEC VII
9 (V) jurisprudence; VIII

10 (4) successfully complete an examination given by the depart-
11 ment.

12 Sec. 08.45.120. EXAMINATION. (a) An examination for licensing
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15 limited to the subjects listed in AS 08.45.110(3), each of which shall
16 constitute a separate examination ~~section~~ ^{SECTION}. The examination shall be
17 objective and in writing, but may be supplemented by oral examinations,
18 and by demonstrations or other practical tests as the department may
19 require.

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

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24 as a naturopathic physician if the person is currently licensed as a
25 naturopathic physician in another state or in a province of Canada and
26 that state or province

27 (1) maintains professional licensing standards equivalent to
28 those in this chapter; and

29 (2) extends the same licensing privilege to those holding a

Annual Review? - Re license

and for ~~the~~ ^{the} satisfaction of the ~~department~~ ^{department} that he possesses qualifications at ~~least~~ ^{least} to those required of persons eligible for licensing under ~~the~~ ^{the} chapter license in this state.

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

- (1) has obtained or attempted to obtain a license under this chapter by fraud or deceit;
- (2) wilfully violates a provision of this chapter or a regulation adopted under this chapter; or
- (3) engages in unprofessional conduct.

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

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

Sec. 08.45.160. NATURE OF NATUROPATHIC PRACTICE. A naturopathic physician

- (1) may perform physical examinations, write prescriptions for substances authorized in this chapter, ~~admit patients to hospitals~~ ^{STATE} ~~and nursing homes,~~ ~~and sign birth and death certificates,~~ ^{Funded health care facilities}
- (2) may use all systems of diagnosis, including x-ray;
- (3) may treat patients by physiological, nutritional, ^(including acupuncture) ~~psychological,~~ mechanical, electrical, manual, hydrotherapeutic, ~~phytotherapeutic,~~ mineral and organic substances and agencies which are effective in stimulating normal function of tissues and organs sensitized by disease;
- (4) may
 - (A) perform minor surgery, including the drawing of blood for laboratory purposes, and use electrical or other methods

1 for the surgical repair and care of superficial lacerations and
2 abrasions, benign superficial lesions, and the removal of foreign
3 bodies located in superficial structures;

4 (B) use local anesthetic for surgical repair or care;
5 and

6 (C) practice natural childbirth in obstetrics, including
7 related minor surgical procedures;

8 (5) may not

9 (A) perform major surgery;

10 (B) ~~use narcotics~~; ^{Controlled SUBSTANCES AS DEFINED}
^{IN STATE LAW}

11 (C) use radiation therapy; and

12 (D) use drugs except those assimilable substances
13 containing elements or compounds of ^{PLANT OR ANIMAL ORIGIN}
~~body tissues~~ that are
14 physiologically compatible to body processes for maintenance of
15 life.

16 ARTICLE 3. GENERAL PROVISIONS.

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

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

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

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

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

27 Sec. 08.45.220. DEFINITIONS. In this chapter

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

1 (2) "naturopathy" and "naturopathic medicine" means the
2 treatment of the human body through the use of natural agencies,
3 forces, processes, and products, with emphasis on the response of the
4 individual to the disease rather than its treatment in isolation.

5 (3) "unprofessional conduct" means

6 (A) the habitual overuse of alcoholic beverages or
7 depressant, hallucinogenic or stimulant drugs, as defined in
8 AS 17.12.150(3), or addiction to the use of narcotic drugs as
9 defined in AS 17.10.230(13); or

10 (B) conviction of an offense which is immoral or wrong
11 in itself as a crime of moral turpitude, including murder, sexual
12 assault, robbery, kidnapping, incest, arson, burglary, theft, and
13 forgery.

14 * Sec. 3. LICENSING OF PRACTITIONERS OF NATUROPATHY OR NATUROPATHIC
15 MEDICINE WITHOUT EXAMINATION. The commissioner of commerce and economic
16 development shall license all persons who, on the effective date of this
17 Act, ^{are ALASKA RESIDENTS,} meet the qualifications of AS 08.45.110(1) - ⁽³⁾~~(4)~~ and who apply for
18 licensure under AS 08.45 not later than June 30, 1982. 1983

19 * Sec. 4. This Act takes effect July 1, 1981. 1982

Naturopathic laws
other states

1919- Bell's
draft

4-27-81 Chenoweth will look
in file & call back
Locky

210 217
2/16/82

Anch - Ellen Wickett -
- good experience being treated by N.P.

Sitka - Janet Allen - RN
- supports licensing

" Lanier Newman -
- has to travel south for testing

Anch Patton Pettijohn -
- in 1979 Med Bd said no auth license, if acted
would be guilty of practicing w/o license

Al Ruskling -
- Sp Forces medic Viet-Nam, now nurse, midwife

Ketchikan Alice Dobson -
- grandmother raised 13 children w/ NP, did well

Sitka Sherill Easterwood -
has to go to Seattle for treatment

Joan Felmont -
- exam by MD for 25 lb gain in year. Saw
Pettijohn, now 15 lbs lighter, feel well.

Ketchikan - Carol Burns
favors

Homer -

Mary Lou Kelsey -

- are NP's overstepping bounds in handling pregnancies & childbirth
- childbirth natural functions - expertise is recognizing problems early -

Soldotna -

Bovee

- certified herbologist
- NP have areas of knowledge MD's don't have

Anch -

David Brewsdson -

- turned off by MD's - baby birth eye drops (silver nitrate vs erythromycin)

Soldotna

Martha Anderson -

- knows people going outside to see NP
- widespread interest in alternative approaches to health care in Kenai
- NP's better prepared for wellness promotion

Sitka

Mary Clayton-Pearce - RN

- knows Pettyjohn, OK
- uses herbs herself

Anch

Karen Redstone -

- turned off by MD's, who only treat symptoms
- nutrition is difference between NP's & MD's

Sitka - Janet Allen - nurse practitioner
- NP curriculum extensive
- blinders

Aach Mark Tillotson -
- self-doctor, on reading, advice from friends -
- this can be dangerous because partial info

Fbks Carol Davis - Fbks Chiropractic Clinic
who makes up exam?

Soldotna - Ramon Bovee -
ditto Davis

Seward Judith ~~Kane~~ Gravig?
- traditional medicine lags in some areas.

Aach Vicki Solberg -
- Pettyjohn OK -
- like freedom of choice
- " prevention

Fbks Dr Henry Stairs -

Fbks - Wayne Ballen - ???

- Anch Pat Jasper -
- alternatives
- MD never asked her about diet, lifestyle
- Fbks - Gloria Deroscher - used to be RN
- has ~~to~~ learned to respect NP, alternatives
- Anch Ruby Pettyjohn -
- has had to go outside for NP
- Fbks Ruth Jacobs -
- herbologist
- many people disillusioned w/ MD
- Anch Leroy Fredericks -
- MD's didn't help him, Pettyjohn did
(hypoglycemia)
- Fbks Jerry Lou McCarthy -
- 30 years studying in holistic health
- Anch Euid Johnson -
- choice, wants it for herself, need licensing
- Anch Alice Stacy -
- Anch Bernie Emma Huff -
- eye trouble, no help from MD's, vitamins helped

✓
Auch Dennis Stacy -
- 2 home births, OK
- alternative

Fbks Sheila Baker - over 20 yrs

Auch Pettyjohn -
- exam

~~See~~ Auch Leroy Tillotson -

Fbks Jacqueline Grantfield -