

COMMITTEE REPORT

HOUSE

(11)

FURTHER:

3/29/84

Date:

4-24-84

The Committee on FINANCE has had HR 347

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

under consideration and recommends:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HR 347 (FINANCE) same title new title
- and recommends do pass
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation Zero Fiscal Note Attached
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

Albert G. Adams
R. B. Stewart
J. A. Martin
Walt Furnace
Ben ...
Paul ...

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Ben ... - No Rec
Paul ... - No Rec

Albert G. Adams

CHAIRMAN

Original sponsors: Martin and Tischer

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 347 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the licensing of naturopaths; and
7 providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA;

9 * Section 1. AS 08.01.010 is amended by adding a new paragraph to read:

10 (24) regulation of naturopaths under AS 08.45.

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

12 CHAPTER 45. NATUROPATHS.

13 ARTICLE 1. BOARD OF NATUROPATHIC EXAMINERS.

14 Sec. 08.45.010. CREATION AND MEMBERSHIP OF THE BOARD. There is
15 established the Board of Naturopathic Examiners consisting of

16 (1) three naturopaths licensed under this chapter;

17 (2) one doctor licensed under AS 08.64; and

18 (3) one public member.

19 Sec. 08.45.030. TERM OF OFFICE. Members of the board serve
20 staggered terms of three years. A member may be appointed to serve no
21 more than two consecutive full terms.

22 Sec. 08.45.040. APPLICABILITY. AS 08.45.010 - 08.45.040 apply
23 one year after the first eight licenses are issued under this chapter.
24 After AS 08.45.010 - 08.45.040 become applicable, the board shall
25 exercise the powers and duties of the department under this chapter.

26 ARTICLE 2. REGULATION OF NATUROPATHY.

27 Sec. 08.45.090. DUTIES AND POWERS. (a) The department shall

28 (1) evaluate the qualifications of applicants for licenses
29 under this chapter;

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

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

5 (b) The department may establish by regulation educational
6 requirements for licensure under this chapter in addition to require-
7 ments under AS 08.45.110(2) that are equivalent to or higher than
8 requirements in other states that license naturopaths, and identify
9 schools that provide courses of study that satisfy the requirements.

10 Sec. 08.45.100. LICENSING REQUIREMENT. A person may not engage
11 in the practice of naturopathy unless that person has a valid license
12 or temporary permit issued under this chapter.

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

15 (1) hold a bachelor's degree from an accredited college of
16 liberal arts or sciences;

17 (2) have graduated from a school of naturopathy approved by
18 the Alaska Commission on Postsecondary Education that has as a
19 requirement for graduation successful completion of a course of
20 resident instruction of at least nine months actual attendance in each
21 of four years and successful completion of a course of study totaling
22 at least 4,000 hours of instruction of which at least 1,500 hours is
23 clinical experience;

24 (3) successfully complete an examination given by the
25 department;

26 (4) not have a license to practice naturopathy in another
27 state, province, or territory, that is suspended or revoked for disci-
28 plinary reasons;

29 (5) be a United States citizen or lawfully admitted to

1 permanent residence in this country; and

2 (6) after graduating from a school of naturopathy, complete
3 a one-year internship supervised by a naturopath licensed in this or
4 another state.

5 Sec. 08.45.120. EXAMINATION. (a) An examination for licensing
6 as a naturopath shall be held at least twice each year at a time and
7 place and shall be conducted as determined by the department. The
8 examination shall be objective and in writing, but may be supplemented
9 by oral examinations, and by demonstrations or other practical tests
10 as the department may require.

11 (b) To pass the examination an applicant shall receive an over-
12 all average of 75 percent and may not receive less than 70 percent in
13 more than two sections. If an applicant fails the examination, the
14 applicant may apply to be reexamined.

15 Sec. 08.45.130. TEMPORARY PERMIT. (a) The department may issue
16 a temporary permit to practice naturopathy to a person if the person

17 (1) is currently licensed as a naturopath in another state
18 or territory or in a province of Canada; and

19 (A) that state, territory, or province maintains
20 professional licensing standards equivalent or higher than those
21 in this chapter;

22 (B) that state, territory, or province extends the
23 same licensing privilege to those holding a license in this
24 state; and

25 (C) the person demonstrates to the satisfaction of the
26 department qualifications at least equal to those required of
27 persons licensed under this chapter; or

28 (2) qualifies for a license under AS 08.45.110(1) - (5) and
29 is working as an intern supervised by a naturopath with a license or

1 temporary permit issued under this chapter.

2 (b) A temporary permit issued under (a)(1) of this section is
3 valid until the date on which the results of the next examination that
4 is offered under AS 08.45.120 are released. A temporary permit issued
5 under (a)(2) of this section is valid for one year.

6 Sec. 08.45.140. LICENSE RENEWAL. A license issued under this
7 chapter expires unless it is renewed every four years.

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

- 10 (1) application for examination \$ 50
11 (2) application for re-examination..... 10
12 (3) license issuance or renewal 200
13 (4) temporary permit issuance..... 50

14 Sec. 08.45.160. SCOPE OF NATUROPATHIC PRACTICE. (a) A naturo-
15 path in the course of the practice of naturopathy may

16 (1) use systems of diagnosis for which the naturopath has
17 been trained;

18 (2) treat patients by physiological, nutritional, mechan-
19 ical, manual, hydrotherapeutic and phytotherapeutic means, with accu-
20 pressure, and with minerals, and with extracts, compounds and concen-
21 trates obtained from plants or animals;

22 (3) practice natural childbirth in obstetrics.

23 (b) A naturopath may not

24 (1) perform surgery;

25 (2) use or prescribe controlled substances as defined in
26 AS 11.81.900(b)(6); or

27 (3) use x-ray equipment, radium, or irradiation for diagno-
28 sis or therapy.

29 Sec. 08.45.170. CONTINUING EDUCATION. (a) The department shall

1 prescribe by regulation continuing education requirements for persons
2 licensed under this chapter.

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

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

10 ARTICLE 3. GENERAL PROVISIONS.

11 Sec. 08.45.200. TITLES AND ABBREVIATIONS. (a) A person with a
12 license or permit under this chapter may use the following titles:
13 "Naturopath", "Doctor of Naturopathy" or its abbreviation, "N.D.". A
14 person with a license or permit under this chapter may not use a title
15 in a manner that suggests that the person practices a form of medicine
16 or a healing art other than naturopathy.

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

19 Sec. 08.45.210. IMPOSITION OF DISCIPLINARY SANCTIONS. After a
20 hearing, the department may limit, deny, suspend, or revoke a license
21 or temporary permit, or censure a licensee or permittee if the person

22 (1) secured a license or permit under this chapter through
23 deceit, fraud, or intentional misrepresentation;

24 (2) engaged in deceit, fraud, or intentional misrepresenta-
25 tion in the course of providing professional services or engaging in
26 professional activities;

27 (3) advertised professional services in a false or mislead-
28 ing manner;

29 (4) has been convicted of a felony or other crime that

1 affects the person's ability to continue to practice competently and
2 safely;

3 (5) fails to comply with this chapter or a regulation
4 adopted under this chapter;

5 (6) continued to practice after becoming unfit due to

6 (A) professional incompetence;

7 (B) addiction or severe dependency on alcohol or other
8 drugs that impairs the person's ability to practice safely;

9 (C) physical or mental disability;

10 (7) engaged in lewd or immoral conduct in connection with
11 the delivery of professional service to a patient.

12 Sec. 08.45.220. VIOLATIONS. (a) Except as provided in (b) of
13 this section, a person is guilty of a class B misdemeanor if the
14 person intentionally violates a provision of this chapter or a regula-
15 tion adopted under this chapter.

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

19 Sec. 08.45.900. DEFINITIONS. In this chapter

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

22 (2) "naturopathy" and "naturopathic" means a system of
23 human health care that promotes good health through the prevention and
24 treatment of illness by the use of educational, physical, nutritional,
25 botanical, hygienic and other methods, and without the use of pre-
26 scription drugs, surgery, x-ray equipment or radium therapy.

27 * Sec. 3. LICENSING OF PRACTITIONERS OF NATUROPATHY WITHOUT EXAMINATION
28 OR INTERNSHIP. (a) The Department of Commerce and Economic Development
29 shall issue a license to practice naturopathy to a person who, on the

1 effective date of this Act,

2 (1) is residing and practicing naturopathy in the state;

3 (2) has passed an examination and is licensed to practice
4 naturopathy in another state, territory, or province;

5 (3) has graduated from a school of naturopathy that has, as a
6 requirement for graduation, successful completion of a course of resident
7 instruction of at least nine months actual attendance in each of four years
8 and successful completion of a course of study totaling at least 4,000
9 hours; and

10 (4) applies for a license under this section no later than
11 June 30, 1985.

12 (b) A temporary permit issued under this section is valid until the
13 date on which the results of the first examination that is offered under
14 AS 08.45.120, as enacted in sec. 2 of this Act, are released.

15 * Sec. 4. Notwithstanding AS 08.45.010 as enacted in sec. 2 of this
16 Act, the first members of the Board of Naturopathic Examiners shall be
17 appointed for the following terms; one member shall serve a one-year term,
18 two members shall serve two-year terms, and two members shall serve three-
19 year terms.

20 * Sec. 5. This Act takes effect immediately in accordance with AS 01.-
21 10.070(c).

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: CS HB 347 (FIM)
Title: Relating to Naturopaths

FISCAL DETAIL

Agency Affected: Commerce
Program Category Affected: _____

Sponsor: Martin
Requestor: House Finance
Date of Request: 4/23/84

BRU, Program or Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		0	0	0	0	0
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

~~SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL~~

No funds are needed to implement this bill. The board does not go into effect until 8 licenses are issued, and there are only 5 naturopaths in the state at present. It is the intent of the committee that the cost of licensing be absorbed in the Department's existing budget.

ANALYSIS: Attach a separate page for analysis

Prepared By: Rep. Al Adams, Chair *AA* Phone: 465-3706
Division: House Finance Committee Date: 4/23/84

Approved by Commissioner: _____ Date: _____
Agency: _____

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

12/1/83

HB 347 (as introduced)

Title:
relating to licensing
practitioners of naturopathic
medicine.

Section 1:
adds regulation of naturopathy
or naturopathic medicine to
AS 08.45

Section 2:

Creates a new Chapter 45,
"Naturopaths".

HB 347 (HESS)

Title:
Same.

Section 1:
Same.

Section 2:
Chapter title remains the same.

HB 347 (L&C)

Title: changed to read:
"An Act relating to the
licensing of naturopaths"

Section 1: changed to
"regulation of naturopaths"
(rather than regulation of
naturopathy or naturopathic
medicine).

Section 2: Chapter title
remains unchanged.

HB 347 (Proposed Compromise)

Same as L&C CS.

Same as L&C CS.

Same as L&C CS.

HB 347 (Naturopath Proposal)

*to be added at
a later date*

Article 1:
"Regulation of Naturopathy"

This section details the duties and powers of the department to evaluate qualifications of applicants for licenses; conduct hearings; license naturopaths and renew licenses; and provide for temporary permits to persons apparently qualified to practice until certification of the results of the next examination.

Article 1:
Remains the same.

Article 1: Entirely new Article 1, entitled "Board of Naturopathic Examiners". (The previous subject of this chapter, "Regulation of Naturopathy", is moved to Article 2.)

Same as L&C CS.

08.45.010: creates a Board of Naturopathic Examiners consisting of three licensed naturopaths, one doctor and one public member.

08.45.030: states that members shall serve staggered three-year terms, and that a member may be appointed to no more than two consecutive full terms.

08.45.040: these new sections (08.45.010-040) will come into effect after the first eight licenses are issued under this chapter, after which the board shall exercise the powers and duties of the department under this chapter.

Article 2:
Licensing of Naturopaths

08.45.100 Requires a person to have a license or permit before being allowed to practice naturopathy or naturopathic medicine.

Article 2:
Same.

08.45.100: same.

Article 2:

"Regulation of Naturopathy". Subsections (a)(1)-(3) correspond exactly to previous Article 1, subsections (1)-(3) (which state that the department will evaluate qualifications of applicants, conduct hearings, and license naturopaths and renew licenses).

Subsection (b) states that the department may establish educational requirements for licensure in addition to requirements under AS 08.45.110(2) that are equivalent to or higher than requirements in other states that license naturopaths, and identify schools that provide courses of study that satisfy the requirements.

Deleted from the previous article dealing with regulation is former Article 1, subsection (4), which provided for temporary permits to engage in the practice of naturopathy.

08.45.100: Same, except reference to "naturopathic medicine" is deleted.

Article 2

Same as L&C CS.

08.45.110 Sets out requirements for eligibility to be licensed, which include: a high school diploma; two years of postsecondary education; graduation from a college of naturopathic medicine which requires for graduation 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 4,000 hours or more. (The required courses of instruction are set out in the statute.)

Requires successful completion of an examination given by the department; not have a license anywhere else that is suspended or revoked; be a citizen or person lawfully admitted to the country; and be of good moral character.

08.45.110: Same, except that under subsection (3), after "completion of a course of instruction totaling 4,000 hours or more", requirement is added: "of which at least 1,500 hours is clinical experience".

08.45.110: Previous subsections (1) and (2) are deleted and replaced by a new subsection (1), which states an applicant shall "hold a bachelor's degree from an accredited college of liberal arts or sciences".

Previous (3) is now (2), in which references to "naturopathic medicine" are deleted; the school of naturopathy must be approved by the department; and the list of courses of instruction is deleted.

Previous (4) is now (3).
Previous (5) is now (4).
Previous (6) is now (5).

Previous (7) is deleted (be of good moral character).

New (6) requires that, upon graduating from a school of naturopathy, a one-year internship with a licensed naturopath must be completed.

08.45.110: Same as L&C CS, except in (2), where the Commission on Postsecondary Education would approve schools of naturopathy, rather than the department.

08.45.120 Authorizes the department to hold examinations for licensing, which examinations shall be limited to the subjects listed in 08.45.110(3). Exam will be in writing, but may be supplemented by oral examination. Applicant must receive an overall average of 75% and no less than 70% in more than two sections.

08.45.120:
Same.

08.45.120:
(a) adds that examinations will be held at least twice each year. Deletes sentence limiting examination to the subjects listed in 08.45.110(3).

(b) adds that an applicant may apply to be reexamined if the applicant fails the examination.

Same as L&C CS.

08.45.130 This section sets up a reciprocal arrangement; it allows the department to license without examination a person currently licensed in another state or in a province of Canada if the state's or province's licensing standards are equivalent or higher than those in this chapter; the state or province offers reciprocity to those licensed in Alaska; and the person demonstrates satisfactorily to the department qualifications equal to those licensed under this chapter.

08.45.130:
Same.

08.45.130:
Title is changed from "Endorsement" to "Temporary Permit".

Same as L&C CS.

A new (a) is created, which encompasses the previous language of this entire section with the following changes:

Rather than licensing a person who meets the following qualifications, the department may issue a temporary permit to practice naturopathy.

New (1), (1)(a) and (1)(b) correspond to previous introductory language, (1) and (2), with the addition of the word "territory".

Previous (3) now appears as (a)(1)(C).

A new subsection (a)(2) is added, which reads, "qualifies for a license under AS 08.45.110(1)-(5) and is working as an intern supervised by a naturopath with a license or temporary permit issued under this chapter."

A new subsection (b) is added, which says that a temporary permit is valid under the date on which the results of the next examination offered are

released, and that a temporary permit is valid for one year.

08.45.140 The department may deny, suspend or revoke the license of a person or applications who: obtains license by fraud or deceit; wilfully violates a provision of the chapter; is an alcoholic; abuses controlled substances; impersonates another physician; practices under an assumed name; or is convicted of a crime involving moral turpitude.

08.45.140:
Same.

08.45.140:
Title is changed to "License Renewal", and provides that a license expires unless renewed every four years.

Same as L&C CS.

A section similar to previous 08.45.140 can now be found under 08.45.210.

08.45.150 Sets up fees: \$25 for examination, \$10 for reexamination; \$100 for license or biennial renewal; \$25 for temporary permit.

08.45.150: fees are changed as follows: examination, \$50; license or biennial renewal, \$200; temporary permit, \$50. The \$10 reexamination fee remains the same.

08.45.150:
Same as HESS committee substitute.

08.45.150: Same as HESS CS.

08.45.160 Details scope of naturopathic practice.

a) A naturopath may:
1) perform physical examinations; write prescriptions for substances authorized; sign birth and death certificates;
2) use systems of diagnosis for which naturopathic physician has been trained;
3) treat patients by physiological, nutritional, psychological, mechanical, electrical, manual, hydrotherapeutic, phytotherapeutic, mineral and organic substances and agencies, including acupuncture;
4) draw blood for laboratory purposes and use electrical and other methods for repair and care of superficial lacerations and abrasions, benign superficial lesions, and removal of foreign bodies located in superficial structures;
5) practice natural childbirth in obstetrics, including related minor surgical procedures.

08.45.160: Remains the same except under subsection (2), where a statute reference is added, so that the section now reads, "use systems of diagnosis for which the naturopathic physician has been trained under AS 08.45.110(3)".

08.45.160: Changes words "naturopathic medicine" to "naturopathy".

Deletes previous (1), which allowed naturopaths to perform physical exams, write prescriptions and sign birth and death certificates.

Previous (2) is new (1); statute reference is deleted.

Previous (3) is new (2); deleted from list of authorized practices is treating patients by psychological and electrical means, or with acupuncture.

Previous (4) is deleted (which authorized drawing blood and repairing lacerations and abrasions and removal foreign bodies).

Previous (5) is deleted (authorizing practicing natural childbirth in obstetrics, including related minor surgical procedures).

08.45.160: Same as L&C CS, except adds a new subsection (a)(3), which authorizes naturopaths to practice natural childbirth in obstetrics.

b) Naturopath may not:
1) perform surgery except as provided in this chapter;
2) use controlled substances;
3) use radiation therapy;
4) use drugs except antiseptics, local anesthetics, minerals and extracts, compounds or concentrates obtained from plants or animals.

(b) remains the same.

(b) (1) New language prohibits any surgery;

(2) cannot use or prescribe controlled substances;

(3) previous subsection banned use of radiation therapy; new language bans use of x-ray equipment, radium or irradiation for diagnosis or therapy.

Previous (4) is deleted.

08.45.170 The department may prescribe continuing education requirements. Before a license may be renewed, the licensee shall submit evidence of completion of continuing education requirements to the department. The department may exempt a licensee from the continuing education requirement in extenuating circumstances. No more than one exemption in a five year period.

08.45.170: Same.

08.45.170: Same.
Minor language change in subsection (b), which does not change the effect.

08.45.170: Same as L&C CS.

Article 3.
General Provisions

No change in title of Article 3.

No change in title of Article 3.

No change in title of Article 3.

08.45.200 Titles and Abbreviations:

a) authorized titles are: Naturopath, Doctor of Naturopathy, or N.D. May not use a title that suggested a form of medicine or healing art other than naturopathy. b) may not use a title or abbreviation listed herein unless licensed under this chapter.

08.45.205

a) Defines as a Class B misdemeanor: fraudulently obtaining a permit, license, renewal or required record; or wilfully violating a provision of law or a regulation.

b) Defines as a Class A misdemeanor practicing naturopathy or naturopathic medicine without a permit or license.

08.45.200: Same.

08.45.205: Same.

08.45.200: Same, except that provisions now apply to those holding permits under this chapter, as well as those licensed under the chapter.

08.45.205 is deleted; similar provisions now appear at 08.45.220.

08.45.200: Same as L&C CS.

08.45.210: New section
entitled, Imposition of
Disciplinary Sanctions:

08.45.210: Same as L&C CS.

Provides that after a hearing, the department may limit, deny, suspend or revoke a license or temporary permit, or censure a licensee or permittee if the person 1) secured the license/permit through deceit, fraud or intentional misrepresentation; 2) engaged in deceit, fraud, misrepresentation in the course of providing professional services; 3) advertised services in a false or misleading manner; 4) has been convicted of a felony or other crime that affects ability to practice competently; 5) fails to comply with this chapter or a regulation adopted; 6) continues to practice after becoming unfit due to a) professional incompetence, b) addiction or severe dependency on alcohol or other drugs, or c) physical or mental disability; or 7) engages in lewd or immoral conduct in connection with delivery of service to a patient.

08.45.220

defines department as C&ED; and naturopathy and naturopathic medicine as "a system of healing the human body that includes diagnosis and treatment through the use of natural agencies, forces, processes, and products with emphasis on the response of the individual to the disease rather than its treatment in isolation".

08.45.220: Same.

08.45.220: Title is changed from "Definitions" to "Violations".

08.45.220: Same as L&C CS.

a) except as provided in (b) herein, it is a class B misdemeanor to intentionally violate a provision of this chapter or a regulation adopted;

b) a person practicing naturopathy without a valid license or permit is guilty of a Class A misdemeanor.

08.45.900 New section entitled "Definitions".

1) definition of "department" remains C&ED.

2) definition of naturopathy is redefined to "a system of human health care that promotes good health through the prevention and treatment of illness by the use of educational, physical, nutritional, botanical, hygienic and other methods, and without the use of prescription drugs, surgery, x-ray equipment or radium therapy".

(Compare to definition under 08.45.220, above, under HB 347 column.)

Section 3

Licensing of Practitioners of Naturopathy or Naturopathic Medicine Without Examination:

States that the commissioner shall license all persons who meet the qualifications of 08.45.110(1)-(3) and (5)-(7) who apply for license no later than 6/30/84.

Section 4:

Effective date is 7/1/83.

Section 3:

Same, except last date on which a person may apply for licensure is extended one year to 6/30/85.

Section 4:

Effective date is extended one year to 7/1/84.

Section 3:

Title is changed to: Temporary Permits for Practitioners of Naturopathy.

States that a) the Department shall issue a temporary permit to practice naturopathy to a person who is 1) practicing naturopathy in the state; 2) meets the qualifications of 08.45.110 or 08.45.130(a)(2), except of 08.45.110(3) and 3) applies for the permit; and,

b) a temporary permit issued under this section is valid until the date on which the results of the first examination offered are released.

Section 4: New language setting terms for the first Board members: one 1-year term; two 2-year terms; two 3-year terms.

Section 5: New effective date of 1/1/85.

Section 3: Title changed to: Licensing of Practitioners of Naturopathy or Naturopathic Medicine Without Examination Or Internship.

States that the department shall license a person who (a) on the effect date of this Act, (1) is residing and practicing naturopathy in the state; 2) is licensed by examination to practice naturopathy in another state, territory or province; 3) has graduated from a school of naturopathy 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 4 years and successful completion of a course of study totaling at least 4,000 hours; and b) applies for licensure under AS 08.45 no later than 6/30/85.

Section 4: Same as L&C CS.

Section 5: Immediate effective date.

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: March 28, 1984

REQUEST

Bill/Resolution No.: CS HB 347 (L+C)
Title: "An Act relating to the
licensing of Naturopaths"
Sponsor: Labor & Commerce Comm.
Requestor: Labor & Commerce Comm.
Date of Request: March 28, 1984

FISCAL DETAIL

Agency Affected: Commerce & Economic Dev.
Program Category Affected: _____
Public Protection
BRU, Program or Subprogram(s) Affected:
Occupational Licensing

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
100 PERSONAL SERVICES	0	31.7	33.3	35.0	36.7	38.6
200 TRAVEL	0	7.8	8.2	8.6	9.1	9.5
300 CONTRACTUAL	0	5.7	6.0	6.3	6.6	7.0
400 SUPPLIES	0	.5	.5	.6	.6	.6
500 EQUIPMENT	0	4.4	-0-	-0-	-0-	-0-
600 LAND & STRUCTURES	0	4.1	4.3	4.5	4.7	4.9
700 GRANTS, CLAIMS	0	-0-	-0-	-0-	-0-	-0-
800 MISCELLANEOUS	0	-0-	-0-	-0-	-0-	-0-
TOTAL OPERATING	0	54.2	52.3	55.0	57.7	60.6
CAPITAL	0	0	0	0	0	0
REVENUE	0	1.2	1/5	1.7	2.0	2.2

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	54.2	52.3	55.0	57.7	60.6
FEDERAL FUNDS						
OTHER						
TOTAL	0	54.2	52.3	55.0	57.8	60.6

POSITIONS:

FULL-TIME	0	1	1	1	1	1
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

NOT IDENTIFIED BY THE SPONSOR

ANALYSIS: Attach a separate page for analysis SEE ATTACHED

Prepared By: Darrell Miller Phone: 465-2535
Division: Occupational Licensing Date: 3/28/84

Approved by Commissioner: Richard A. Lyon Date: 3/31/84
Agency: Commerce & Economic Development

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

FISCAL ANALYSIS

CS HB 347

Assumptions:

This bill creates a new five member board. This will impose a fiscal impact on operating expenses for board travel and for additional support staff that will be required to implement the provisions of the bill.

Support staff travel will be required to attend the board meetings to administer examinations, assist the board in conducting board meetings, and assist the board in developing regulations to implement the provisions of the bill.

The bill does provide fees for application for examination and for license issuance. It is anticipated that in FY '85 a total of 5 persons would be licensed under the provisions of this bill for a total revenue of \$1,250.00. It is anticipated that one additional person would be licensed under this bill each succeeding fiscal year thereafter.

The revenue generated from the licensing provisions of this bill would be minimal and would not off-set the operating costs of the board and support staff functions.

The bill is silent on the number of meetings the board shall conduct each year, however the bill does specify that the board shall conduct examinations for licensing of naturopath at least twice each year. It is anticipated that the board would hold two such board meetings in order to meet this mandatory examination criteria.

The bill is silent on the issue of geographic area of residence for the five board members to be appointed. In the absence of specific guidelines, it is anticipated that two of the members would be appointed from the Interior Region, one from South Eastern Region and two from the South Central Region.

Based on this anticipation, and the unknown factors of where the board would want to hold the two annual meetings, the fiscal note was prepared with a single figure for transportation and per diem. If meetings are rotated around the state, as most boards do, the cost factor would even out eventually.

CS HOUSE BILL NO. 347

100 PERSONAL SERVICES: (FY '84 salary schedule with a 5%
inflation factor projected)

1 License Examiner, Range 12A, General Government,
12 months, located in Juneau \$31,721.83

200 TRAVEL: (Estimated Costs)

2 Support Staff to Board:

Transportation: 2 board meetings each @ \$400.00 per
trip \$1,600.00

Per Diem: 2 board meetings each - 2 days each
meeting @ \$80.00 per day = 2 x \$80.00
x 2 staff x 2 meetings 640.00

5 Board members:

Transportation: 2 board meetings @ \$400.00 each
x 5 board members 4,000.00

Per Diem: 2 board meetings each - 2 days each
meeting @ \$80.00 per day = 2 x \$80.00
x 5 board members x 2 meetings 1,600.00

Total Travel Costs: \$7,840.00

300 CONTRACTUAL: (Estimated Costs)

Postage, telephone, printing, publication and other
operating costs \$4,500.00

Professional Examination Service fees for licensing
examinations: (Estimated 5 licenses issued by examination
in FY '85 @ \$125.00 each) 625.00

Meeting rooms for board meetings: 2 meetings 2 days each
@ \$150.00 per day 600.00

Total Contractual Costs: \$5,725.00

400 COMMODITIES: (Estimated costs)

Stationery, typewriter ribbons, pens, pencils, tablets
and other miscellaneous desk top supplies \$ 500.00

500 EQUIPMENT: (One time cost - FY '85 only)

1 desk, double pedestal, 60" x 30" @ \$568.22 each	\$ 568.22
1 chair, swivel with arms @ \$225.42 each	225.42
1 typewriter, IBM correcting selectric with dual pitch, 15.5 inch paper capacity @ \$1,369.36 each	1,369.36
1 chair, side, without arms, contour style @ \$114.60 each	114.60
1 calculator, desk, printing and display, 12 digit, @ \$364.66 each	364.66
1 recording machine, portable, Lanier @ \$775.87 each	775.87
1 file cabinet, 5 drawer, legal with lock @ \$406.91 each	406.91
1 storage cabinet, 36" x 18" x 78" @ \$192.44 each	192.44
1 table, 72" x 36" @ \$340.36 each	<u>340.36</u>
Total Equipment Cost:	\$4,357.84

600 LAND & STRUCTURES: (Estimated Costs)

Office Space:

1 License Examiner: 150 square feet @ \$2.25 per foot per month x 12 months	\$4,050.00
--	------------

TOTAL OPERATING COSTS:	\$54,194.67
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1.	POSITION TITLE License Examiner I				RANGE/STEP 12A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPRDV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION AWA	ELECTION DISTRICT ALL	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE			AMOUNT						
	1			2		3				
	PERSONAL SERVICES									
5.	Salary		23.6							
6.	Benefits		3.9							
7.	Supplemental Benefits		1.5							
8.	Fixed Benefits		2.7							
9.	TOTAL PERSONAL SERVICES	01		31.7						
10.	Travel	02		7.8						
11.	Contractual	03		5.7						
12.	Commodities	04		.5						
13.	Equipment	05		4.4						
14.	Other - Land & Structures			4.1						
15.	TOTAL COST			54.2						
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004		54.2						
19.		I-A Receipts 1C05								
20.		Program Receipts 1028								
21.		Other								
FOR B&M USE ONLY 4A KEY NUMBER _____										

This position would be required under CS HB NO. 347 "An Act relating to the licensing of Naturopaths and providing for an effective date", to implement the provisions of AS 08.45, to provide necessary support to the Board of Naturopathic Examiners in the organization of the board, initial licensing of applicants, establishing license files, computer entry of license data, conducting board meetings (providing administrative support for such meetings), communications with other professional boards, communications with other States with similiar statutes in regards to licensing, providing budget input to the Division as to board needs for funding, and any other duty as required.

13 REQUEST FOR
NEW POSITION

AGENCY Commerce & Economic Development
PROGRAM Public Protection
BRU Occupational Licensing
COMPONENT Administration

Page 1 of 1
Revised Date 3/28/84

FY 84

Offered: 3/29/84
Referred: Finance

Naturopaths' CS

Original sponsors: Martin and Tischer

1 IN THE HOUSE

BY THE LABOR AND
COMMERCE COMMITTEE

2

CS FOR HOUSE BILL NO. 347 (L&C)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act relating to the licensing of naturopaths; and
7 providing for an effective date."

8

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9

* Section 1. AS 08.01.010 is amended by adding a new paragraph to read:

10

(24) regulation of naturopaths under AS 08.45.

11

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

12

CHAPTER 45. NATUROPATHS.

13

ARTICLE 1. BOARD OF NATUROPATHIC EXAMINERS.

14

Sec. 08.45.010. CREATION AND MEMBERSHIP OF THE BOARD. There is

15

established the Board of Naturopathic Examiners consisting of

16

(1) three ^{naturopathic physicians} naturopaths licensed under this chapter;

17

(2) one doctor licensed under AS 08.64; and

18

(3) one public member.

19

Sec. 08.45.030. TERM OF OFFICE. Members of the board serve

20

staggered terms of three years. A member may be appointed to serve no

21

more than two consecutive full terms.

22

Sec. 08.45.040. APPLICABILITY. AS 08.45.010 - 08.45.040 apply

23

one year after the first eight licenses are issued under this chapter.

24

After AS 08.45.010 - 08.45.040 become applicable, ^{the} board shall

25

exercise the powers and duties of the department ^{and Council of Naturopathic advisors} under this chapter.

26

ARTICLE 2
see attached
papers

ARTICLE 3. REGULATION OF NATUROPATHY.

27

Sec. 08.45.090. DUTIES AND POWERS. (a) The department shall

28

(1) evaluate the qualifications of applicants for licenses

29

under this chapter;

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

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

5 (b) ^{(4) See attached papers' temporary permits} The department may establish by regulation educational
6 requirements for licensure under this chapter in addition to require-
7 ments under AS 08.45.110(2) that are equivalent to or higher than
8 requirements in other states that license naturopaths, and identify
9 schools that provide courses of study that satisfy the requirements.

10 Sec. 08.45.100. LICENSING REQUIREMENT. A person may not engage
11 in the practice of naturopathy unless that person has a valid license
12 or temporary permit issued under this chapter.

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

15 (1) hold a bachelor's degree from an accredited college of
16 liberal arts or sciences;

17 (2) have graduated from a school of naturopathy approved by
18 the department that has as a requirement for graduation successful
19 completion of a course of resident instruction of at least nine months
20 actual attendance in each of four years and successful completion of a
21 course of study totaling at least 4,000 hours of instruction of which
22 at least 1,500 hours is clinical experience;

23 (3) successfully complete an examination given by the
24 department;

25 (4) not have a license to practice naturopathy in another
26 state, province, or territory, that is suspended or revoked for disci-
27 plinary reasons;

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

1 (6) after graduating from a school of naturopathy, complete
2 a one-year internship supervised by a naturopath licensed in this or
3 another state.

4 Sec. 08.45.120. EXAMINATION. (a) An examination for licensing
5 as a naturopath shall be held at least twice each year at a time and
6 place and shall be conducted as determined by the department. The
7 examination shall be objective and in writing, but may be supplemented
8 by oral examinations, and by demonstrations or other practical tests
9 as the department may require.

10 (b) To pass the examination an applicant shall receive an over-
11 all average of 75 percent and may not receive less than 70 percent in
12 more than two sections. If an applicant fails the examination, the
13 applicant may apply to be reexamined.

14 *New Sec* *Licensure by Credentials* *see attached papers*
14 ~~Sec. 08.45.130. TEMPORARY PERMIT. (a) The department may issue~~
15 a temporary permit to practice naturopathy to a person if the person

16 ~~(1) is currently licensed as a naturopath in another state~~
17 ~~or territory or in a province of Canada; and~~

18 ~~(A) that state, territory, or province maintains~~
19 ~~professional licensing standards equivalent or higher than those~~
20 ~~in this chapter;~~

21 ~~(B) that state, territory, or province extends the~~
22 ~~same licensing privilege to those holding a license in this~~
23 ~~state; and~~

24 ~~(C) the person demonstrates to the satisfaction of the~~
25 ~~department qualifications at least equal to those required of~~
26 ~~persons licensed under this chapter; or~~

27 ~~(2) qualifies for a license under AS 08.45.110(1) - (5) and~~
28 ~~is working as an intern supervised by a naturopath with a license or~~
29 ~~temporary permit issued under this chapter.~~

1 ~~(b) A temporary permit issued under (a)(1) of this section is~~
2 ~~valid until the date on which the results of the next examination that~~
3 ~~is offered under AS-08.45.120 are released. A temporary permit issued~~
4 ~~under (a)(2) of this section is valid for one year.~~

5 Sec. 08.45.140. LICENSE RENEWAL. A license issued under this
6 chapter expires unless it is renewed every four years.

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

- 9 (1) application for examination \$ 50
- 10 (2) application for re-examination..... 10
- 11 (3) license issuance or renewal 200
- 12 (4) temporary permit issuance..... 50

13 Sec. 08.45.160. SCOPE OF NATUROPATHIC PRACTICE. (a) A naturo-
14 path in the course of the practice of naturopathy may

- 15 (1) use systems of diagnosis for which the naturopath has
16 been trained; *including drawing blood for laboratory purposes and the use of*
x-ray equipment for diagnostic purposes.
- 17 (2) treat patients by physiological, nutritional, mechan-
18 ical, manual, *including repair & care of superficial lacerations and lesions*
19 hydrotherapeutic and phytotherapeutic means, ~~with accu-~~
20 ~~prate,~~ and with minerals, and with extracts, compounds and concen-
21 trates obtained from plants or animals.

22 (b) A naturopath may not

- 23 (1) perform surgery;
- 24 (2) use or prescribe controlled substances as defined in
25 AS 11.81.900(b)(6); or
- 26 (3) use x-ray equipment, *for therapeutic purposes or radiation*
~~radium, or irradiation for diagno-~~ *therapy*
~~sis or therapy.~~

27 Sec. 08.45.170. CONTINUING EDUCATION. (a) The department shall
28 prescribe by regulation continuing education requirements for ~~persons~~ *physicians*
29 licensed under this chapter.

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

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

8 ARTICLE 4. GENERAL PROVISIONS.

9 Sec. 08.45.200. TITLES AND ABBREVIATIONS. (a) A person with a
10 license or permit under this chapter may use the following titles:
11 "Naturopath", "Doctor of Naturopathy", ^{Naturopathic Physicians} or its abbreviation, "N.D.". A
12 person with a license or permit under this chapter may not use a title
13 in a manner that suggests that the person practices a form of medicine
14 or a healing art other than naturopathy.

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

17 Sec. 08.45.210. IMPOSITION OF DISCIPLINARY SANCTIONS. After a
18 hearing, the department may limit, deny, suspend, or revoke a license
19 or temporary permit, or censure a licensee or permittee if the person

20 (1) secured a license or permit under this chapter through
21 deceit, fraud, or intentional misrepresentation;

22 (2) engaged in deceit, fraud, or intentional misrepresenta-
23 tion in the course of providing professional services or engaging in
24 professional activities;

25 (3) advertised professional services in a false or mislead-
26 ing manner;

27 (4) has been convicted of a felony or other crime that
28 affects the person's ability to continue to practice competently and
29 safely;

1 (5) fails to comply with this chapter or a regulation
2 adopted under this chapter;

3 (6) continued to practice after becoming unfit due to

4 (A) professional incompetence;

5 (B) addiction or severe dependency on alcohol or other
6 drugs that impairs the person's ability to practice safely;

7 (C) physical or mental disability;

8 (7) engaged in lewd or immoral conduct in connection with
9 the delivery of professional service to a patient.

10 Sec. 08.45.220. VIOLATIONS. (a) Except as provided in (b) of
11 this section, a person is guilty of a class B misdemeanor if the
12 person intentionally violates a provision of this chapter or a regula-
13 tion adopted under this chapter.

14 (b) A person who practices naturopathy without a valid temporary
15 permit or license issued under this chapter is guilty of a class A
16 misdemeanor.

17 Sec. 08.45.900. DEFINITIONS. In this chapter

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

20 (2) "naturopathy" and "naturopathic" means a system of
21 human health care that promotes good health through the prevention and
22 treatment of illness ^{including assisting in child birth} by the use of educational, physical, nutritional,
23 botanical, hygienic and other methods, and without the use of pre-
24 scription drugs, ^{except for that which is allowed by 8.45.100 (1) and (2)} surgery, ~~any equipment~~ or radium therapy.

25 * Sec. 3. TEMPORARY PERMITS FOR PRACTITIONERS OF NATUROPATHY. (a) The
26 Department of Commerce and Economic Development shall issue a temporary
27 permit to practice naturopathy to a person who, on the effective date of
28 this Act,

29 (1) is practicing naturopathy in the state;

Delete

Delete

1 (2) ~~meets all the qualifications of AS 08.45.110 or 08.45.130-~~

2 (a)(2), except for AS 08.45.110(3); and

3 (3) ~~applies for the permit.~~

4 (b) A temporary permit ~~issued under this section is valid until the~~

5 date on which the results of the first examination that is offered under

6 AS 08.45.120, as enacted in sec. 2 of this Act, are released.

7 *Sec - See attached paper. Licensing of practitioners of Naturopathy without examini*

* Sec. 4. Notwithstanding AS 08.45.010 as enacted in sec. 2 of this

8 Act, the first members of the Board of Naturopathic Examiners shall be

9 appointed for the following terms; one member shall serve a one-year term,

10 two members shall serve two-year terms, and two members shall serve three-

11 year terms.

12 * Sec. 5. This Act takes effect *immediately* ~~January 1, 1985~~.

13

ARTICLE 2. COUNCIL OF NATUROPATHIC ADVISORS
CREATION AND MEMBERSHIP OF THE COUNCIL.

Section:

There is established a Council of Naturopathic advisors
consisting of:

- (1) three Naturopathic Physicians licensed to practice naturopathy in some state;
- (2) actively practicing naturopathy in Alaska;
- (3) who will serve without pay or other compensation;

Section: TERM OF OFFICE. Members of the council serve staggered terms of 3 years. A member may be appointed to serve no more than two consecutive full terms.

Section: DUTIES AND PURPOSE. The council shall give advise to the department in areas requiring professional judgement or knowledge of the naturopathic profession . The council shall help the department develop educational standards and criteria, examinations, and other regulations necessary for the implementation of this act. This council will also serve as a peer review board to hear and make recommendations to the department in cases involving individual naturopaths subject to or considered for imposition of disciplinary sanctions.

TEMPORARY PERMITS

(4) Provide for temporary permits to engage in the practice of naturopathic medicine for persons who meet the requirements for licensure under this chapter that are valid until certification of the results of the next examination given under AS.08.45.120. or for persons working as an intern supervised by a naturopath with a license or temporary permit until the completion of the 1 year internship requirement if they meet all other requirements.

Section LICENSURE BY CREDENTIALS. The department may license a person as a naturopath if the person is currently licensed by examination as a naturopath in another state or in a province of Canada and

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

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

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

Section LICENSING PRACTITIONERS OF NATUROPATHY
WITHOUT EXAMINATION OR INTERNSHIP. The department shall license
all persons who:

(1) are residing and practicing naturopathy in
Alaska at the time this act is enacted.

(2) have graduated from a school of
naturopathy that has 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 study totaling at least 4000 hours of
instruction.

(3) licensed to practice naturopathy by
examination in another state.

(4) apply for licensure no later than.

Offered: 3/29/84
Referred: Finance

Naturopaths' CS

Original sponsors: Martin and Tischer

1 IN THE HOUSE

BY THE LABOR AND
COMMERCE COMMITTEE

2

CS FOR HOUSE BILL NO. 347 (L&C)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

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THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

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3 (3) license naturopaths and renew licenses in accordance
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15 (1) hold a bachelor's degree from an accredited college of
16 liberal arts or sciences;

17 (2) have graduated from a school of naturopathy approved by
18 the department that has as a requirement for graduation successful
19 completion of a course of resident instruction of at least nine months
20 actual attendance in each of four years and successful completion of a
21 course of study totaling at least 4,000 hours of instruction of which
22 at least 1,500 hours is clinical experience;

23 (3) successfully complete an examination given by the
24 department;

25 (4) not have a license to practice naturopathy in another
26 state, province, or territory, that is suspended or revoked for disci-
27 plinary reasons;

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

1 (6) after graduating from a school of naturopathy, complete
2 a one-year internship supervised by a naturopath licensed in this or
3 another state.

4 Sec. 08.45.120. EXAMINATION. (a) An examination for licensing
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15 Sec. 08.45.130. TEMPORARY PERMIT. (a) The department may issue
16 a temporary permit to practice naturopathy to a person if the person
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18 or territory or in a province of Canada; and

19 (A) that state, territory, or province maintains
20 professional licensing standards equivalent or higher than those
21 in this chapter;

22 (B) that state, territory, or province extends the
23 same licensing privilege to those holding a license in this
24 state; and

25 (C) the person demonstrates to the satisfaction of the
26 department qualifications at least equal to those required of
27 persons licensed under this chapter; or

28 (2) qualifies for a license under AS 08.45.110(1) - (5) and
29 is working as an intern supervised by a naturopath with a license or
temporary permit issued under this chapter.

Dele fe

1 ~~(b) A temporary permit issued under (a)(1) of this section is~~
2 ~~valid until the date on which the results of the next examination that~~
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19 hydrotherapeutic and phytotherapeutic means, ~~with accu-~~
20 ~~rate~~, and with minerals, and with extracts, compounds and concen-
21 trates obtained from plants or animals.

21 (b) A naturopath may not

- 22 (1) perform surgery;
- 23 (2) use or prescribe controlled substances as defined in
24 AS 11.81.900(b)(6); or
- 25 (3) use x-ray equipment, *for therapeutic purposes or radiation*
~~radium, or irradiation for diagno-~~ *therapy*
26 ~~sis or therapy.~~

27 Sec. 08.45.170. CONTINUING EDUCATION. (a) The department shall
28 prescribe by regulation continuing education requirements for ~~persons~~ *physicians*
29 licensed under this chapter.

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

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

8 ARTICLE 8. GENERAL PROVISIONS.

9 Sec. 08.45.200. TITLES AND ABBREVIATIONS. (a) A person with a
10 license or permit under this chapter may use the following titles:
11 "Naturopath", "Doctor of Naturopathy", ^{Naturopathic Physicians} or its abbreviation, "N.D.". A
12 person with a license or permit under this chapter may not use a title
13 in a manner that suggests that the person practices a form of medicine
14 or a healing art other than naturopathy.

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

17 Sec. 08.45.210. IMPOSITION OF DISCIPLINARY SANCTIONS. After a
18 hearing, the department may limit, deny, suspend, or revoke a license
19 or temporary permit, or censure a licensee or permittee if the person

20 (1) secured a license or permit under this chapter through
21 deceit, fraud, or intentional misrepresentation;

22 (2) engaged in deceit, fraud, or intentional misrepresenta-
23 tion in the course of providing professional services or engaging in
24 professional activities;

25 (3) advertised professional services in a false or mislead-
26 ing manner;

27 (4) has been convicted of a felony or other crime that
28 affects the person's ability to continue to practice competently and
29 safely;



1 (5) fails to comply with this chapter or a regulation
2 adopted under this chapter;

3 (6) continued to practice after becoming unfit due to
4 (A) professional incompetence;
5 (B) addiction or severe dependency on alcohol or other
6 drugs that impairs the person's ability to practice safely;

7 (C) physical or mental disability;

8 (7) engaged in lewd or immoral conduct in connection with
9 the delivery of professional service to a patient.

10 Sec. 08.45.220. VIOLATIONS. (a) Except as provided in (b) of
11 this section, a person is guilty of a class B misdemeanor if the
12 person intentionally violates a provision of this chapter or a regula-
13 tion adopted under this chapter.

14 (b) A person who practices naturopathy without a valid temporary
15 permit or license issued under this chapter is guilty of a class A
16 misdemeanor.

17 Sec. 08.45.900. DEFINITIONS. In this chapter

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

20 (2) "naturopathy" and "naturopathic" means a system of
21 human health care that promotes good health, through the prevention and
22 treatment of illness, ^{including assisting in child birth} by the use of educational, physical, nutritional,
23 botanical, hygienic and other methods, and without the use of pre-
24 scription drugs, ^{except for that which is allowed by 8.45.160 (1) and (2)} ~~any equipment~~ or radium therapy.

25 * Sec. 3. TEMPORARY PERMITS FOR PRACTITIONERS OF NATUROPATHY. (a) The
26 Department of Commerce and Economic Development shall issue a temporary
27 permit to practice naturopathy to a person who, on the effective date of
28 this Act,

29 (1) is practicing naturopathy in the state;

Delete

Delete

1 (2) ~~meets all the qualifications of AS 08.45.110 or 08.45.130-~~

2 (a)(2), except for AS 08.45.110(3); and

3 (3) ~~applies for the permit.~~

4 (b) A temporary permit ~~issued under this section is valid until the~~
5 ~~date on which the results of the first examination that is offered under~~
6 ~~AS 08.45.120, as enacted in sec. 2 of this Act, are released.~~

See - See attached paper. Licensing of practitioners of Naturopathy without examini

7 * Sec. 4. Notwithstanding AS 08.45.010 as enacted in sec. 2 of this
8 Act, the first members of the Board of Naturopathic Examiners shall be
9 appointed for the following terms; one member shall serve a one-year term,
10 two members shall serve two-year terms, and two members shall serve three-
11 year terms.

12 * Sec. 5. This Act takes effect *immediately* ~~January 1, 1985.~~

13

ARTICLE 2. COUNCIL OF NATUROPATHIC ADVISORS

Section: CREATION AND MEMBERSHIP OF THE COUNCIL.

There is established a Council of Naturopathic advisors consisting of:

- (1) three Naturopathic Physicians licensed to practice naturopathy in some state;
- (2) actively practicing naturopathy in Alaska;
- (3) who will serve without pay or other

compensation;

Section: TERM OF OFFICE. Members of the council serve staggered terms of 3 years. A member may be appointed to serve no more than two consecutive full terms.

Section: DUTIES AND PURPOSE. The council shall give advise to the department in areas requiring professional judgement or knowledge of the naturopathic profession. The council shall help the department develop educational standards and criteria, examinations, and other regulations necessary for the implementation of this act. This council will also serve as a peer review board to hear and make recommendations to the department in cases involving individual naturopaths subject to or considered for imposition of disciplinary sanctions.

TEMPORARY PERMITS

(4) Provide for temporary permits to engage in the practice of naturopathic medicine for persons who meet the requirements for licensure under this chapter that are valid until certification of the results of the next examination given under AS.08.45.120. or for persons working as an intern supervised by a naturopath with a license or temporary permit until the completion of the 1 year internship requirement if they meet all other requirements.

Offered: 3/29/84
Referred: Finance

COMPROMISE
CS

Original sponsors: Martin and Tischer

1 IN THE HOUSE

BY THE ^{Finance} ~~LABOR AND~~
COMMERCE COMMITTEE

2

CS FOR HOUSE BILL NO. 347 ^{Finance} (L&C)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act relating to the licensing of naturopaths; and
7 providing for an effective date."

8

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9

* Section 1. AS 08.01.010 is amended by adding a new paragraph to read:

10

(24) regulation of naturopaths under AS 08.45.

11

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

12

CHAPTER 45. NATUROPATHS.

13

ARTICLE 1. BOARD OF NATUROPATHIC EXAMINERS.

14

Sec. 08.45.010. CREATION AND MEMBERSHIP OF THE BOARD. There is

15

established the Board of Naturopathic Examiners consisting of

16

(1) three naturopaths licensed under this chapter;

17

(2) one doctor licensed under AS 08.64; and

18

(3) one public member.

19

Sec. 08.45.030. TERM OF OFFICE. Members of the board serve

20

staggered terms of three years. A member may be appointed to serve no

21

more than two consecutive full terms.

22

Sec. 08.45.040. APPLICABILITY. AS 08.45.010 - 08.45.040 apply

23

one year after the first eight licenses are issued under this chapter.

24

After AS 08.45.010 - 08.45.040 become applicable, the board shall

25

exercise the powers and duties of the department under this chapter.

26

ARTICLE 2. REGULATION OF NATUROPATHY.

27

Sec. 08.45.090. DUTIES AND POWERS. (a) The department shall

28

(1) evaluate the qualifications of applicants for licenses

29

under this chapter;

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

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

5 (b) The department may establish by regulation educational
6 requirements for licensure under this chapter in addition to require-
7 ments under AS 08.45.110(2) that are equivalent to or higher than
8 requirements in other states that license naturopaths, and identify
9 schools that provide courses of study that satisfy the requirements.

10 Sec. 08.45.100. LICENSING REQUIREMENT. A person may not engage
11 in the practice of naturopathy unless that person has a valid license
12 or temporary permit issued under this chapter.

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

15 (1) hold a bachelor's degree from an accredited college of
16 liberal arts or sciences;

17 (2) have graduated from a school of naturopathy ^{approved by the Alaska} ~~approved by~~
18 ^{on Postsecondary Education} ~~the department~~ that has as a requirement for graduation successful
19 completion of a course of resident instruction of at least nine months
20 actual attendance in each of four years and successful completion of a
21 course of study totaling at least 4,000 hours of instruction of which
22 at least 1,500 hours is clinical experience;

23 (3) successfully complete an examination given by the
24 department;

25 (4) not have a license to practice naturopathy in another
26 state, province, or territory, that is suspended or revoked for disci-
27 plinary reasons;

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

1 (6) after graduating from a school of naturopathy, complete
2 a one-year internship supervised by a naturopath licensed in this or
3 another state.

4 Sec. 08.45.120. EXAMINATION. (a) An examination for licensing
5 as a naturopath shall be held at least twice each year at a time and
6 place and shall be conducted as determined by the department. The
7 examination shall be objective and in writing, but may be supplemented
8 by oral examinations, and by demonstrations or other practical tests
9 as the department may require.

10 (b) To pass the examination an applicant shall receive an over-
11 all average of 75 percent and may not receive less than 70 percent in
12 more than two sections. If an applicant fails the examination, the
13 applicant may apply to be reexamined.

14 Sec. 08.45.130. TEMPORARY PERMIT. (a) The department may issue
15 a temporary permit to practice naturopathy to a person if the person

16 (1) is currently licensed as a naturopath in another state
17 or territory or in a province of Canada; and

18 (A) that state, territory, or province maintains
19 professional licensing standards equivalent or higher than those
20 in this chapter;

21 (B) that state, territory, or province extends the
22 same licensing privilege to those holding a license in this
23 state; and

24 (C) the person demonstrates to the satisfaction of the
25 department qualifications at least equal to those required of
26 persons licensed under this chapter; or

27 (2) qualifies for a license under AS 08.45.110(1) - (5) and
28 is working as an intern supervised by a naturopath with a license or
29 temporary permit issued under this chapter.

1 (b) A temporary permit issued under (a)(1) of this section is
2 valid until the date on which the results of the next examination that
3 is offered under AS 08.45.120 are released. A temporary permit issued
4 under (a)(2) of this section is valid for one year.

5 Sec. 08.45.140. LICENSE RENEWAL. A license issued under this
6 chapter expires unless it is renewed every four years.

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

- 9 (1) application for examination \$ 50
- 10 (2) application for re-examination..... 10
- 11 (3) license issuance or renewal 200
- 12 (4) temporary permit issuance..... 50

13 Sec. 08.45.160. SCOPE OF NATUROPATHIC PRACTICE. (a) A naturo-
14 path in the course of the practice of naturopathy may

15 (1) use systems of diagnosis for which the naturopath has
16 been trained;

17 (2) treat patients by physiological, nutritional, mechan-
18 ical, manual, hydrotherapeutic and phytotherapeutic means, with accu-
19 pressure, and with minerals, and with extracts, compounds and concen-
20 trates obtained from plants or animals;

21 (b) *(3) practice natural childbirth in obstetrics.*
A naturopath may not

22 (1) perform surgery;

23 (2) use or prescribe controlled substances as defined in
24 AS 11.81.900(b)(6); or

25 (3) use x-ray equipment, radium, or irradiation for diagno-
26 sis or therapy.

27 Sec. 08.45.170. CONTINUING EDUCATION. (a) The department shall
28 prescribe by regulation continuing education requirements for persons
29 licensed under this chapter.

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

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

8 ARTICLE 3. GENERAL PROVISIONS.

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

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

17 Sec. 08.45.210. IMPOSITION OF DISCIPLINARY SANCTIONS. After a
18 hearing, the department may limit, deny, suspend, or revoke a license
19 or temporary permit, or censure a licensee or permittee if the person

20 (1) secured a license or permit under this chapter through
21 deceit, fraud, or intentional misrepresentation;

22 (2) engaged in deceit, fraud, or intentional misrepresenta-
23 tion in the course of providing professional services or engaging in
24 professional activities;

25 (3) advertised professional services in a false or mislead-
26 ing manner;

27 (4) has been convicted of a felony or other crime that
28 affects the person's ability to continue to practice competently and
29 safely;

1 (5) fails to comply with this chapter or a regulation
2 adopted under this chapter;

3 (6) continued to practice after becoming unfit due to
4 (A) professional incompetence;
5 (B) addiction or severe dependency on alcohol or other
6 drugs that impairs the person's ability to practice safely;

7 (C) physical or mental disability;

8 (7) engaged in lewd or immoral conduct in connection with
9 the delivery of professional service to a patient.

10 Sec. 08.45.220. VIOLATIONS. (a) Except as provided in (b) of
11 this section, a person is guilty of a class B misdemeanor if the
12 person intentionally violates a provision of this chapter or a regula-
13 tion adopted under this chapter.

14 (b) A person who practices naturopathy without a valid temporary
15 permit or license issued under this chapter is guilty of a class A
16 misdemeanor.

17 Sec. 08.45.900. DEFINITIONS. In this chapter

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

20 (2) "naturopathy" and "naturopathic" means a system of
21 human health care that promotes good health through the prevention and
22 treatment of illness by the use of educational, physical, nutritional,
23 botanical, hygienic and other methods, and without the use of pre-
24 scription drugs, surgery, x-ray equipment or radium therapy.

25 * Sec. 3. ~~TEMPORARY PERMITS FOR PRACTITIONERS OF NATUROPATHY.~~ *LICENSING OF PRACTITIONERS OF NATUROPATHY OR NATUROPATHIC MEDICINE*
26 ~~Department of Commerce and Economic Development shall issue a temporary~~ *WITHOUT EXAMINATION OR INTERNSHIP. The Department of Commerce and Economic Development*
27 ~~shall license a person who (a) on the effective date of this Act,~~ *shall license a person who (a) on the effective date of this Act,*
28 ~~permit to practice naturopathy to a person who, on the effective date of~~
~~this Act,~~

29 (1) *residing and* is practicing naturopathy in the state;
(2) is licensed by examination to practice naturopathy in another
state, territory or province, ~~or in a province of Canada;~~

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

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

8 ARTICLE 3. GENERAL PROVISIONS.

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

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

17 Sec. 08.45.210. IMPOSITION OF DISCIPLINARY SANCTIONS. After a
18 hearing, the department may limit, deny, suspend, or revoke a license
19 or temporary permit, or censure a licensee or permittee if the person

20 (1) secured a license or permit under this chapter through
21 deceit, fraud, or intentional misrepresentation;

22 (2) engaged in deceit, fraud, or intentional misrepresenta-
23 tion in the course of providing professional services or engaging in
24 professional activities;

25 (3) advertised professional services in a false or mislead-
26 ing manner;

27 (4) has been convicted of a felony or other crime that
28 affects the person's ability to continue to practice competently and
29 safely;

(3) has graduated from a school of naturopathy that has⁹⁵ require-
ment for graduation, successful completion of a course of resident instruction of
at least nine months actual attendance in each of 4 years and successful
completion of a course of study totalling at least 4,000 hours; and

1 ~~(2) meets all the qualifications of AS 08.45.110 or 08.45.130-~~

2 ~~(a)(2), except for AS 08.45.110(3), and~~

3 ~~(b)~~ ^b applies for ~~the permit~~ licensure under AS 08.45 no later than June 30,
1985.

4 (b) A temporary permit issued under this section is valid until the
5 date on which the results of the first examination that is offered under
6 AS 08.45.120, as enacted in sec. 2 of this Act, are released.

7 * Sec. 4. Notwithstanding AS 08.45.010 as enacted in sec. 2 of this
8 Act, the first members of the Board of Naturopathic Examiners shall be
9 appointed for the following terms; one member shall serve a one-year term,
10 two members shall serve two-year terms, and two members shall serve three-
11 year terms.

12 * Sec. 5. This Act takes effect ~~January 1, 1985.~~ *immediately*

13

Offered: 3/29/84
Referred: Finance

COMPROMISE
CS

Original sponsors: Martin and Tischer

1 IN THE HOUSE

BY THE ^{Finance} ~~LABOR AND~~
COMMERCE COMMITTEE

2

CS FOR HOUSE BILL NO. 347 ^{Finance} (L&C)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act relating to the licensing of naturopaths; and
7 providing for an effective date."

8

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9

* Section 1. AS 08.01.010 is amended by adding a new paragraph to read:

10

(24) regulation of naturopaths under AS 08.45.

11

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

12

CHAPTER 45. NATUROPATHS.

13

ARTICLE 1. BOARD OF NATUROPATHIC EXAMINERS.

14

Sec. 08.45.010. CREATION AND MEMBERSHIP OF THE BOARD. There is
15 established the Board of Naturopathic Examiners consisting of

16

(1) three naturopaths licensed under this chapter;

17

(2) one doctor licensed under AS 08.64; and

18

(3) one public member.

19

Sec. 08.45.030. TERM OF OFFICE. Members of the board serve
20 staggered terms of three years. A member may be appointed to serve no
21 more than two consecutive full terms.

22

Sec. 08.45.040. APPLICABILITY. AS 08.45.010 - 08.45.040 apply
23 one year after the first eight licenses are issued under this chapter.
24 After AS 08.45.010 - 08.45.040 become applicable, the board shall
25 exercise the powers and duties of the department under this chapter.

26

ARTICLE 2. REGULATION OF NATUROPATHY.

27

Sec. 08.45.090. DUTIES AND POWERS. (a) The department shall

28

(1) evaluate the qualifications of applicants for licenses

29

under this chapter;

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

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

5 (b) The department may establish by regulation educational
6 requirements for licensure under this chapter in addition to require-
7 ments under AS 08.45.110(2) that are equivalent to or higher than
8 requirements in other states that license naturopaths, and identify
9 schools that provide courses of study that satisfy the requirements.

10 Sec. 08.45.100. LICENSING REQUIREMENT. A person may not engage
11 in the practice of naturopathy unless that person has a valid license
12 or temporary permit issued under this chapter.

13 Sec. 08.45.110. LICENSURE AS A NATUROPATH. To be eligible for a
14 license as a naturopath, applicant shall

15 (1) hold a bachelor's degree from an accredited college of
16 liberal arts or sciences;

17 (2) have graduated from a school of naturopathy ~~approved by~~
18 ~~the department~~ ^{on Postsecondary Education} that has as a requirement for graduation successful
19 completion of a course of resident instruction of at least nine months
20 actual attendance in each of four years and successful completion of a
21 course of study totaling at least 4,000 hours of instruction of which
22 at least 1,500 hours is clinical experience;

23 (3) successfully complete an examination given by the
24 department;

25 (4) not have a license to practice naturopathy in another
26 state, province, or territory, that is suspended or revoked for disci-
27 plinary reasons;

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

approved by the Alaska Commission

1 (6) after graduating from a school of naturopathy, complete
2 a one-year internship supervised by a naturopath licensed in this or
3 another state.

4 Sec. 08.45.120. EXAMINATION. (a) An examination for licensing
5 as a naturopath shall be held at least twice each year at a time and
6 place and shall be conducted as determined by the department. The
7 examination shall be objective and in writing, but may be supplemented
8 by oral examinations, and by demonstrations or other practical tests
9 as the department may require.

10 (b) To pass the examination an applicant shall receive an over-
11 all average of 75 percent and may not receive less than 70 percent in
12 more than two sections. If an applicant fails the examination, the
13 applicant may apply to be reexamined.

14 Sec. 08.45.130. TEMPORARY PERMIT. (a) The department may issue
15 a temporary permit to practice naturopathy to a person if the person

16 (1) is currently licensed as a naturopath in another state
17 or territory or in a province of Canada; and

18 (A) that state, territory, or province maintains
19 professional licensing standards equivalent or higher than those
20 in this chapter;

21 (B) that state, territory, or province extends the
22 same licensing privilege to those holding a license in this
23 state; and

24 (C) the person demonstrates to the satisfaction of the
25 department qualifications at least equal to those required of
26 persons licensed under this chapter; or

27 (2) qualifies for a license under AS 08.45.110(1) - (5) and
28 is working as an intern supervised by a naturopath with a license or
29 temporary permit issued under this chapter.

1 (b) A temporary permit issued under (a)(1) of this section is
2 valid until the date on which the results of the next examination that
3 is offered under AS 08.45.120 are released. A temporary permit issued
4 under (a)(2) of this section is valid for one year.

5 Sec. 08.45.140. LICENSE RENEWAL. A license issued under this
6 chapter expires unless it is renewed every four years.

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

- 9 (1) application for examination \$ 50
10 (2) application for re-examination..... 10
11 (3) license issuance or renewal 200
12 (4) temporary permit issuance..... 50

13 Sec. 08.45.160. SCOPE OF NATUROPATHIC PRACTICE. (a) A naturo-
14 path in the course of the practice of naturopathy may

15 (1) use systems of diagnosis for which the naturopath has
16 been trained;

17 (2) treat patients by physiological, nutritional, mechan-
18 ical, manual, hydrotherapeutic and phytotherapeutic means, with accu-
19 pressure, and with minerals, and with extracts, compounds and concen-
20 trates obtained from plants or animals;

21 (b) A naturopath may not
(3) practice natural childbirth in obstetrics.

22 (1) perform surgery;

23 (2) use or prescribe controlled substances as defined in
24 AS 11.81.900(b)(6); or

25 (3) use x-ray equipment, radium, or irradiation for diagno-
26 sis or therapy.

27 Sec. 08.45.170. CONTINUING EDUCATION. (a) The department shall
28 prescribe by regulation continuing education requirements for persons
29 licensed under this chapter.

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

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

8 ARTICLE 3. GENERAL PROVISIONS.

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

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

17 Sec. 08.45.210. IMPOSITION OF DISCIPLINARY SANCTIONS. After a
18 hearing, the department may limit, deny, suspend, or revoke a license
19 or temporary permit, or censure a licensee or permittee if the person

20 (1) secured a license or permit under this chapter through
21 deceit, fraud, or intentional misrepresentation;

22 (2) engaged in deceit, fraud, or intentional misrepresenta-
23 tion in the course of providing professional services or engaging in
24 professional activities;

25 (3) advertised professional services in a false or mislead-
26 ing manner;

27 (4) has been convicted of a felony or other crime that
28 affects the person's ability to continue to practice competently and
29 safely;

1 (5) fails to comply with this chapter or a regulation
2 adopted under this chapter;

3 (6) continued to practice after becoming unfit due to

4 (A) professional incompetence;

5 (B) addiction or severe dependency on alcohol or other
6 drugs that impairs the person's ability to practice safely;

7 (C) physical or mental disability;

8 (7) engaged in lewd or immoral conduct in connection with
9 the delivery of professional service to a patient.

10 Sec. 08.45.220. VIOLATIONS. (a) Except as provided in (b) of
11 this section, a person is guilty of a class B misdemeanor if the
12 person intentionally violates a provision of this chapter or a regula-
13 tion adopted under this chapter.

14 (b) A person who practices naturopathy without a valid temporary
15 permit or license issued under this chapter is guilty of a class A
16 misdemeanor.

17 Sec. 08.45.900. DEFINITIONS. In this chapter

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

20 (2) "naturopathy" and "naturopathic" means a system of
21 human health care that promotes good health through the prevention and
22 treatment of illness by the use of educational, physical, nutritional,
23 botanical, hygienic and other methods, and without the use of pre-
24 scription drugs, surgery, x-ray equipment or radium therapy.

25 * Sec. 3. ~~LICENSING OF PRACTITIONERS OF NATUROPATHY OR NATUROPATHIC MEDICINE~~
~~TEMPORARY PERMITS FOR PRACTITIONERS OF NATUROPATHY. (a) The~~
26 ~~Department of Commerce and Economic Development shall issue a temporary~~
~~permit to practice naturopathy to a person who, on the effective date of~~
27 ~~this Act,~~
28 ~~this Act,~~

29 (1) is ^{residing and} practicing naturopathy in the state;
(2) is licensed by examination to practice naturopathy in another
state, territory or province, ~~or in a province of Canada;~~

Offered: 3/29/84
Referred: Finance

COMPROMISE
CS

Original sponsors: Martin and Tischer

1 IN THE HOUSE

BY THE ^{Finance} ~~LABOR AND~~
COMMERCE COMMITTEE

2

CS FOR HOUSE BILL NO. 347 ^{Finance} ~~(L&C)~~

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act relating to the licensing of naturopaths; and
7 providing for an effective date."

8

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9

* Section 1. AS 08.01.010 is amended by adding a new paragraph to read:

10

(24) regulation of naturopaths under AS 08.45.

11

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

12

CHAPTER 45. NATUROPATHS.

13

ARTICLE 1. BOARD OF NATUROPATHIC EXAMINERS.

14

Sec. 08.45.010. CREATION AND MEMBERSHIP OF THE BOARD. There is

15

established the Board of Naturopathic Examiners consisting of

16

(1) three naturopaths licensed under this chapter;

17

(2) one doctor licensed under AS 08.64; and

18

(3) one public member.

19

Sec. 08.45.030. TERM OF OFFICE. Members of the board serve

20

staggered terms of three years. A member may be appointed to serve no

21

more than two consecutive full terms.

22

Sec. 08.45.040. APPLICABILITY. AS 08.45.010 - 08.45.040 apply

23

one year after the first eight licenses are issued under this chapter.

24

After AS 08.45.010 - 08.45.040 become applicable, the board shall

25

exercise the powers and duties of the department under this chapter.

26

ARTICLE 2. REGULATION OF NATUROPATHY.

27

Sec. 08.45.090. DUTIES AND POWERS. (a) The department shall

28

(1) evaluate the qualifications of applicants for licenses

29

under this chapter;

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

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

5 (b) The department may establish by regulation educational
6 requirements for licensure under this chapter in addition to require-
7 ments under AS 08.45.110(2) that are equivalent to or higher than
8 requirements in other states that license naturopaths, and identify
9 schools that provide courses of study that satisfy the requirements.

10 Sec. 08.45.100. LICENSING REQUIREMENT. A person may not engage
11 in the practice of naturopathy unless that person has a valid license
12 or temporary permit issued under this chapter.

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

15 (1) hold a bachelor's degree from an accredited college of
16 liberal arts or sciences;

17 (2) have graduated from a school of naturopathy ~~approved by~~
18 ~~the department~~ *on Postsecondary Education* ^{approved by the Alaska Commission} that has as a requirement for graduation successful
19 completion of a course of resident instruction of at least nine months
20 actual attendance in each of four years and successful completion of a
21 course of study totaling at least 4,000 hours of instruction of which
22 at least 1,500 hours is clinical experience;

23 (3) successfully complete an examination given by the
24 department;

25 (4) not have a license to practice naturopathy in another
26 state, province, or territory, that is suspended or revoked for disci-
27 plinary reasons;

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

1 (6) after graduating from a school of naturopathy, complete
2 a one-year internship supervised by a naturopath licensed in this or
3 another state.

4 Sec. 08.45.120. EXAMINATION. (a) An examination for licensing
5 as a naturopath shall be held at least twice each year at a time and
6 place and shall be conducted as determined by the department. The
7 examination shall be objective and in writing, but may be supplemented
8 by oral examinations, and by demonstrations or other practical tests
9 as the department may require.

10 (b) To pass the examination an applicant shall receive an over-
11 all average of 70 percent and may not receive less than 70 percent in
12 more than two sections. If an applicant fails the examination, the
13 applicant may apply to be reexamined.

14 Sec. 08.45.130. TEMPORARY PERMIT. (a) The department may issue
15 a temporary permit to practice naturopathy to a person if the person

16 (1) is currently licensed as a naturopath in another state
17 or territory or in a province of Canada; and

18 (A) that state, territory, or province maintains
19 professional licensing standards equivalent or higher than those
20 in this chapter;

21 (B) that state, territory, or province extends the
22 same licensing privilege to those holding a license in this
23 state; and

24 (C) the person demonstrates to the satisfaction of the
25 department qualifications at least equal to those required of
26 persons licensed under this chapter; or

27 (2) qualifies for a license under AS 08.45.110(1) - (5) and
28 is working as an intern supervised by a naturopath with a license or
29 temporary permit issued under this chapter.

1 (b) A temporary permit issued under (a)(1) of this section is
2 valid until the date on which the results of the next examination that
3 is offered under AS 08.45.120 are released. A temporary permit issued
4 under (a)(2) of this section is valid for one year.

5 Sec. 08.45.140. LICENSE RENEWAL. A license issued under this
6 chapter expires unless it is renewed every four years.

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

- 9 (1) application for examination \$ 50
- 10 (2) application for re-examination..... 10
- 11 (3) license issuance or renewal 200
- 12 (4) temporary permit issuance..... 50

13 Sec. 08.45.160. SCOPE OF NATUROPATHIC PRACTICE. (a) A naturo-
14 path in the course of the practice of naturopathy may

15 (1) use systems of diagnosis for which the naturopath has
16 been trained;

17 (2) treat patients by physiological, nutritional, mechan-
18 ical, manual, hydrotherapeutic and phytotherapeutic means, with accu-
19 pressure, and with minerals, and with extracts, compounds and concen-
20 trates obtained from plants or animals;

21 (b) A naturopath may not *(3) practice natural childbirth in obstetrics.*

22 (1) perform surgery;

23 (2) use or prescribe controlled substances as defined in
24 AS 11.81.900(b)(6); or

25 (3) use x-ray equipment, radium, or irradiation for diagno-
26 sis or therapy.

27 Sec. 08.45.170. CONTINUING EDUCATION. (a) The department shall
28 prescribe by regulation continuing education requirements for persons
29 licensed under this chapter.

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

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

8 ARTICLE 3. GENERAL PROVISIONS.

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

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

17 Sec. 08.45.210. IMPOSITION OF DISCIPLINARY SANCTIONS. After a
18 hearing, the department may limit, deny, suspend, or revoke a license
19 or temporary permit, or censure a licensee or permittee if the person

20 (1) secured a license or permit under this chapter through
21 deceit, fraud, or intentional misrepresentation;

22 (2) engaged in deceit, fraud, or intentional misrepresenta-
23 tion in the course of providing professional services or engaging in
24 professional activities;

25 (3) advertised professional services in a false or mislead-
26 ing manner;

27 (4) has been convicted of a felony or other crime that
28 affects the person's ability to continue to practice competently and
29 safely;

1 (5) fails to comply with this chapter or a regulation
2 adopted under this chapter;

3 (6) continued to practice after becoming unfit due to
4 (A) professional incompetence;
5 (B) addiction or severe dependency on alcohol or other
6 drugs that impairs the person's ability to practice safely;

7 (C) physical or mental disability;

8 (7) engaged in lewd or immoral conduct in connection with
9 the delivery of professional service to a patient.

10 Sec. 08.45.220. VIOLATIONS. (a) Except as provided in (b) of
11 this section, a person is guilty of a class B misdemeanor if the
12 person intentionally violates a provision of this chapter or a regula-
13 tion adopted under this chapter.

14 (b) A person who practices naturopathy without a valid temporary
15 permit or license issued under this chapter is guilty of a class A
16 misdemeanor.

17 Sec. 08.45.900. DEFINITIONS. In this chapter

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

20 (2) "naturopathy" and "naturopathic" means a system of
21 human health care that promotes good health through the prevention and
22 treatment of illness by the use of educational, physical, nutritional,
23 botanical, hygienic and other methods, and without the use of pre-
24 scription drugs, surgery, x-ray equipment or radium therapy.

25 * Sec. 3. ~~TEMPORARY PERMITS FOR PRACTITIONERS OF NATUROPATHY.~~ *LICENSING OF PRACTITIONERS OF NATUROPATHY OR NATUROPATHIC MEDICINE*
26 ~~Department of Commerce and Economic Development shall issue a temporary~~ *WITHOUT EXAMINATION OR INTERNSHIP. The Department of Commerce and Economic Development*
27 ~~shall license a person who (a) on the effective date of this Act,~~ *shall license a person who (a) on the effective date of this Act,*
28 ~~permit to practice naturopathy to a person who, on the effective date of~~
~~this Act,~~

29 (1) *residing and* is practicing naturopathy in the state;

(2) *is licensed by examination to practice naturopathy in another*
state, territory or province, or in a province of Canada;

HB 347 (as introduced)

Title:
relating to licensing
practitioners of naturopathic
medicine.

Section 1:
adds regulation of naturopathy
or naturopathic medicine to
AS 08.45

Section 2:
Creates a new Chapter 45,
"Naturopaths".

HB 347 (HESS)

Title:
Same.

Section 1:
Same.

Section 2:
Chapter title remains the same.

HB 347 (L&C)

Title: changed to read:
"An Act relating to the
licensing of naturopaths"

Section 1: changed to
"regulation of naturopaths"
(rather than regulation of
naturopathy or naturopathic
medicine).

Section 2: Chapter title
remains unchanged.

HB 347 (Proposed Compromise)

Same as L&C CS.

Same as L&C CS.

Same as L&C CS.

HB 347 (Naturopath Proposal)

*to be added at
a later date*

Article 1:
"Regulation of Naturopathy"

This section details the duties and powers of the department to evaluate qualifications of applicants for licenses; conduct hearings; license naturopaths and renew licenses; and provide for temporary permits to persons apparently qualified to practice until certification of the results of the next examination.

Article 1:
Remains the same.

Article 1: Entirely new Article 1, entitled "Board of Naturopathic Examiners". (The previous subject of this chapter, "Regulation of Naturopathy", is moved to Article 2.)

Same as L&C CS.

08.45.010: creates a Board of Naturopathic Examiners consisting of three licensed naturopaths, one doctor and one public member.

08.45.030: states that members shall serve staggered three-year terms, and that a member may be appointed to no more than two consecutive full terms.

08.45.040: these new sections (08.45.010-040) will come into effect after the first eight licenses are issued under this chapter, after which the board shall exercise the powers and duties of the department under this chapter.

Article 2:
Licensing of Naturopaths

08.45.100 Requires a person to have a license or permit before being allowed to practice naturopathy or naturopathic medicine.

Article 2:
Same.

08.45.100:
same.

Article 2:

"Regulation of Naturopathy". Subsections (a)(1)-(3) correspond exactly to previous Article 1, subsections (1)-(3) (which state that the department will evaluate qualifications of applicants, conduct hearings, and license naturopaths and renew licenses).

Subsection (b) states that the department may establish educational requirements for licensure in addition to requirements under AS 08.45.110(2) that are equivalent to or higher than requirements in other states that license naturopaths, and identify schools that provide courses of study that satisfy the requirements.

Deleted from the previous article dealing with regulation is former Article 1, subsection (4), which provided for temporary permits to engage in the practice of naturopathy.

08.45.100: Same, except reference to "naturopathic medicine" is deleted.

Article 2

Same as L&C CS.

08.45.110 Sets out requirements for eligibility to be licensed, which include: a high school diploma; two years of postsecondary education; graduation from a college of naturopathic medicine which requires for graduation 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 4,000 hours or more. (The required courses of instruction are set out in the statute.) Requires successful completion of an examination given by the department; not have a license anywhere else that is suspended or revoked; be a citizen or person lawfully admitted to the country; and be of good moral character.

08.45.110: Same, except that under subsection (3), after "completion of a course of instruction totaling 4,000 hours or more", requirement is added: "of which at least 1,500 hours is clinical experience".

08.45.110: Previous subsections (1) and (2) are deleted and replaced by a new subsection (1), which states an applicant shall "hold a bachelor's degree from an accredited college of liberal arts or sciences".

Previous (3) is now (2), in which references to "naturopathic medicine" are deleted; the school of naturopathy must be approved by the department; and the list of courses of instruction is deleted.

Previous (4) is now (3).
Previous (5) is now (4).
Previous (6) is now (5).

Previous (7) is deleted (be of good moral character).

New (6) requires that, upon graduating from a school of naturopathy, a one-year internship with a licensed naturopath must be completed.

08.45.110: Same as L&C CS, except in (2), where the Commission on Postsecondary Education would approve schools of naturopathy, rather than the department.

08.45.120 Authorizes the department to hold examinations for licensing, which examinations shall be limited to the subjects listed in 08.45.110(3). Exam will be in writing, but may be supplemented by oral examination. Applicant must receive an overall average of 75% and no less than 70% in more than two sections.

08.45.120:
Same.

08.45.120:
(a) adds that examinations will be held at least twice each year. Deletes sentence limiting examination to the subjects listed in 08.45.110(3).

Same as L&C CS.

(b) adds that an applicant may apply to be reexamined if the applicant fails the examination.

08.45.130 This section sets up a reciprocal arrangement; it allows the department to license without examination a person currently licensed in another state or in a province of Canada if the state's or province's licensing standards are equivalent or higher than those in this chapter; the state or province offers reciprocity to those licensed in Alaska; and the person demonstrates satisfactorily to the department qualifications equal to those licensed under this chapter.

08.45.130:
Same.

08.45.130:
Title is changed from "Endorsement" to "Temporary Permit".

Same as L&C CS.

A new (a) is created, which encompasses the previous language of this entire section with the following changes:

Rather than licensing a person who meets the following qualifications, the department may issue a temporary permit to practice naturopathy.

New (1), (1)(a) and (1)(b) correspond to previous introductory language, (1) and (2), with the addition of the word "territory".

Previous (3) now appears as (a)(1)(C).

A new subsection (a)(2) is added, which reads, "qualifies for a license under AS 08.45.110(1)-(5) and is working as an intern supervised by a naturopath with a license or temporary permit issued under this chapter."

A new subsection (b) is added, which says that a temporary permit is valid under the date on which the results of the next examination offered are

released, and that a temporary permit is valid for one year.

08.45.140 The department may deny, suspend or revoke the license of a person or applications who: obtains license by fraud or deceit; wilfully violates a provision of the chapter; is an alcoholic; abuses controlled substances; impersonates another physician; practices under an assumed name; or is convicted of a crime involving moral turpitude.

08.45.140:
Same.

08.45.140:
Title is changed to "License Renewal", and provides that a license expires unless renewed every four years.

Same as L&C CS.

A section similar to previous 08.45.140 can now be found under 08.45.210.

08.45.150 Sets up fees: \$25 for examination, \$10 for reexamination; \$100 for license or biennial renewal; \$25 for temporary permit.

08.45.150: fees are changed as follows: examination, \$50; license or biennial renewal, \$200; temporary permit, \$50. The \$10 reexamination fee remains the same.

08.45.150:
Same as HESS committee substitue.

08.45.150: Same as HESS CS.

08.45.160 Details scope of naturopathic practice.

a) A naturopath may:

- 1) perform physical examinations; write prescriptions for substances authorized; sign birth and death certificates;
- 2) use systems of diagnosis for which naturopathic physician has been trained;
- 3) treat patients by physiological, nutritional, psychological, mechanical, electrical, manual, hydrotherapeutic, phytotherapeutic, mineral and organic substances and agencies, including acupuncture;
- 4) draw blood for laboratory purposes and use electrical and other methods for repair and care of superficial lacerations and abrasions, benign superficial lesions, and removal of foreign bodies located in superficial structures;
- 5) practice natural childbirth in obstetrics, including related minor surgical procedures.

08.45.160: Remains the same except under subsection (2), where a statute reference is added, so that the section now reads, "use systems of diagnosis for which the naturopathic physician has been trained under AS 08.45.110(3)".

08.45.160: Changes words "naturopathic medicine" to "naturopathy".

Deletes previous (1), which allowed naturopaths to perform physical exams, write prescriptions and sign birth and death certificates.

Previous (2) is new (1); statute reference is deleted.

Previous (3) is new (2); deleted from list of authorized practices is treating patients by psychological and electrical means, or with acupuncture.

Previous (4) is deleted (which authorized drawing blood and repairing lacerations and abrasions and removal foreign bodies).

Previous (5) is deleted (authorizing practicing natural childbirth in obstetrics, including related minor surgical procedures).

08.45.160: Same as L&C CS, except adds a new subsection (a)(3), which authorizes naturopaths to practice natural childbirth in obstetrics.

b) Naturopath may not:
1) perform surgery except as provided in this chapter;
2) use controlled substances;
3) use radiation therapy;
4) use drugs except antiseptics, local anesthetics, minerals and extracts, compounds or concentrates obtained from plants or animals.

(b) remains the same.

(b) (1) New language prohibits any surgery;

(2) cannot use or prescribe controlled substances;

(3) previous subsection banned use of radiation therapy; new language bans use of x-ray equipment, radium or irradiation for diagnosis or therapy.

Previous (4) is deleted.

08.45.170 The department may prescribe continuing education requirements. Before a license may be renewed, the licensee shall submit evidence of completion of continuing education requirements to the department. The department may exempt a licensee from the continuing education requirement in extenuating circumstances. No more than one exemption in a five year period.

08.45.170: Same.

08.45.170: Same.
Minor language change in subsection (b), which does not change the effect.

08.45.170: Same as L&C CS.

Article 3.
General Provisions

No change in title of Article 3.

No change in title of Article 3.

No change in title of Article 3.

08.45.200 Titles and Abbreviations:

a) authorized titles are: Naturopath, Doctor of Naturopathy, or N.D. May not use a title that suggested a form of medicine or healing art other than naturopathy. b) may not use a title or abbreviation listed herein unless licensed under this chapter.

08.45.205

a) Defines as a Class B misdemeanor: fraudulently obtaining a permit, license, renewal or required record; or wilfully violating a provision of law or a regulation.
b) Defines as a Class A misdemeanor practicing naturopathy or naturopathic medicine without a permit or license.

08.45.200: Same.

08.45.205: Same.

08.45.200: Same, except that provisions now apply to those holding permits under this chapter, as well as those licensed under the chapter.

08.45.205 is deleted; similar provisions now appear at 08.45.220.

08.45.200: Same as L&C CS.

08.45.210: New section
entitled, Imposition of
Disciplinary Sanctions:

08.45.210: Same as L&C CS.

Provides that after a hearing, the department may limit, deny, suspend or revoke a license or temporary permit, or censure a licensee or permittee if the person 1) secured the license/permit through deceit, fraud or intentional misrepresentation; 2) engaged in deceit, fraud, misrepresentation in the course of providing professional services; 3) advertised services in a false or misleading manner; 4) has been convicted of a felony or other crime that affects ability to practice competently; 5) fails to comply with this chapter or a regulation adopted; 6) continues to practice after becoming unfit due to a) professional incompetence, b) addiction or severe dependency on alcohol or other drugs, or c) physical or mental disability; or 7) engages in lewd or immoral conduct in connection with delivery of service to a patient.

08.45.220

defines department as C&ED; and naturopathy and naturopathic medicine as "a system of healing the human body that includes diagnosis and treatment through the use of natural agencies, forces, processes, and products with emphasis on the response of the individual to the disease rather than its treatment in isolation".

08.45.220: Same.

08.45.220: Title is changed from "Definitions" to "Violations".

08.45.220: Same as L&C CS.

a) except as provided in (b) herein, it is a class B misdemeanor to intentionally violate a provision of this chapter or a regulation adopted;

b) a person practicing naturopathy without a valid license or permit is guilty of a Class A misdemeanor.

08.45.900 New section entitled "Definitions".

1) definition of "department" remains C&ED.

2) definition of naturopathy is redefined to "a system of human health care that promotes good health through the prevention and treatment of illness by the use of educational, physical, nutritional, botanical, hygienic and other methods, and without the use of prescription drugs, surgery, x-ray equipment or radium therapy".

(Compare to definition under 08.45.220, above, under HB 347 column.)

Section 3

Licensing of Practitioners of Naturopathy or Naturopathic Medicine Without Examination;

States that the commissioner shall license all persons who meet the qualifications of 08.45.110(1)-(3) and (5)-(7) who apply for license no later than 6/30/84.

Section 4:

Effective date is 7/1/83.

Section 3:

Same, except last date on which a person may apply for licensure is extended one year to 6/30/85.

Section 4:

Effective date is extended one year to 7/1/84.

Section 3:

Title is changed to: Temporary Permits for Practitioners of Naturopathy.

States that a) the Department shall issue a temporary permit to practice naturopathy to a person who is 1) practicing naturopathy in the state; 2) meets the qualifications of 08.45.110 or 08.45.130(a)(2), except of 08.45.110(3) and 3) applies for the permit; and,

b) a temporary permit issued under this section is valid until the date on which the results of the first examination offered are released.

Section 4: New language setting terms for the first Board members: one 1-year term; two 2-year terms; two 3-year terms.

Section 5: New effective date of 1/1/85.

Section 3: Title changed to: Licensing of Practitioners of Naturopathy or Naturopathic Medicine Without Examination Or Internship.

States that the department shall license a person who (a) on the effect date of this Act, (1) is residing and practicing naturopathy in the state; 2) is licensed by examination to practice naturopathy in another state, territory or province; 3) has graduated from a school of naturopathy 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 4 years and successful completion of a course of study totaling at least 4,000 hours; and b) applies for licensure under AS 08.45 no later than 6/30/85.

Section 4: Same as L&C CS.

Section 5: Immediate effective date.

Offered: 2/20/84
Referred: Labor & Commerce and
Finance

Original sponsors: Martin and Tischer

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2

CS FOR HOUSE BILL NO. 347 (HESS)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act relating to the licensing of practitioners of
naturopathic medicine; and providing for an effective
date."

7

8

9

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10

* Section 1. AS 08.01.010 is amended by adding a new paragraph to read:

11

(24) regulation of naturopathy or naturopathic medicine

12

under AS 08.45.

13

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

14

CHAPTER 45. NATUROPATHS.

15

ARTICLE 1. REGULATION OF NATUROPATHY.

16

Sec. 08.45.010. DUTIES AND POWERS. The department shall

17

(1) evaluate the qualifications of applicants for licenses

18

under this chapter;

19

(2) conduct hearings and keep records necessary to carry

20

out the purposes of this chapter;

21

(3) license naturopaths and renew licenses in accordance

22

with AS 08.45.100 - 08.45.170; and

23

(4) provide for temporary permits to engage in the practice

24

of naturopathic medicine for persons who are apparently qualified that

25

are valid until certification of the results of the next examination

26

given under AS 08.45.120.

27

ARTICLE 2. LICENSING OF NATUROPATHS.

28

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

29

in the practice of naturopathy or naturopathic medicine unless that

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

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

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

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

7 (3) have graduated from a legally chartered school or
8 college of naturopathic medicine that has as a requirement for gradua-
9 tion successful completion of a course of resident instruction of at
10 least nine months actual attendance in each of four years and success-
11 ful completion of a course of instruction totaling 4,000 hours or more
12 of which at least 1,500 hours is clinical experience; the course of
13 instruction shall include:

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

15 (B) microbiology;

16 (C) pathology;

17 (D) immunology;

18 (E) public health;

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

20 (G) first aid and emergency medicine;

21 (H) obstetrics and gynecology;

22 (I) orthopedics;

23 (J) minor surgery and proctology;

24 (K) otolaryngology;

25 (L) physiotherapy and manipulative techniques;

26 (M) dietetics and clinical nutrition;

27 (N) botanical medicine;

28 (O) naturopathic theory, therapeutics and clinical

29 practice;

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

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

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

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

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

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

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

1 licensed under this chapter.

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

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

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

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

9 (3) habitually overuses alcoholic beverages;

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

12 (5) impersonates another physician;

13 (6) practices under an assumed name; or

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

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

19 (1) application for examination \$ 50

20 (2) application for reexamination 10

21 (3) license issuance or biennial renewal 200

22 (4) issuance of temporary permit 50

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

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

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

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

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

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

12 (b) A naturopath may not

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

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

17 (3) use radiation therapy; or

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

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

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

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

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

3 ARTICLE 3. GENERAL PROVISIONS.

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

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

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

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

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

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

21 Sec. 08.45.220. DEFINITIONS. In this chapter

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

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

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

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

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

Offered: 3/29/84
Referred: Finance

Original sponsors: Martin and Tischer

1 IN THE HOUSE

BY THE LABOR AND
COMMERCE COMMITTEE

2

CS FOR HOUSE BILL NO. 347 (L&C)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act relating to the licensing of naturopaths; and

7

providing for an effective date."

8

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9

* Section 1. AS 08.01.010 is amended by adding a new paragraph to read:

10

(24) regulation of naturopaths under AS 08.45.

11

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

12

CHAPTER 45. NATUROPATHS.

13

ARTICLE 1. BOARD OF NATUROPATHIC EXAMINERS.

14

Sec. 08.45.010. CREATION AND MEMBERSHIP OF THE BOARD. There is

15

established the Board of Naturopathic Examiners consisting of

16

(1) three naturopaths licensed under this chapter;

17

(2) one doctor licensed under AS 08.64; and

18

(3) one public member.

19

Sec. 08.45.030. TERM OF OFFICE. Members of the board serve

20

staggered terms of three years. A member may be appointed to serve no

21

more than two consecutive full terms.

22

Sec. 08.45.040. APPLICABILITY. AS 08.45.010 - 08.45.040 apply

23

one year after the first eight licenses are issued under this chapter.

24

After AS 08.45.010 - 08.45.040 become applicable, the board shall

25

exercise the powers and duties of the department under this chapter.

26

ARTICLE 2. REGULATION OF NATUROPATHY.

27

Sec. 08.45.090. DUTIES AND POWERS. (a) The department shall

28

(1) evaluate the qualifications of applicants for licenses

29

under this chapter;

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

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

5 (b) The department may establish by regulation educational
6 requirements for licensure under this chapter in addition to require-
7 ments under AS 08.45.110(2) that are equivalent to or higher than
8 requirements in other states that license naturopaths, and identify
9 schools that provide courses of study that satisfy the requirements.

10 Sec. 08.45.100. LICENSING REQUIREMENT. A person may not engage
11 in the practice of naturopathy unless that person has a valid license
12 or temporary permit issued under this chapter.

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

15 (1) hold a bachelor's degree from an accredited college of
16 liberal arts or sciences;

17 (2) have graduated from a school of naturopathy approved by
18 the department that has as a requirement for graduation successful
19 completion of a course of resident instruction of at least nine months
20 actual attendance in each of four years and successful completion of a
21 course of study totaling at least 4,000 hours of instruction of which
22 at least 1,500 hours is clinical experience;

23 (3) successfully complete an examination given by the
24 department;

25 (4) not have a license to practice naturopathy in another
26 state, province, or territory, that is suspended or revoked for disci-
27 plinary reasons;

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

1 (6) after graduating from a school of naturopathy, complete
2 a one-year internship supervised by a naturopath licensed in this or
3 another state.

4 Sec. 08.45.120. EXAMINATION. (a) An examination for licensing
5 as a naturopath shall be held at least twice each year at a time and
6 place and shall be conducted as determined by the department. The
7 examination shall be objective and in writing, but may be supplemented
8 by oral examinations, and by demonstrations or other practical tests
9 as the department may require.

10 (b) To pass the examination an applicant shall receive an over-
11 all average of 75 percent and may not receive less than 70 percent in
12 more than two sections. If an applicant fails the examination, the
13 applicant may apply to be reexamined.

14 Sec. 08.45.130. TEMPORARY PERMIT. (a) The department may issue
15 a temporary permit to practice naturopathy to a person if the person

16 (1) is currently licensed as a naturopath in another state
17 or territory or in a province of Canada; and

18 (A) that state, territory, or province maintains
19 professional licensing standards equivalent or higher than those
20 in this chapter;

21 (B) that state, territory, or province extends the
22 same licensing privilege to those holding a license in this
23 state; and

24 (C) the person demonstrates to the satisfaction of the
25 department qualifications at least equal to those required of
26 persons licensed under this chapter; or

27 (2) qualifies for a license under AS 08.45.110(1) - (5) and
28 is working as an intern supervised by a naturopath with a license or
29 temporary permit issued under this chapter.

1 (b) A temporary permit issued under (a)(1) of this section is
2 valid until the date on which the results of the next examination that
3 is offered under AS 08.45.120 are released. A temporary permit issued
4 under (a)(2) of this section is valid for one year.

5 Sec. 08.45.140. LICENSE RENEWAL. A license issued under this
6 chapter expires unless it is renewed every four years.

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

- 9 (1) application for examination \$ 50
10 (2) application for re-examination..... 10
11 (3) license issuance or renewal 200
12 (4) temporary permit issuance..... 50

13 Sec. 08.45.160. SCOPE OF NATUROPATHIC PRACTICE. (a) A naturo-
14 path in the course of the practice of naturopathy may

15 (1) use systems of diagnosis for which the naturopath has
16 been trained;

17 (2) treat patients by physiological, nutritional, mechan-
18 ical, manual, hydrotherapeutic and phytotherapeutic means, with accu-
19 pressure, and with minerals, and with extracts, compounds and concen-
20 trates obtained from plants or animals.

21 (b) A naturopath may not

22 (1) perform surgery;

23 (2) use or prescribe controlled substances as defined in
24 AS 11.81.900(b)(6); or

25 (3) use x-ray equipment, radium, or irradiation for diagno-
26 sis or therapy.

27 Sec. 08.45.170. CONTINUING EDUCATION. (a) The department shall
28 prescribe by regulation continuing education requirements for persons
29 licensed under this chapter.

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

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

8 ARTICLE 3. GENERAL PROVISIONS.

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

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

17 Sec. 08.45.210. IMPOSITION OF DISCIPLINARY SANCTIONS. After a
18 hearing, the department may limit, deny, suspend, or revoke a license
19 or temporary permit, or censure a licensee or permittee if the person

20 (1) secured a license or permit under this chapter through
21 deceit, fraud, or intentional misrepresentation;

22 (2) engaged in deceit, fraud, or intentional misrepresenta-
23 tion in the course of providing professional services or engaging in
24 professional activities;

25 (3) advertised professional services in a false or mislead-
26 ing manner;

27 (4) has been convicted of a felony or other crime that
28 affects the person's ability to continue to practice competently and
29 safely;

1 (5) fails to comply with this chapter or a regulation
2 adopted under this chapter;

3 (6) continued to practice after becoming unfit due to

4 (A) professional incompetence;

5 (B) addiction or severe dependency on alcohol or other
6 drugs that impairs the person's ability to practice safely;

7 (C) physical or mental disability;

8 (7) engaged in lewd or immoral conduct in connection with
9 the delivery of professional service to a patient.

10 Sec. 08.45.220. VIOLATIONS. (a) Except as provided in (b) of
11 this section, a person is guilty of a class B misdemeanor if the
12 person intentionally violates a provision of this chapter or a regula-
13 tion adopted under this chapter.

14 (b) A person who practices naturopathy without a valid temporary
15 permit or license issued under this chapter is guilty of a class A
16 misdemeanor.

17 Sec. 08.45.900. DEFINITIONS. In this chapter

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

20 (2) "naturopathy" and "naturopathic" means a system of
21 human health care that promotes good health through the prevention and
22 treatment of illness by the use of educational, physical, nutritional,
23 botanical, hygienic and other methods, and without the use of pre-
24 scription drugs, surgery, x-ray equipment or radium therapy.

25 * Sec. 3. TEMPORARY PERMITS FOR PRACTITIONERS OF NATUROPATHY. (a) The
26 Department of Commerce and Economic Development shall issue a temporary
27 permit to practice naturopathy to a person who, on the effective date of
28 this Act,

29 (1) is practicing naturopathy in the state;

1 (2) meets all the qualifications of AS 08.45.110 or 08.45.130-
2 (a)(2), except for AS 08.45.110(3); and
3 (3) applies for the permit.

4 (b) A temporary permit issued under this section is valid until the
5 date on which the results of the first examination that is offered under
6 AS 08.45.120, as enacted in sec. 2 of this Act, are released.

7 * Sec. 4. Notwithstanding AS 08.45.010 as enacted in sec. 2 of this
8 Act, the first members of the Board of Naturopathic Examiners shall be
9 appointed for the following terms; one member shall serve a one-year term,
10 two members shall serve two-year terms, and two members shall serve three-
11 year terms.

12 * Sec. 5. This Act takes effect January 1, 1985.
13

BY MARTIN, ABOOD
AND TISCHER

1 IN THE HOUSE

2

HOUSE BILL NO. 347

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to the licensing of practitioners of
naturopathic medicine; and providing for an effective
date."

7

8

9

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10

* Section 1. AS 08.01.010 is amended by adding a new paragraph to read:

11

(24) regulation of naturopathy or naturopathic medicine

12

under AS 08.45.

13

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

14

CHAPTER 45. NATUROPATHS.

15

ARTICLE 1. REGULATION OF NATUROPATHY.

16

Sec. 08.45.010. DUTIES AND POWERS. The department shall

17

(1) evaluate the qualifications of applicants for licenses

18

under this chapter;

19

(2) conduct hearings and keep records necessary to carry

20

out the purposes of this chapter;

21

(3) license naturopaths and renew licenses in accordance

22

with AS 08.45.100 - 08.45.170; and

23

(4) provide for temporary permits to engage in the practice

24

of naturopathic medicine for persons who are apparently qualified that

25

are valid until certification of the results of the next examination

26

given under AS 08.45.120.

27

ARTICLE 2. LICENSING OF NATUROPATHS.

28

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

29

in the practice of naturopathy or naturopathic medicine unless that

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

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

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

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

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

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

14 (B) microbiology;

15 (C) pathology;

16 (D) immunology;

17 (E) public health;

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

19 (G) first aid and emergency medicine;

20 (H) obstetrics and gynecology;

21 (I) orthopedics;

22 (J) minor surgery and proctology;

23 (K) otolaryngology;

24 (L) physiotherapy and manipulative techniques;

25 (M) dietetics and clinical nutrition;

26 (N) botanical medicine;

27 (O) naturopathic theory, therapeutics and clinical

28 practice;

29 (P) jurisprudence;

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

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

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

8 (7) be of good moral character.

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

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

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

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

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

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

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

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

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

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

8 (3) habitually overuses alcoholic beverages;

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

11 (5) impersonates another physician;

12 (6) practices under an assumed name; or

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

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

18 (1) application for examination \$ 25

19 (2) application for reexamination 10

20 (3) license issuance or biennial renewal 100

21 (4) issuance of temporary permit 25

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

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

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

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

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

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

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

11 (b) A naturopath may not

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

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

16 (3) use radiation therapy; or

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

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

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

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

1 year period.

2 ARTICLE 3. GENERAL PROVISIONS.

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

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

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

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

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

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

20 Sec. 08.45.220. DEFINITIONS. In this chapter

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

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

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

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

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