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**107**

Assuring Safe Naturopathic Medical Practices for  
Alaskans White Paper



Alaska Association of Naturopathic Physicians, Inc.

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Alaska Association of Naturopathic Physicians, Inc.

Dedicated to the preservation of quality naturopathic medicine for all Alaskans

## **Assuring Safe Naturopathic Medical Practices for Alaskans**

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## **Assuring Safe Naturopathic Medical Practices for Alaskans Executive Summary**

### **Introduction:**

Naturopathic Medicine is a traditional system of health care that blends centuries-old knowledge of effective, natural therapies with current scientific advances in the treatment of patients. The scope of practice of naturopathic doctors includes all aspects of natural medicine.

According to a recent editorial in the Anchorage Daily News, there is a severe doctor shortage in Alaska (see Appendix A: Doctor Shortage). They cite a report from the Alaska Physician Supply Task Force that found we would need an increase of 28% (375 doctors) in order to catch up with the lower 48. In the rural areas, the situation is even bleaker with one in six positions unfilled.

Alaska first licensed naturopathic physicians in 1987 (see Appendix B: History of Naturopathic Licensing in Alaska). In January, 2004, the Alaska Association of Naturopathic Physicians proposed legislation to the 23<sup>rd</sup> Alaska State Legislature that would have expanded the scope of practice for naturopathic doctors in Alaska. The purpose of this legislation was threefold:

1. To provide our patients with an integrated approach to medical care that draws from the best of conventional and alternative medicine without the barrier to optimal care created when well-trained naturopathic physicians are prohibited from prescribing appropriate medications, which they have been trained to prescribe (see Appendix C: Health Care Is Changing).
2. To calibrate our licensing law in accord with current trends in other states that license naturopathic physicians (see Appendix D: States' Prescriptive Authority and Minor Surgery Scope of Practice for Licensed Naturopathic Doctors).
3. To update our law to allow naturopathic physicians in Alaska a scope of practice commensurate with modern naturopathic education (see Appendix E: Comparison of Naturopathic and Major Medical Schools).

The proposed legislation easily passed in the Senate (19-1) but was stalled in the House in May, 2004. A re-written bill was passed that established a task force with representatives from the naturopathic, medical, nursing, pharmacist, physician's assistants professions to work with legislators in order to "...contribute to a better understanding of issues related to the safety and scope of the practice on naturopathy ..."<sup>1</sup>

In consultation with the task force and as we look at how naturopathic governance compares to other states (see Appendix F: Comparison of Naturopathic Governance), we have modified our scope of practice bill to include the following:

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<sup>1</sup> SB 306, section 1.



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1. Formation of a *Naturopathic Advisory Committee* (see Appendix G) to act in an advisory role to the Alaska Department of Licensing in oversight of the naturopathic profession;
2. Authorization to perform minor office procedures including repair of superficial lacerations and abrasions, superficial lesions and the removal of foreign bodies located in superficial tissues;
3. Formation of a *Naturopathic Medical Formulary Council* (see Appendix H) authorized to determine the formulary list of prescription medications naturopathic physicians will be authorized to prescribe;
4. Establishment of continuing education requirements.

#### **Naturopathic Education:**

Naturopathic physicians licensed in Alaska have graduated from four year graduate level programs accredited by the Council on Naturopathic Medical Education and by their local accrediting agencies, all of which are federally recognized the US Department of Education. The USDE also recognizes the Liaison Committee on Medical Education that accredits medical education programs within the United States leading to the M.D. degree (see Appendix I: Accrediting Agencies).

Naturopathic physicians are obligated to keep up with changes in medicine and to critically and without bias evaluate methods which may be of benefit to their patients. In order to assure naturopathic physicians' prescriptive writing authority is up to date for all licensed doctors in Alaska, including those who graduated twenty or more years ago, naturopathic physicians seeking such authority must fulfill certain criteria:

1. Completion of 60 hours training in pharmacology training based on the State of Arizona's program for naturopathic doctors (see Appendix J: Pharmacy CE Program).
2. Once prescriptive authority has been granted, naturopathic physicians are required to acquire 30 hours of continuing education, half of which is instruction in pharmacology and phamacotheapeutics, every two years.

#### **Naturopathic Medical Formulary Council:**

In states that allow naturopathic physicians to have prescription writing authority, most have a formulary of drugs that are permitted.

In the past year, Idaho and Washington State have formed advisory councils whose purpose is to advise their respective licensing authorities regarding appropriate formulary lists. These councils are multidisciplinary in nature. Washington's advisory council is



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comprised of pharmacists and naturopathic physicians; Idaho's is comprised of pharmacists, allopathic and naturopathic physicians.

#### Naturopathic Track Record of Safety

Fortunately, naturopathic physicians have been licensed in numerous other states for some time now and there is a track record of public safety which is impressive. (See Appendix K: Naturopathic Disciplinary Reports). Please note these reports include all complaints and disciplinary actions and are not restricted to complaints specific to prescription writing. However, it is important to recognize that unlike conventional providers, naturopathic providers see fewer patients per day (5-15 compared to 20-30). Naturopathic doctors typically spend more time with patients and, thus, get to know them better. They are inclined to use prescriptions as a last resort and are less likely to put people on multiple drug regimes than our conventional colleagues (see Appendix L: letter from Rick Chester, ND, RPh, LAc).

#### Why Now?

Alaskans are scrambling to find family doctors to address a wide variety of health care needs. Based on epidemiologic estimates, 20-30% of patients seen in a conventional provider's office are using alternative/complementary medicines.<sup>2</sup> Twenty percent of adults who take prescription medicine also rely on herbal products<sup>3</sup>; whether the provider knows or approves of this fact or not. Americans spend in excess of \$10 billion annually on herbal and dietary supplements<sup>4</sup>, often without the guidance of a health care professional or awareness of potential interactions with conventional therapies.

Naturopathic physicians have taken the lead on writing the texts on integrating the best scientifically validated complementary and alternative therapies along with conventional medicine<sup>5</sup>. This can be done safely to the benefit of the medical community and, more importantly, for the communities we serve.

<sup>2</sup> Eisenberg, et al, *Unconventional medicine in the United State—prevalence, costs and patterns of use.* " *N Engl J. Med* 1993, 328:246-252.

<sup>3</sup> Eisenberg, et al, *Trends in alternative medicine use in the United States, 1990-1997: Results of a follow-up national survey.* *JAMA*, 1998; 280: 1569-1575.

<sup>4</sup> Pizzorno, Joseph, *The path ahead: education, evolution and collaboration.* *Integrative Medicine*, vol. 3, #2, April/May, 2004, pg. 6.

<sup>5</sup> Including but certainly not limited to: *Herb Contraindication and Drug Interactions*, Francis Brinker, ND, Eclectic Publications, 1998; *Encyclopedia of Natural Medicine*, Joseph Pizzorno, ND and Michael Murray, ND, Prima Publishing, 1990; *Clinical Botanical Medicine*, Eric Yarnell, ND, Mary Ann Liebert, Inc, 2003; *Women's Encyclopedia of Natural Medicine*, Tori Hudson, ND, McGraw-Hill, 1999; *Managing Menopause Naturally*, Emily Kane, ND, Basic Health Media, 2004.



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## Assuring Safe Naturopathic Medical Practices for Alaskans

### Appendix A: Doctor Shortage

Anchorage Daily News (Published: October 8, 2006)

#### ***Doctor Shortage***

No easy solution, but these steps should help in the long run.

The report from the Alaska Physician Supply Task Force is blunt: "Alaska has a shortage of physicians. ... The shortage is very likely to worsen over the next 20 years as the state's population increases and ages."

It would take another 375 doctors -- a 28 percent increase, right now -- to deliver Alaskans the same level of care as in the Lower 48. In rural Alaska, doctors are already scarce; one in six positions goes unfilled.

While the shortage is not yet a crisis, according to the task force, it does leave patients scrambling to find doctors and drives up recruitment costs for hospitals and health centers.

Alaska's doctor shortage was a long time developing, and it will take a long time to fix. There is no instant solution. Simply raising pay rates for doctors, as a free-market economist might suggest, won't work. Alaskans already spend about 40 percent more on medical care than Lower 48 residents, and there is still a doctor shortage.

To fix it, we don't have to wait for global warming to turn Alaska into a more hospitable destination for doctors. We don't have to invest tens of millions of dollars to start a medical school here (although the task force suggested that would be a wonderful idea). Some relatively modest, practical steps should eventually help, according to the task force.

Alaskans are guaranteed 10 slots a year at the University of Washington's highly acclaimed medical school through a tuition-reduction arrangement known as WWAMI. Students have an incentive to set up shop in Alaska when they graduate; otherwise they have to pay back their tuition savings.

The report says Alaska should find the funding needed to add 20 slots to the WWAMI program. Since the medical students spend their first year doing course work here at the University of Alaska Anchorage, UAA would need some more money as well to handle them.

Students who don't enter the highly competitive WWAMI program should be able to get state loans to cover the high cost of medical school. To encourage them to return to Alaska, the state could forgive a portion for each year the new doctor's practice in Alaska.



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## **Assuring Safe Naturopathic Medical Practices for Alaskans**

### **Appendix A: Doctor Shortage**

Another way to attract doctors is to expand on-the-job training slots in Alaska for third- and fourth-year medical students. Alaska hospitals offer training in some medical specialties, which helps encourage doctors to settle here. States typically help hospitals underwrite these medical training slots; Alaska should see how it can most cost-effectively invest in this area.

If there were a huge pool of doctors nationwide, Alaska would have an easier time of it. But there's a squeeze across the country, in part because years ago medical schools thought they saw a doctor glut coming and capped the production of new physicians. At the same time, other changes helped make medicine less attractive as a career -- the long, demanding hours, combined with constant pressure to control costs and administrative hassles from private insurers, HMOs and government.

So Alaska will have a tough time getting all the physicians we need in the coming years. If state leaders will follow the task force's recommendations, though, the job will be more manageable

**BOTTOM LINE:** There's hope for dealing with Alaska's doctor shortage, but progress won't be quick.



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### **Appendix B: History of Naturopathic Licensing in Alaska**

Almost twenty years ago, the legal status of naturopathic physicians practicing in Alaska came to a head when the Alaska State Medical Board sent a notice to Patton Pettijohn, ND, to stop treating patients in his Anchorage office. There had never been a complaint filed against Dr. Pettijohn in the five years he had been treating patients in Alaska. However, because his naturopathic doctorate and his license were both from Oregon, their opinion was that he was practicing medicine without a license and he would have to stop. That was in September, 1984.

Licensing efforts in many states had become a consumer rights issue in the eighties. Consumers had a right to know that their health care provider had met rigorous standards for education, training and testing. Prior to this time, the Alaska's Attorney General had written a letter stating that, since the medical board refused to allow Dr. Cary Jasper to sit for the board exam; he could practice naturopathic medicine without a license and would not be under their jurisdiction. In 1986, the Alaska State Superior Court disagreed. The judge ruled that because there was no licensing for naturopathic physicians in Alaska, Dr. Pettijohn would fall under the jurisdiction of the medical board. He was forced to close his naturopathic office—a dark day for the profession in Alaska. Three other naturopathic physicians practicing in Alaska would have charges filed against them next. These four physicians, with overwhelming public support, lobbied the Alaska State Legislature to pass a naturopathic licensing bill. Within two months of the Pettijohn decision, Governor Bill Sheffield signed a law licensing naturopaths to practice in Alaska in May, 1986.

In January, 2004, the Alaska Association of Naturopathic Physicians proposed legislation to the 23<sup>rd</sup> Alaska State Legislature that would have expanded the scope of practice for naturopathic doctors in Alaska. The proposed legislation easily passed in the Senate (19-1) but was stalled in the House in May, 2004. A re-written bill was passed that established a task force with representatives from the naturopathic, medical, nursing, pharmacist, physician's assistants professions to work with legislators in order to "...contribute to a better understanding of issues related to the safety and scope of the practice on naturopathy ..."<sup>1</sup>

Licensing is still a consumer rights issue. Naturopathic physicians' focus on preventive measures lowers long term health costs. When a conventional prescription medication is indicated, having to make another appointment with another provider only presents an unnecessary barrier to appropriate care. The public has a right to access naturopathic medicine as a reliable health care option. Updating Alaska's naturopathic licensing law to reflect the current status of naturopathic medical education is in the best interests of communities throughout our great state.

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<sup>1</sup> SB 306, section 1.



## Assuring Safe Naturopathic Medical Practices for Alaskans

### Appendix C: Health Care is Changing

Patients are demanding to be seen as whole persons, not just a list of symptoms. They want time from their physicians, they want control over their own health, and they want preventive medicine, not quick fixes.

Modern medicine calls for doctors who know their science yet honor the body's innate wisdom to heal—doctors who function as teachers as well as healers, who acknowledge the value of time-honored traditional therapies and who recognize that, when given the chance, nature is the greatest healer of all.

The majority of patients who come for naturopathic care fall into one of four categories:

1. Patients who also see conventionally trained providers. We may be one of a cadre of providers including a medical doctor, a chiropractor, etc.
2. Patients for whom we are their primary care providers. Most of these patients respond well to interventions such as diet and lifestyle modification and natural therapies. Sometimes a higher level of intervention is required. In a perfect world, we could refer that patient to a provider with special expertise in this type of patient. However, it may be months before that patient can get in to see a specialist in Alaska. In the meantime, he or she may be walking around with dangerously high blood pressure, blood glucose, etc, and we need to be able to stabilize this patient in the interim.
3. Patients who are, for whatever reason, leery of conventional medicine and would not go to a conventional provider short of in an ambulance. Most of these patients would accept prescription medication from a naturopathic physician while we address the underlying causes of their conditions.
4. Patients who are already on multiple prescription medications and are having problems due to interactions and side effects. We need the flexibility to be able to adjust their dosages while we incorporate diet and lifestyle changes to reduce the need for prescription medications in a safe way.

Based on epidemiologic estimates, it may be that 20-30% of patients seen in a conventional provider's office are using alternative/complementary medicines.<sup>1</sup> Twenty percent of adults who take prescription medicine also rely on herbal products<sup>2</sup>; whether or not the prescriber knows or approves of this fact. Americans spend in excess of \$10 billion annually on herbal and dietary supplements<sup>3</sup>, often without the guidance of a health care professional or awareness of potential interactions with conventional

<sup>1</sup> Eisenberg, et al. *Unconventional medicine in the United State—prevalence, costs and patterns of use.* *N Engl J. Med* 1993, 328:246-252.

<sup>2</sup> Eisenberg, et al. *Trends in alternative medicine use in the United States, 1990-1997: Results of a follow-up national survey.* *JAMA*, 1998; 280: 1569-1575.

<sup>3</sup> Pizzorno, Joseph. *The path ahead: education, evolution and collaboration.* *Integrative Medicine*, vol. 3, #2, April/May, 2004, pg. 6.



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### Appendix C: Health Care is Changing

therapies. Naturopathic physicians have taken the lead on writing the texts on integrating the best scientifically validated complementary and alternative therapies along with conventional medicine<sup>4</sup>. This can be done safely to the benefit of the medical community and, more importantly, for the communities we serve.

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<sup>4</sup> Including but certainly not limited to: Herb Contraindication and Drug Interactions, Francis Brinker, ND, Eclectic Publications, 1998; Encyclopedia of Natural Medicine, Joseph Pizzorno, ND and Michael Murray, ND, Prima Publishing, 1990; Clinical Botanical Medicine, Eric Yarnell, ND, Mary Ann Liebert, Inc, 2003; Women's Encyclopedia of Natural Medicine, Tori Hudson, ND, McGraw-Hill, 1999; Managing Menopause Naturally, Emily Kane, ND, Basic Health Media, 2004.



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**Appendix D: States' Prescriptive Authority and Minor Surgery**  
**Scope for Licensed Naturopathic Doctors**

State	Rx Authority <sup>1</sup>	Controlled Substances Act Schedules <sup>2</sup>					Minor Surgery
		I	II	III	IV	V	
Alaska	No						No
Arizona	Yes		x	x	x	x	Yes
California	Yes <sup>3</sup>			x	x	x	Yes
Connecticut	No						Yes
Hawaii	No						No
Idaho	Yes						Yes
Kansas	Yes						No
Maine	Limited <sup>4</sup>						Yes
Montana	Yes		x	x			Yes
New Hampshire	Limited						No
Oregon	Yes		x	x	x	x	Yes
Utah	Yes						Yes
Vermont	Limited <sup>5</sup>			x	x		No
Washington DC	In Progress						In Progress
Washington State	Yes			x	x		Yes
Puerto Rico	No						No

<sup>1</sup> Prescriptive authority is the ability to prescribe controlled substances as identified in schedules I-IV of the Controlled Substance Act (21 USC, Sections 801-971). Maine's law refers to the "legend" and "non-legend" classifications of the official United States pharmacopoeia, rather than to the Controlled Substance Act. "Legend" drugs are those for which a prescription is required by federal law. In 2005, Washington State added some schedule 3-5 drugs to "legend" drugs that naturopathic doctors may prescribe.

<sup>2</sup> The schedules of the Controlled Substance Act are available on the US Drug Enforcement Agency's website at [www.usdoj.gov/dea/pubs/scheduling.html](http://www.usdoj.gov/dea/pubs/scheduling.html).

<sup>3</sup> Pursuant to California Code §3640.5, NDs may only prescribe controlled drugs under the supervision of a medical doctor.

<sup>4</sup> In Maine, NDs are permitted to prescribe "non-controlled legend drugs" only after a twelve-month period of review by an allopathic physician. Such drugs may only be from the following categories: homeopathic remedies, vitamins and minerals, hormones, local anesthesia and immunizations that are designated by rule.

<sup>5</sup> Vermont only allows NDs to prescribe only testosterone from schedule III and codeine from schedule IV.

Sources:

Burnham, *Legislative Research Report #05.074*, 1/6/2005, pg. 5

Hough, Dower & O'Neil, *Portrait of a Profession: Naturopathic Practice*, Center for the Health Professions, UCSF, 9/2001, pg. 27.

SB 1158, State of Idaho, 58<sup>th</sup> Legislature, 2005.

HB 1546, State of Washington, 59<sup>th</sup> Legislature, 2005.



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### Appendix E: Comparison of Naturopathic and Major Medical Schools

	National	Bastyr	Southwest	John Hopkins	Yale	Stanford
<b>Basic and Clinical Sciences:</b>						
Anatomy, Cell Biology, Physiology, Pathology, Neuroscience, Clinical/Physical Diagnosis, Histology, Genetics, Biochemistry, Pharmacology, Lab Diagnosis, Pharmacognosy, Public Health, History, Philosophy, Ethics, Research and other coursework.	1548	1639	1419	1771	1420	1383
<b>Clerkships (1) and Allopathic Therapeutics:</b>						
Lecture and clinical instruction in Dermatology, Family Medicine, Psychiatry, Internal Medicine, Radiology, Pediatrics, Obstetrics, Gynecology, Neurology, Surgery (2), Ophthalmology and Clinical Electives.	2244	1925	1920	3391	2891	3897
<b>Naturopathic Medicine:</b>						
<b>Advanced Naturopathic Therapeutics</b>	-	44	20	-	-	-
<b>Ayurvedic Medicine</b>	-	22	20	-	-	-
<b>Botanical Medicine</b>	96	110	120	-	-	-
<b>Therapeutic Nutrition (3)</b>	144	132	130	-	-	-
<b>Counseling (4)</b>	144	143	100	-	-	-
<b>Homeopathy</b>	144	88	140	-	-	-
<b>Hydrotherapy</b>	48	39	40	-	-	-
<b>Naturopathic Case Analysis/Management (5)</b>	-	66	120	-	-	-
<b>Naturopathic Manipulative Therapy</b>	156	176	180	-	-	-
<b>Naturopathic Philosophy</b>	72	55	60	-	-	-
<b>Oriental Medicine</b>	72	33	200	-	-	-
<b>Subtotals:</b>	876	908	1130	0	0	0
<b>Total Reported Hours:</b>	4868	4472	4469	5162	(+Thesis) 4311	5280

- 1) Clerkships are estimated to be 40 hours of mixed lecture and clinical training.
- 2) Naturopathic physicians study minor surgery only.
- 3) No dedicated coursework in therapeutic nutrition appears in the college catalogs of Hopkins, Yale or Stanford; although they indicate that the subject is addressed in other courses.
- 4) Totals for Hopkins, Yale and Stanford included in psychiatry coursework.
- 5) Hours which also could be allocated to this category may be included elsewhere for some institutions because of terminology differences in the course.

Sources: 1996-97 *Curriculum Directory of the American Association of American Medical Colleges*  
 1995-96 Catalog of National College of Naturopathic Medicine  
 1996-98 Catalog of Bastyr University  
 1996-97 Catalog of Southwestern College of Naturopathic Medicine and Health Sciences



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### Appendix F: Comparison of Naturopathic Governance

State	Licensing Authority	Membership	Continuing Education
Alaska	Division of Occupational Licensing	NA	None
Arizona	Naturopathic Physicians Board of Medical Examiners	3 NDs and 2 public members	15 classroom hours
California	Bureau of Naturopathic Medicine Advisory Council <sup>1</sup>	3 NDs, 3 MDs and 3 public members	60 hours every 2 years, 20 hours pharmacy
Connecticut	State Board of Naturopathic Examiners	2 NDs and 1 public member	None
District of Columbia	Advisory Committee on Naturopathic Medicine <sup>2</sup>	1 ND, 1 MD and the Director of Health or his or her designee	None
Hawaii	State Board of Examiners in Naturopathy	3 NDs and 3 public members	None
Idaho	Board of Naturopathic Medical Examiners	4 NDs and 1 public member	None
Kansas	Kansas State Board of Healing Arts <sup>3</sup>	5 MDs, 3 DOs, 1 podiatrist, 3 DCs and 3 public members	None
Maine	Board of Complementary Health Care Providers	2 NDs, 2 acupuncturists, 1 MD, 1 pharmacist and 1 public member	37 hours annually, 7 pharmacy
Montana	Alternative Health Care Board	2 NDs, 2 midwives, 1 MD and 1 public member	15 credits annually, 5 pharmacology
New Hampshire	Naturopathic Board of Examiners	4 NDs, the commissioner of the DHSS, and 1 public member	150 hours every 3 years
Oregon	Board of Naturopathic Examiners	4 NDs and 1 public member	20 hours annually
Puerto Rico	Board of Examiners of Doctors of Naturopathy	3 NDs, 1 MD and 1 public member	36 hours annually
Utah	Naturopathic Physicians Licensing Board	3 NDs and 2 public members	24 hours annually, 10 pharmacy
Vermont	Naturopathic Advisory Committee <sup>4</sup>	2 NDs	30 hours annually
Washington	Washington Department of Health Naturopathy Program	3 NDs and 2 public members	20 hours annually

<sup>1</sup> Within the California Department of Consumer Affairs

<sup>2</sup> Advises the Washington DC Board of Medicine on guidelines for the licensing of naturopathic physicians and the regulation of naturopathic medicine

<sup>3</sup> Two subcommittees of the Kansas State Board of Healing Arts include the *Naturopathic Advisory Council* to advise the Board and the *Naturopathic Formulary Advisory Committee* to develop a list of drugs and substances included in a naturopathic formulary

<sup>4</sup> Under Vermont's Secretary of State



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### **Appendix G: Naturopathic Advisory Committee**

#### **NATUROPATHIC ADVISORY COMMITTEE:**

- 1) There is hereby established under the auspices of the State of Alaska Department of Licensing (hereinafter referred to as the DOL), the Naturopathic Advisory Committee (hereinafter referred to as the Committee).
- 2) The Committee shall consist of three (3) members all of whom shall be licensed naturopathic physicians, no more than two (2) of whom reside in the Anchorage bowl.
- 3) One (1) member of the initial committee shall be appointed for a one (1) year term of office, one (1) member of the initial board shall be appointed for a two (2) year term of office, one (1) member of the initial board shall be appointed for a three (3) year term of office. Thereafter the term of office for each member shall be three years.
- 4) Appointments to the Committee shall be made by the director of the DOL (hereinafter referred to as the Director) from nominations received from the Alaska Association of Naturopathic Physicians.
- 5) The three (3) members of the Committee who are naturopathic physicians shall be licensed pursuant to this chapter, practicing within the state of Alaska for the duration of their appointment and shall have been practitioners within the state of Alaska for a minimum of two (2) years immediately preceding appointment. In the event of death, resignation or removal of any member before the expiration of the term to which appointed, the vacancy shall be filled for the unexpired portion of the term in the same manner as the original appointment.
- 6) The Director may remove any member of the Committee for cause, prior to the expiration of the member's term.
- 7) The Committee shall meet at the request of the DOL to review allegations of misconduct involving naturopathic physicians or persons claiming the title of naturopathic physician. The Committee may also be asked to advise the DOL on issues regarding approved naturopathic medical programs and appropriateness of candidates for continuing education credits. The Committee shall also review nominations to serve on the Naturopathic Medical Formulary Council. Committee shall not be empowered to regulate the licensure of the naturopathic profession; those duties fall within the jurisdiction of the DOL.



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### **Appendix H: Naturopathic Formulary Council**

#### **NATUROPATHIC MEDICAL FORMULARY COUNCIL:**

- 1) There is hereby established a Naturopathic Medical Formulary Council (hereinafter referred to as the Council), which is separate and distinct from the Naturopathic Advisory Committee, to be composed of five (5) members. Three (3) members shall be naturopathic physicians licensed under this chapter, nominated by the Naturopathic Advisory Committee. One (1) member shall be a pharmacist nominated by the Alaska Board of Pharmacy. One (1) member shall be a medical or osteopathic physician, appointed from a list of nominees provided by the Alaska state board of medicine. The initial council shall be appointed as follows.
- 2) One (1) naturopathic physician shall be appointed for a one (1) year term; one (1) naturopathic physician shall be appointed for a two (2) year term; and one (1) naturopathic, one (1) pharmacist and one (1) allopathic physician shall be appointed for a three (3) year term. Thereafter, the term of office shall be three (3) years.
- 3) A quorum shall consist of four (4) members and shall be required for any vote to be taken. It shall be the duty of the Council to establish a formulary for use by naturopathic physicians, and immediately upon adoption or revision of the formulary, the Council shall transmit the approved formulary to the DOL.
- 4) The formulary will be reviewed annually by the Council, or at any time at the request of the DOL. The formulary list may not go beyond the scope of prescription medicines and medical devices taught in approved naturopathic medical education and training and existing naturopathic medical formularies, or DOL approved continuing education. The naturopathic medical formulary shall not include medicines and devices that are inconsistent with the training provided by approved naturopathic medical colleges.
- 5) Nothing herein shall allow a naturopathic physician to administer or prescribe any prescription drug, or medical device unless such prescription drug or medical device is specifically included in the naturopathic medical formulary.
- 6) All costs and expenses incurred under the provisions of this chapter shall be paid for through naturopathic licensing fees.



## Assuring Safe Naturopathic Medical Practices for Alaskans

### Appendix I: Accrediting Agencies

School	National Accrediting Body	Regional Accrediting Body
Bastyr University	Council for Naturopathic Medical Education	Northwest Association of Schools and Colleges
National College of Naturopathic Medicine	Council for Naturopathic Medical Education	Northwest Association of Schools and Colleges
Southwest College of Naturopathic Medicine	Council for Naturopathic Medical Education	North Central Association of Schools and Colleges
University of Bridgeport College of Naturopathic Medicine	Council for Naturopathic Medical Education Candidate	New England Association of Schools and Colleges

Source: Hough, Dower & O'Neil, *Portrait of a Profession: Naturopathic Practice*, Center for the Health Professions, UCSF, 9/2001, page 46.

#### **The Council of Naturopathic Medical Education (CNME)**

The Council of Naturopathic Medical Education (CNME) is the agency recognized the US Department of Education to serve as the accrediting agency for naturopathic medical programs. The USDE also reviews the Liaison Committee on Medical Education that accredits medical education programs within the United States that grant degrees to medical doctors. The accrediting process serves to assist medical programs in maintaining and improving the quality of education and to provide the public, other education institutions and government agencies the assurance that approved programs and their graduates are meeting reasonable and appropriate national standards for primary care medical education. The CNME is an autonomous, freestanding public agency, not subordinate to either the naturopathic profession or its colleges.

#### **Post-secondary Education Commission**

In addition to accreditation by the CNME, naturopathic medical colleges must have accreditation from the Post-Secondary Education Commission in the state in which the college is located and from the individual state naturopathic licensing agency.

The Commission on Accreditation is responsible for administering the evaluation process and making accreditation decisions. The Commission uses institutional self-studies, followed by on-site campus visits to evaluate the quality of the education provided. Site visit teams are specially trained and have broad experience in education, accreditation and naturopathic medicine. The Commission renders its decision based on reports of the visits, along with materials provided by the institution. Evaluations of programs may be conducted jointly with a regional accrediting agency, although decisions are made separately.

The Commission on Accreditation, consisting of the Council members but not the institutional members, is responsible for administering the evaluation process and making accreditation decisions. (Peterson's Guide to Graduate Programs in Business, Education, Health, and Law, 1992).



Alaska Association of Naturopathic Physicians, Inc.

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## **Assuring Safe Naturopathic Medical Practices for Alaskans**

### **Appendix J: Arizona Pharmacy Continuing Education Program**

## **General Introductory Material for Pharmacy Continuing Education**

**What you need to know BEFORE you enroll in 60 hours of CME**

#### **Introduction**

**Necessary for all 4 parts of the CME pharmacy course  
includes pharmacokinetics, pharmacodynamics, receptor systems and mechanisms.**

#### **Part I**

**Ancillary material for CME course Part I  
Neuropharmacology and Controlled Substances  
Mechanisms of action**

**includes neurotransmitter agonists and antagonists, medications affecting neurotransmitter levels, autonomics, serotonin, opiates, GABA, PDE**

#### **Part II**

**Ancillary material for CME course Part II  
Cardiovascular Pharmacology  
Mechanisms of action**

**includes renin-angiotensin system, medications affecting the kidney (diuretics), clotting cascade, platelet aggregation**

#### **Part III**

**Ancillary material for CME course Part III  
Infectious Diseases and Antibiotics  
Mechanisms of action**

**includes bacterial/viral synthesis, retroviral action and therapeutic interventions**

#### **Part IV**

**Ancillary material for CME course Part IV  
Endocrine Pharmacology and Women's Medicine  
Mechanisms of action**

**includes hormone agonists and antagonists and medications affecting hormone response and hormone level.**

**For additional information, see**

- **Katzung's Basic and Clinical Pharmacology, 2001, 8<sup>th</sup> edition, McGraw-Hill.**
- **Goodman and Gilman's the Pharmacological Basis of Therapeutics, 2001, 10<sup>th</sup> edition McGraw-Hill**



**Assuring Safe Naturopathic Medical Practices for Alaskans**  
**Appendix K: Comparison of Allopathic and Naturopathic**  
**Disciplinary Reports**

Medical boards receive complaints and after investigation met out disciplinary actions. Information on complaints and disciplinary actions is not available for several states. Of 13 states that license Naturopathic physicians, information on disciplinary actions could only be found for six states including Alaska, Arizona, Hawaii, Oregon, New Hampshire and Washington. These results are listed below (Table 1) for the years 2000-2003.

**Table 1: Naturopathic Disciplinary Actions**

	Dates	Alaska	Arizona	Hawaii	Oregon	New Hampshire	Washington
# Naturopaths		40	369	78	550	32	644
Avg. # complaints/yr			not available	0.2	22.75	not available	10.75
Disciplinary actions	2000-2003						
Reprimand/Corrective action	"	0	1	0	0	0	1
Probation	"	0	4	0	6	0	0
Suspension	"	0	1	0	0	0	0
Revocation/Surrender	"	0	1	0	2	0	0
Total		0	7	0	8	0	1

The total number of naturopathic licensed naturopathic doctors in the states was 1,681.

The average number of disciplinary actions per year was 4 for 2000-2003

The yearly rate of disciplinary actions per 100 doctors per year is 0.24.

Arizona and Oregon are two of the three states with the largest population of naturopathic doctors and a long history of licensure. Disciplinary actions are compared between naturopathic and allopathic doctors for each state (see tables 2 and 3).



Alaska Association of Naturopathic Physicians, Inc.

## Assuring Safe Naturopathic Medical Practices for Alaskans Appendix K: Comparison of Allopathic and Naturopathic Disciplinary Reports

**Table 2: Comparison of Naturopathic and Allopathic Disciplinary Actions in Arizona**

<b>Naturopathic Doctors</b>	<b>Year</b>	<b>Letters of Concern*</b>	<b>Reprimand</b>	<b>Probation</b>	<b>Suspension</b>	<b>Revocation</b>	<b>Surrender</b>	<b>Total Disciplinary</b>
# 369	2000	1	1	1				2
	2001	1				1		1
	2002	2		3	1			4
	2003	2						0
<b>Total</b>		<b>8</b>	<b>1</b>	<b>4</b>	<b>1</b>	<b>1</b>		<b>7</b>
<b>Medical Doctors</b>								
#10,652	2003	unknown	38	35	8	11	9	101

\*Letters of concern are not considered disciplinary actions

The total number of naturopathic doctors in Arizona during 2000-2003 was 369. The total number of disciplinary actions during this time period was 7. The yearly rate of disciplinary actions per 100 doctors is 0.47.

The total number of medical doctors in Arizona during 2003 was 10,652. The total number of disciplinary actions during this time was 101. The yearly rate of disciplinary actions per 100 doctors is 0.95.



Alaska Association of Naturopathic Physicians, Inc.

## Assuring Safe Naturopathic Medical Practices for Alaskans Appendix K: Comparison of Allopathic and Naturopathic Disciplinary Reports

**Table 3: Comparison of Naturopathic and Allopathic Disciplinary Actions in Oregon**

<b>Naturopathic Doctors</b>	<b>Year</b>	<b>Complaints</b>	<b>Reprimand/corrective action</b>	<b>Probation/restriction</b>	<b>Suspension</b>	<b>Revocation</b>	<b>Surrender</b>	<b>Total Disciplinary</b>
# 550	2000	23	none reported	1	0	0	0	1
	2001	30	"	2	0	1	0	3
	2002	23	"	2	0	0	0	2
	2003	15	"	1	0	1	0	2
<i>Total</i>		91	"	6	0	2	0	8
<b>Medical Doctors</b>								
#11,583	2003	unknown	14	20	2	2	5	43

The total number of licensed naturopathic doctors in Oregon during 2000-2003 was 550. The total number of disciplinary actions during this time period was 8. The yearly rate of disciplinary actions per 100 doctors is 0.36. The total number of medical doctors in Oregon during 2003 was 11,583. The total number of disciplinary actions during this time was 43. The yearly rate of disciplinary actions per 100 doctors is 0.37.

**Sources:**

- Arizona Board of Naturopathic Examiners: [www.npbomex.az.gov](http://www.npbomex.az.gov)
- Arizona Board of Medical Examiners: [http://www.azmboard.org/Agency\\_Reports/md\\_stats.pdf](http://www.azmboard.org/Agency_Reports/md_stats.pdf)
- Hawaii Board of Naturopathic Examiners: [naturopathy@dcca.hawaii.gov](mailto:naturopathy@dcca.hawaii.gov)
- Oregon Board of Naturopathic Examiners: [www.obnme.state.or.us](http://www.obnme.state.or.us)
- Oregon Board of Medical Examiners: [www.bme.state.or.us](http://www.bme.state.or.us)
- New Hampshire Dept. HHS, Board of Naturopathic Examiners: (603)271-5127 License Clerk, Janet
- New Hampshire Board of Medicine: <http://www.nh.gov/medicine/cidisciplinary.html>
- Washington Health Professions Quality Assurance, Naturopathy Program: [Holly.Rawnsley@doh.wa.gov](mailto:Holly.Rawnsley@doh.wa.gov)



Alaska Association of Naturopathic Physicians, Inc.

## Assuring Safe Naturopathic Medical Practices for Alaskans

Appendix L: Letter from Rick Chester, ND, RPh, LAc

FEB 14 2004 4:04PM NUTROPHICAL FED CLIN

NO. 313 2172

Crater Lake Hwy.  
City, OR 97503



tel: 541-886-9173  
fax: 541-886-8366

Be Well & Well Informed

February 17, 2004

Representative Jim Holm  
Alaska State Capital Building  
Juneau, Alaska 99801-1182

Attn: Representative Holm

I am writing to support legislative bills HB434 and SB 306, both titled "An act relating to the practice of naturopathic medicine."

As a pharmacist and naturopathic physician, I taught pharmacology at the Southwest College of Naturopathic Medicine in Tempe Arizona and wrote pharmacology test questions for the naturopathic board exam. I also created the original formulary used in Arizona and later used in Oregon, which included drugs derived from natural sources. As an instructor, I taught students to thoroughly research the warnings and precautions of each drug they prescribed, so they were aware of the possible harm they might cause to their patients. The test questions I wrote required knowledge of pharmacology necessary to protect the public safety. The formulary system, which I have had to practice under, is antiquated and actually has a negative effect on public safety. The formulary forces naturopathic physicians to choose less than optimal drugs over more effective newer medications.

As a provider, I know that naturopathic physicians, like MDs, regularly prescribe a handful of drugs with which they are quite familiar. Unlike medical doctors, naturopathic physicians prescribe medications as a last resort, treat fewer patients each day, and are less likely to place individuals on multiple drug regimens, which lead to interactions and complications. As general practice physicians seeing fewer patients on a daily basis, naturopathic doctors have much more time to research the consequences of drug therapy than do their MD or DO colleagues.

In Oregon, where I practice, medical care has been shifted to nurse practitioners with less education than naturopathic physicians. It is irrational for trained primary care physicians to be limited to non-drug therapies at a time when access to quality health care is becoming scarce. Consequently, I support legislation that allows naturopathic physicians to practice commensurate with their education and to the full scope of their training. Please support this Bill.

Sincerely,

  
Rick Chester, ND, RPh, LAc

[cascadepharmacy.com](http://cascadepharmacy.com)

# Alaska State Medical Association

4107 Laurel Street • Anchorage, Alaska 99508 • (907) 562-0304 • (907) 561-2083 (fax)

---

March 19, 2008

Honorable Bettye Davis  
Chair, Senate Health Education and Social Services Committee  
Alaska State Senate  
State Capital, Room 30  
Juneau, AK 99801-1182

RECEIVED  
MAR 19 2008

RE: Work Draft for CS for SB 107 (Version L) – Practice of Naturopathy

Dear Senator Davis:

The Alaska State Medical Association (ASMA) represents physicians statewide and is primarily concerned with the health of all Alaskans.

ASMA opposes version L of the work draft for CS for SB 107 for the same reasons that have been provided in its previous testimony as well as for the additional comments that follow.


1. Version L creates the Alaska Naturopathic Board to be the regulatory body for naturopaths but with no guidance from the Legislature as to the regulatory structure as is provided for other boards. The Legislature sets out the basic guidelines for the State Medical Board for the regulations and discipline of physicians (as examples see AS 08.64.326, AS 08.64.331, AS 08.64.332, AS 08.64.340, AS 08.64.345 and AS08.64360). Version L gives the Naturopathic Board, dominated by members who are naturopaths, unfettered power to adopt regulations with no boundaries nor minimum standards.
2. The expense of the operation of the Naturopathic Board is not commensurate with the value added to regulate and license only several dozen naturopaths. The license fees to support its operations would either be very high or would need to be subsidized from other license fees from other health care licensees.
3. Version L allows the Naturopathic Board to override the prohibition of the prescriptions of controlled substances found in AS 08.45.050 (1) by adding such drugs to its formulary.

Because the naturopaths wish to have the same scope of practice as primary care Physicians (MD's and DO's) and there are so few of them, it makes sense to have them regulated by the Alaska State Medical Board. The naturopaths would then be regulated and held to the same standard of care as the primary care physicians. The State Medical Board would be best equipped to apply these standards in an equitable manner.

Having stated the above, ASMA feels the discussion of the increased scope of practice and the formation of the Naturopathic Board is premature until there exists an objective comparison of the naturopaths education, national competency examinations and residencies with that of primary care physicians. This is why ASMA continues to suggest a Task Force that can conduct such an examination of those areas key to competency and most importantly, patient safety.

As ASMA has stated before, naturopaths are not recognized by Medicare as providers eligible for payment. The naturopaths will not create any help in assisting in the access to care problems for Medicare beneficiaries.

Sincerely,

J. Ross Tanner 

By: J. Ross Tanner, MD President  
For: The Alaska State Medical Association

# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES  
LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

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Mail Stop 3101

State Capitol  
Juneau, Alaska 99801-1182  
Deliveries to: 129 6th St., Rm. 329

## MEMORANDUM

March 21, 2008

**SUBJECT:** Changes to CSSB 107(HES) (Work Order No. 25-LS0702\O)

**TO:** Senator Bettye Davis  
Chair of the Senate Health, Education & Social Services Committee  
Attn: Don Burrell

**FROM:** Alpheus Bullard *ALB*  
Legislative Counsel

This memorandum accompanies the committee substitute you requested.

Your request included three changes that Don Burrell of your staff communicated had been requested by Jennifer Strickler (Chief, Professional Licensing). The desired effects of the changes were not clear to me, and with Don's permission I discussed them with Jennifer. Subsequent to this conversation, I modified two of the requested changes.

1. In addition to the requested deletion of lines 18 and 19 on page 3 of the L version, lines 15 - 17 were also deleted.

*The requested deletion had removed language allowing the Alaska Naturopathic Board (board) to "invoke, or request the department to invoke, disciplinary action against a licensee" while allowing the board (at lines 15 - 17) to "conduct hearings on charges of alleged violations [of the chapter]." Jennifer explained that it was her intention in requesting the deletion of lines 18 and 19 that the Department of Commerce, Community, and Economic Development (department) would be the responsible party for conducting hearings and invoking disciplinary action against a licensee. In keeping with this understanding, lines 15 - 19 were also removed from the committee substitute (so that the board could not conduct parallel hearings that would be without threat of sanction).*

2. Instead of deleting the sentence, "The board shall specify the term of office of each licensed naturopath and public member appointed subject to this section" at page 7, lines 21 and 22 of the L version, the sentence was changed to read, "The governor shall specify [ . . . ]."

*This language is found in a transitional provision that establishes how the first members of the board are appointed in order that board members hence forward would serve staggered terms. There are three naturopath members and two public members of the board. In order that members might serve staggered terms, not all the original*

**Senator Bettye Davis**

**March 21, 2008**

**Page 2**

*naturopath members and public members can be appointed to the same length term. It is helpful that someone decide the length of these first board members' terms.*

**If these changes are not in accord with your intent, please do not hesitate to contact me.**

**TLAB:med**

**08-210.med**

**Enclosure**

# FISCAL NOTE

**STATE OF ALASKA**  
**2008 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: SB 107  
 ( ) Publish Date: \_\_\_\_\_

Identifier (file name): SB107-CED-OL-01-12-08 Dept. Affected: DCCED  
 Title: NATUROPATHS RDU: Corp. Bus & Prof Licensing (117)  
 Component: Corp. Bus & Prof Licensing  
 Sponsor: Davis by Request  
 Requester: Senate Labor & Commerce Component No.: 2360

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
<b>OPERATING EXPENDITURES</b>								
Personal Services	37.4	37.4	37.4	37.4	37.4	37.4	37.4	37.4
Travel	22.0	22.0	22.0	10.4	10.4	10.4	10.4	10.4
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
<b>TOTAL OPERATING</b>	<b>59.4</b>	<b>59.4</b>	<b>59.4</b>	<b>47.8</b>	<b>47.8</b>	<b>47.8</b>	<b>47.8</b>	<b>47.8</b>

<b>CAPITAL EXPENDITURES</b>								
-----------------------------	--	--	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( 1156 )</b>	<b>118.8</b>	<b>118.8</b>	<b>0.0</b>	<b>95.6</b>	<b>0.0</b>	<b>95.6</b>	<b>0.0</b>
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
<b>TOTAL</b>	<b>59.4</b>	<b>59.4</b>	<b>59.4</b>	<b>47.8</b>	<b>47.8</b>	<b>47.8</b>	<b>47.8</b>

Estimate of any current year (FY2008) cost: 0.0

**POSITIONS**

Full-time							
Part-time	1	1	1	1	1	1	1
Temporary							

**ANALYSIS:** (Attach a separate page if necessary)

This legislation amends various provisions of AS 08.45 and establishes a Naturopathic Advisory Committee and an Alaska Naturopathic Formulary Council.

The program is required to cover its costs with licensing fees under AS 08.01.065, and revenue generated by program fees are required to cover its full operating costs.

There are currently 44 licensed naturopaths. A detailed analysis of costs follows.

Prepared by: Jennifer Strickler, Chief  
 Division: Corporations, Business, and Professional Licensing  
 Approved by: Emil Notti, Commissioner  
Commerce, Community, and Economic Development

Phone: (907) 465-2144  
 Date/Time: 1/12/08 12:58 PM  
 Date: 1/12/2008

**ANALYSIS CONTINUATION**

**FY 09 and 10 Cost Analysis**

Total PERSONAL SERVICES: \$37.4

- One (1) Part-time Occupational Licensing Examiner position, Range 13, to support both the committee and the council

Total TRAVEL: \$22.2

- This legislation establishes the Alaska Naturopathic Formulary Council consisting of 5 members. It is estimated the Council will have to meet 4 times a year for the first two years - and twice a year starting in 2011. Estimated travel costs for the Council for FY 09 and FY 10 - \$17.0 each year

- This legislation also establishes a Naturopathic Advisory Committee consisting of 3 members. It is estimated the Committee will have to meet 2 times a year for the first two years - and once a year starting in 2011. Estimated travel costs for the Council for FY 09 and FY 10 - \$5.2 each year

**FY 11 and Subsequent Years**

Total PERSONAL SERVICES: \$37.4

- One (1) Part-time Occupational Licensing Examiner position, Range 13, to support both the committee and the council

Total TRAVEL: \$10.4

- This legislation establishes the Alaska Naturopathic Formulary Council consisting of 5 members. It is estimated the Council will meet twice a year starting in 2011.

- This legislation also establishes a Naturopathic Advisory Committee consisting of 3 members. It is estimated the Committee will once a year starting in 2011.

**REVENUE:** Revenue would be generated by the approximately 44 individuals currently licensed and would be collected biennially.

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Juneau, Alaska 99801-1182  
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## MEMORANDUM

January 10, 2008

**SUBJECT:** Naturopathic Advisory Committee and Alaska Naturopathic Formulary Council (CSSB 107 (L&C))

**TO:** Senator Johnny Ellis  
Chair of the Senate Labor and Commerce Committee  
Attn: Dana Owen

**FROM:** Alpheus Bullard *TLAB*  
Legislative Counsel

This memorandum accompanies the draft bill you requested.

This draft combines the Naturopathic Advisory Committee ("committee") and Alaska Naturopathic Formulary Council ("council") found in the previous version of the bill (25-LS0702\A) into a single entity within the Department of Commerce, Community, and Economic Development.

All of the responsibilities of the committee have been transferred to the council. Due to the now expanded role and responsibilities of the council, I amended the council's title from "Alaska Naturopathic Formulary Council" to "Alaska Naturopathic Council."

If this choice was made in error, if I may be of further assistance, or if you have any questions, please do not hesitate to contact me.

TLAB:med  
08-007.med

Enclosure

**NATURAL MEDICINE LODGE****Stephen Herbst, DC, CA, NMD (cand.)****206 Ash Street****P.O. Box 127****Van Buren, MO 63965****573-323-1206 800-757-5088****Fax: 573-323-0206****Email:****natmedlodge@centurytel.net****NPI: 1376662460****14 January 2008****Honorable Bettye Davis****Alaska State Senator****Fax: (907) 269-0148****Re: SB 107 Naturopathic Medical Practice Act****Dear Senator Davis,**

**A serious exclusion of exceptionally qualified first degreed and licensed medical professionals who attained the post doctoral NMD degree from state certified programs will occur in Sec. 08.45.30 if enacted as proposed. Suggested Addendums might solve the inequities:**

**In paragraph (2) after December 31, 1987, has**

**(A) graduated from a school of naturopathy that required four years of attendance at the school and at the time of graduation the school was accredited or a candidate for accreditation by the Council on Naturopathic Medical Education or a successor organization recognized by the United States Department of Education; or completed a post doctoral state certified program leading to the NMD degree which is approved by the Liason Committee on Naturopathic Education (LCNE) and the National Board of Naturopathic Medical Examiners; and**

**(B) passed the Naturopathic Physicians Licensing Examination or the United States Naturopathic Licensing Examination.**

**These additions to the Issuance of License section will be in line with several states which are or have enacted naturopathic medical licensing. Chiropractic, Osteopathic, and Medical Physicians who are licensed to diagnose human conditions are attracted to the post doctoral NMD programs which facilitate alternative and complementary medical practice as well as comprehensive primary care. It is only fair to include these professionals since the CNME and NPLEX have to date excluded these professionals. A brief look at the Idaho Board of Naturopathic Medical Examiners website at [ibnme.us](http://ibnme.us) qualifications for licensure will**

**demonstrate non exclusive licensure. It is my desire to return to Alaska as a Doctor of Naturopathic Medicine as well as being licensed in Alaska as a Chiropractic Physician since 1987.**

**Sincerely,**

**Stephen Herbst, DC, CA, NMD (cand)**



Alaska Association of Naturopathic Physicians, Inc

Dedicated to the preservation of quality naturopathic medicine for all Alaskans

1/22/08

The Honorable Senator Johnny Ellis  
Senate Labor and Commerce Chair  
State Capitol  
Juneau, AK 99801

Dear Senator Ellis,

Thank-you for allowing our Committee Substitute Bill 107 to be introduced into the Senate Labor and Commerce Committee. I was able to listen to the conversation by telephone and I would like to address the concerns raised by Senator Bunde, Senator Stevens and Senator Davis's staff member, Tom Obermeyer.

First I will address Senator Bunde's question about having more than one public member of the Alaska Naturopathic Council. If I understand his question correctly, his concern is that with only one public member, public safety would not be adequately ensured. The AK Naturopathic Association feels that the majority of the Council should be healthcare professionals and we welcome a medical doctor as the potential public member. Since the council is small, reflecting the small number of NDs in the state, we feel that there is only room for one non-medical professional. However, we are certainly not attached to the current configuration of the proposed Council. I think it is important to point out that our legislative intent in this bill is not to change the governance of our profession in Alaska. That would continue to be the province of the Division of Corporations, Business and Professional Licensing, including prescriptive endorsements.

As you know, prescriptive authority for naturopaths is not novel legislation. In the past couple of years, Idaho and Washington State have formed advisory councils whose purpose is to advise their respective licensing authorities regarding appropriate formulary lists. These councils are multidisciplinary in nature. Washington's advisory council is comprised of pharmacists and naturopathic doctors; Idaho's is comprised of pharmacists, allopathic and naturopathic doctors. The Alaska Naturopathic Council would perform the same function by examining the formularies of other states, their requirements for prescriptive endorsement as well as continuing education requirements to maintain that privilege. One would hope the Council would come to a consensus on their recommendations to the Division, but if any member had reservations, she or he could bring that concern to the Division. The Council would do the leg work; the Division would have ultimate regulatory authority.

Senator Stevens had two questions; one concerning the proposed range of prescription authority and the other was about the Task Force Report.

SCOTT LUPFER, ND  
PRESIDENT

GARY FERGUSON, ND  
VICE PRESIDENT

MARY MENOR, ND  
SECRETARY

DAVID SEWIRTH, ND  
TREASURER

1000 LEE ROAD • FAIRBANKS, AK 99701  
PHONE: 907-452-3600 • FAX: 907-452-3695  
WWW.AKANDP.COM

The formularies of most states that have prescriptive authority include legend drugs. Those are drugs such as antibiotics, hypertensive drugs, thyroid medication, etc. These are medications with a low abuse potential. We would not have a problem taking scheduled drugs such as narcotics off of the table.

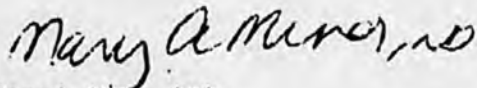
All naturopaths licensable in Alaska have had rigorous training in pharmacology and pharmacognosy. Many of our patients use herbs, nutritional supplements and prescription medications. Naturopaths are well versed in drug-nutrient and drug-herb interactions. Our colleagues in western states have integrated natural and conventional medicine safely for decades.

Senator Stevens also expressed disappointment that there was no report from the Naturopathic Task Force. As you recall, at the end of the 23<sup>rd</sup> legislative session, a task force was legislated to "... contribute to a better understanding of issues related to the safety and scope of the practice of naturopathy ...". That task force met five times between December, 2004 and December, 2005. Senator Ralph Seekins chaired the task force that included two naturopaths, one member of the state medical board, one member of the state medical association, a representative of the nursing board and a pharmacist. While no report was issued from the task force, there was a report from the Legislature's Research Department that I will send to you.

I am a bit mystified about the liability issue for the medical board Mr. Obermeyer raised. I know this was an issue with the "collaborative agreements" we discussed in 2004, but that proposal was dropped years ago. If they are concerned about their role in the Alaska Naturopathic Council, they are not required to participate. Our thinking behind having a public member, who could be a medical doctor, was to avoid putting the medical board into the uncomfortable position of having to participate in the Council if they did not want to. Indeed, the two professions most directly affected by the formulary would be naturopaths and pharmacists. Those were the two professions we felt should have a seat at the table.

The best way to insure public safety is by having access to appropriate care. The record of safety in states such as Washington, Oregon and Arizona—states with hundreds of licensees that have had prescriptive authority since the late eighties—is impressive. If I can provide you with any other information on this issue, I look forward to having that opportunity.

Yours in health,



Mary A. Minor, ND  
AKANP Secretary

cc: Senator Bunde, Senator Davis, Senator Hoffman, Senator Stevens, Dr. Emily Kane

# LEGISLATIVE RESEARCH REPORT

JANUARY 6, 2005



REPORT NUMBER 05.074

## STATE-LICENSED NATUROPATHIC DOCTORS

PREPARED FOR REPRESENTATIVE PETE KOTT  
BY CHUCK BURNHAM, LEGISLATIVE ANALYST

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You asked a number of questions about Naturopathic Doctors. Specifically, you requested information on the following:

- 1) State licensing of Naturopathic Doctors (NDs) and the total number of licensees in each state.
- 2) The regulatory authority in each of those states.
- 3) States in which legislation to license NDs has been, or is, under consideration.
- 4) Schedules of the federal Controlled Substances Act that are included in the prescriptive privileges of state-licensed NDs.
- 5) The legal definitions of "physician" and "minor surgery" and the states that allow NDs to perform such surgery.
- 6) State laws that address collaboration between NDs and Medical Doctors (MDs).
- 7) States' disciplinary actions against NDs and MDs.

## BACKGROUND

Modern Naturopathic medicine, introduced in the United States near the end of the 19<sup>th</sup> century, emphasizes the belief that the human body has the inherent ability to establish, maintain, and restore health. Naturopathic practitioners facilitate this ability by employing natural, non-toxic therapies and modalities, by identifying and removing obstacles to health and recovery, and by supporting the creation of healthy internal and external environments. Although naturopathy is considered "alternative" medicine, some of its techniques and remedies have been practiced for centuries.<sup>1</sup> Since the 1970s, naturopathy has seen steady growth in the number of doctors in practice and patients under care. This growth is likely to continue at a rapid rate as healthcare costs rise and as some naturopathic practices are further incorporated into the curricula of "traditional," or allopathic, medical schools.

Naturopathic practitioners in the U.S. are represented by two national organizations whose philosophies regarding licensure are in sharp opposition. The American Naturopathic Medical Association (ANMA), founded in 1981 and reporting approximately 4,000 members, is opposed to state licensing and certain aspects of the accompanying educational requirements. The ANMA supports professional certification through the American Naturopathic Certification Board rather than governmental involvement in the form of state regulated licensure.<sup>2</sup> By contrast, the American Association of Naturopathic Physicians (AANP) advocates for licensing and regulatory regimes in all 50 states. Founded in 1985, the 1,800 member AANP would like the titles "Naturopathic Doctor (ND)" and "Naturopathic Physician (NP)" reserved for those who have attended four years of graduate-level study which includes training in clinical nutrition, acupuncture, homeopathic medicine, botanical medicine, psychology, and counseling, in addition to the basic sciences required of Medical Doctors (MDs).<sup>3</sup> Further, the AANP advocates the use of the Naturopathic Physicians Licensing Examination (NPLEX)—an intensive five-part professional exam—as part of each state's licensing requirements. The AANP contends that rigorous licensing regimes will instill in consumers a level of confidence that will allow naturopathy to continue moving toward integration into the mainstream medical community.<sup>4</sup>

## LICENSING STATES AND THE NUMBER OF NATUROPATHIC DOCTORS THEREIN

Thirteen states currently license NDs: Alaska, Arizona, California, Connecticut, Hawaii, Kansas, Maine, Montana, New Hampshire, Oregon, Utah, Vermont, and Washington.<sup>5</sup> Each of these

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<sup>1</sup> The Federation of Naturopathic Physician Licensing Authorities provides further information on the history and philosophy of naturopathy on its website at: [www.fnpla.org](http://www.fnpla.org).

<sup>2</sup> More information on the ANMA can be found on its website at [www.anma.com/index.html](http://www.anma.com/index.html).

<sup>3</sup> More information on the AANP can be found on its website at [www.naturopathic.org/index.html](http://www.naturopathic.org/index.html).

<sup>4</sup> The Center for Health Professionals, University of California, San Francisco, in 2001 published an extensive report on the practice of naturopathy, which includes comparisons of naturopathic philosophies and detailed information on regulatory and professional aspects of naturopathic medicine. We include a copy of "Profile of a Profession: Naturopathic Practice" as Attachment A.

<sup>5</sup> Florida discontinued licensing NDs in 1957. As a result, only NDs holding licenses at that time are still permitted to practice in the state.

states has a unique licensing and/or advisory board as part of its regulatory structure, except Alaska and Vermont, where state agencies manage all aspects of licensing NDs.<sup>6</sup>

According to information compiled from licensing states by the University of California, San Francisco (UCSF), there were approximately 1,356 state-licensed NDs nationwide in 2000.<sup>7</sup> This number has increased substantially in subsequent years as accredited naturopathic medical schools have graduated up to 600 NDs each year.<sup>8</sup> Recent research by the AANP indicates that at least 2,700 individual NDs are now state-licensed.<sup>9</sup> Although we contacted the regulatory authority in each licensing state to determine the precise number of licensed NDs, we have not yet received responses to all of our requests. In states where such information is available, however, there have been dramatic increases in the number of licensees in recent years. The combined total of licenses from Hawaii, Oregon, Vermont, and Washington has increased about 100% since 1998 from 996 to 1,999. In 2001, The UCSF's Center for Health Professionals published a detailed profile of the practice of naturopathy, which included information on the number of NDs in each licensing state. Table 1 shows the licensing states, the regulatory body for each, and the number of naturopathic doctors they license, as reported by the UCSF. Not surprisingly, as Table 1 illustrates, licensed NDs are concentrated in Arizona, Connecticut, Oregon, and Washington—the states with accredited schools of naturopathic medicine.

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<sup>6</sup> We include, as Attachment B, a list of state licensing authorities and contact information for each. In addition, we include a copy of the 1998 Sunrise Review by the Colorado Department of Regulatory Authorities, Office of Policy and Research, regarding licensure of Naturopathic Physicians as Attachment C.

<sup>7</sup> This figure does not include an estimated 207 AANP affiliated NDs who in 2000 were outside of licensing states. Further, the estimates in this report do not include the number of NDs practicing strictly under professional certification. Due to a lack of verifiable data, estimating the number of such NDs is problematic.

<sup>8</sup> The Washington Association of Naturopathic Physicians cites this figure on its website at [www.wanp.org/faq/history.asp](http://www.wanp.org/faq/history.asp). The Council on Naturopathic Medical Education (CNME) is recognized by the U.S. Department of Education as the accrediting body for schools granting the degree of "Naturopathic Doctor." More information on the CNME can be found online at [www.cnme.org](http://www.cnme.org). A list of accredited schools of naturopathic medicine can be found on the AANP website at [www.naturopathic.org/licensurs/accredited\\_schools.html](http://www.naturopathic.org/licensurs/accredited_schools.html).

<sup>9</sup> Discussions with AANP staff located in Washington D.C., (202) 895-1332.

**Table 1: State-Licensed Naturopathic Doctors, 2000**

State	Year Law Enacted	Regulatory Body	Number of State-Licensed Naturopathic Doctors <sup>(a)</sup>
Alaska	1986	Division of Occupational Licensing, Naturopathic Licensing Section	21
Arizona	1935	Arizona Naturopathic Physicians Board of Medical Examiners	127
California	2003	Bureau of Naturopathic Medicine	Not Applicable
Connecticut	1920	Board of Naturopathic Examiners	106
Florida <sup>(b)</sup>	1927	Licensing abolished in 1957	56
Hawaii	1925	Board of Examiners in Naturopathy	63
Kansas	2003	Board of Healing Arts	Not Applicable
Maine	1996	Board of Complementary Health Care Providers	10
Montana	1991	Board of Alternative Health Care	41
New Hampshire	1997	Naturopathic Examiners Board	19
Oregon	1927	Board of Naturopathic Examiners	410
Utah	1996	Naturopathic Physician's Licensing Board	19
Vermont	1996	Office of Professional Regulation	63
Washington	1919	Naturopathic Physicians Advisory Committee	427
<b>Total in year 2000</b>			<b>1,362</b>
<b>Approximate Total in Year 2003<sup>(c)</sup></b>			<b>2,700</b>
<p>Notes: a) Licensed Naturopathic Doctors (NDs) represents the estimated number of licensed individuals in 2000. Due to NDs often being licensed in more than one state, the total number of licenses issued is likely substantially greater than the number of individual doctors.</p> <p>b) Florida discontinued licensing in 1959. As a result, only those NDs licensed at that time are permitted to practice in the state.</p> <p>c) This figure is from December 2003 research by the American Association of Naturopathic Physicians.</p> <p>Sources: Colorado Department of Regulatory Authorities, Office of Policy and Research, "1998 Sunrise Review: Naturopathic Physicians," p. 22, October, 1998; available online at <a href="http://www.dora.state.co.us/opr/archive/98naturopath.pdf">www.dora.state.co.us/opr/archive/98naturopath.pdf</a>.</p> <p>Holly J. Hough, Ph.D., Catherine Dower Ph.D., and Edward H. O'Neil, Ph.D., "Profile of a Profession: Naturopathic Practice," Center for Health Professions, University of California, San Francisco, p. 12, September, 2001; available online at <a href="http://www.futurehealth.ucsf.edu/pdf_files/Naturo2.pdf">www.futurehealth.ucsf.edu/pdf_files/Naturo2.pdf</a>.</p> <p>American Association of Naturopathic Physicians; online at <a href="http://www.naturopathic.org">www.naturopathic.org</a>.</p>			

**STATES RECENTLY OR CURRENTLY CONSIDERING LICENSURE**

At least five states—Florida, Idaho, Massachusetts, Missouri, and New York—have recently considered legislation requiring licensure for NDs.<sup>10</sup> Although none of the measures in these states became law, groups advocating licensure as well as those opposed expect similar bills to

<sup>10</sup> We include, as Attachment D, copies of legislation recently considered in Florida, Idaho, Missouri, and New York.

be considered in upcoming legislative sessions. In addition, at least four states—Colorado, Louisiana, New Mexico, and North Carolina—have created or are considering creating task forces for researching the possibility of establishing licensing regimes. Because the AANP and its 34 associated state chapters actively lobby for licensing schemes in all 50 states, legislation is likely to be introduced in a number of other states in coming years.

**SELECTED FUNCTIONS: PRESCRIPTIONS, MINOR SURGERY, AND COLLABORATION**

Generally, states allow NDs to prescribe naturopathic remedies such as herbal supplements and tinctures. As Table 2 shows, at least five states—Arizona, California, Montana, Oregon, and Vermont—give NDs further limited authority to prescribe certain medications that appear in the schedules of the Controlled Substances Act (21 USC, § 801-971). Some states' laws, those of Washington and Maine for instance, grant prescriptive privileges to NDs based on the "legend" and "non-legend" classifications of the official United States pharmacopoeia. Privileges for "legend" drugs—the substances for which dispensation without a prescription is a federal offense—are generally unavailable or limited for NDs.

**Table 2: States' Prescriptive Authority for Licensed Naturopathic Doctors**

State	Prescriptive Authority <sup>1</sup>	Controlled Substances Act Schedules <sup>2</sup>				
		I	II	III	IV	V
Alaska	No					
Arizona	Yes		X	X	X	X
California	Yes <sup>3</sup>			X	X	X
Connecticut	No					
Hawaii	No					
Kansas	No					
Maine	Limited <sup>4</sup>	Not Applicable				
Montana	Yes		X	X		
New Hampshire	No					
Oregon	Yes		X	X	X	X
Utah	No					
Vermont	Yes <sup>5</sup>			X	X	
Washington	Limited <sup>4</sup>	Not Applicable				

Notes: 1) Prescriptive authority is the ability to prescribe controlled substances as identified in schedules I-IV of the Controlled Substance Act (21 USC, Sections 801-971). The laws of Maine and Washington refer to the "legend" and "non-legend" classifications of the official United States pharmacopoeia, rather than to the Controlled Substances Act, to establish which drugs Naturopathic Doctors (NDs) are permitted to prescribe. "Legend" drugs are those for which a prescription is required by federal law.

2) The schedules of the Controlled Substances Act are available on the U.S. Drug Enforcement Agency's website at [www.usdoj.gov/dea/pubs/scheduling.html](http://www.usdoj.gov/dea/pubs/scheduling.html).

3) Pursuant to California Code § 3640.5, NDs may only prescribe controlled drugs under the supervision of a physician.

4) In Maine, NDs are permitted to prescribe "non-controlled legend drugs" only after a twelve-month period of review by a physician. Such drugs may only be from the following categories: homeopathic remedies, vitamins and minerals, hormones, local anesthesia and immunizations that are designated by rule. No drugs that appear in the schedules of the federal Controlled Substances Act may be prescribed by NDs in Maine. In Washington, only certain legend drugs, primarily those derived from animals and certain other natural sources, are permitted.

5) Vermont allows NDs to prescribe only testosterone from schedule III and codeine from schedule IV.

Source: Lexis database search of states' statutes and administrative codes.

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## MINOR SURGERY

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States' definitions of "minor surgery," frequently found under the heading of "office procedures," generally include care related to superficial wounds where only local anesthesia is required. At least six states—Arizona, Maine, Montana, Oregon, Utah, and Washington—allow NDs to conduct some level of minor surgical procedures.<sup>11</sup> The legal definitions of minor surgery used in the laws of Maine and Oregon, which are typical of those used by other states, are as follows:

### **Maine Revised Statute § 12501(13)**

"Office procedures" means methods for the repair and care incidental to superficial lacerations and abrasions, superficial lesions and the removal of foreign bodies located in the superficial tissues. The use of antiseptics and local anesthetics in connection with these methods is permitted. The use of general, regional or spinal anesthetics, major surgery, surgery of the body cavities or specialized surgeries such as plastic surgery, surgery involving the eye or surgery when tendons are involved is not permitted.

### **Oregon Revised Statute § 685.010(4)**

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

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## COLLABORATION CLAUSES

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At least five states provide for collaboration between NDs and physicians. Four of these states mandate that NDs collaborate with physicians in certain circumstances: California requires consultation with an "appropriately licensed professional" when NDs review x-rays and other internal imaging; Maine mandates that NDs be monitored by a physician for one year prior to independently prescribing "non-controlled legend drugs;" and Utah and Vermont provide for collaboration between NDs and physicians in child-birthing, although Vermont limits the extent of that collaboration. At least one state—Washington—stipulates that nothing in the "scope of practice" language for NDs prohibits collaboration with physicians. The specific collaboration clauses we located are as follows:<sup>12</sup>

### **California—Business and Professions Code § 3640(b)**

A naturopathic doctor may order diagnostic imaging studies, including X-ray, ultrasound, mammogram, bone densitometry, and others, consistent with naturopathic training as determined by the bureau, but shall refer the studies to an appropriately licensed health care professional to conduct the study and interpret the results.

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<sup>11</sup> Colorado Department of Regulatory Authorities, Office of Policy and Research, p. 21, and Lexis database search of licensing states' laws.

<sup>12</sup> We located these clauses by manually searching licensing states' laws on naturopathy. While we believe our search of states' laws to be thorough, this list may not be exhaustive of all collaboration clauses.

§3640.5 provides that NDs may, under the supervision of a physician, prescribe drugs from schedules III through V of the Controlled Substances Act.

**Maine—32 MRS § 12522(4)(C)**

Prior to independently prescribing non-controlled legend drugs, a naturopathic doctor shall establish and complete a 12-month collaborative relationship with a licensed allopathic or osteopathic physician to review the naturopathic doctor's prescribing practices.<sup>13</sup> The board shall further define the terms of the collaborative relationship by rule.

**Utah—UCA § 58.71.02(12)**

"Practice of naturopathic medicine" means:

(a) a system of primary health care for the prevention, diagnosis, and treatment of human health conditions, injuries, and diseases that uses education, natural medicines, and natural therapies, to support and stimulate the patient's intrinsic self-healing processes:

(i) using naturopathic childbirth, but only if:

(A) the licensee meets standards of the American College of Naturopathic Obstetricians (ACNO) or its successor as determined by the division in collaboration with the board; and

(B) the licensee follows a written plan for naturopathic physicians practicing naturopathic childbirth approved by the division in collaboration with the board, which includes entering into an agreement with a consulting physician and surgeon or osteopathic physician, in cases where the scope of practice of naturopathic childbirth may be exceeded and specialty care and delivery is indicated, detailing the guidelines by which the naturopathic physician will:

- (I) refer patients to the consulting physician; and
- (II) consult with the consulting physician.

**Vermont—Administrative Rules for Naturopathic Physicians § 3.9**

**Naturopathic Childbirth:** no licensee may practice naturopathic childbirth without first obtaining a special endorsement on his or her license. To obtain this endorsement, a licensee must:

(A) Show evidence of completion of a naturopathic childbirth or midwifery program from an approved naturopathic college or hospital and furnish a signed log showing evidence that sections (1), (2) and (3) of this subsection have been completed under the direct supervision of a licensed practitioner with specialty training in obstetrics or natural childbirth.

- (1) The licensee must taken part in the care of 50 cases each in prenatal and postnatal care. One case may qualify for both areas of care.
- (2) The licensee must have observed and assisted in the intrapartum care and delivery of 50 natural childbirths in a hospital or alternative birth setting 3 of which must have occurred within the last two years. A minimum of 26 of these births must be under the supervision of a naturopathic physician. No more than 10 of the 50 births may be

<sup>13</sup> Non-controlled legend drugs, in this context, include the following categories: homeopathic remedies, vitamins and minerals, hormones, local anesthesia and immunizations that are designated by rule. No drugs that appear in the schedules of the federal Controlled Substances Act may be prescribed by NDs in Maine.

states differ in their definitions of terms such as "complaint" and "disciplinary action." Further, although we requested information on disciplinary action from the states that license NDs, we have not yet received responses from each. For these reasons, performing a comparison of states' disciplinary actions against NDs to those against physicians is problematic.

Colorado's 1998 Sunrise Review (see Attachment C) provides information on complaint activity in the eleven states that licensed NDs at that time. Table 3 shows complaint activity by state against NDs, where available, for 1997 and 1998, compared to disciplinary actions taken against physicians over the same time period. It is important to note that the information for NDs represents *all complaints* whereas the data for physicians is *only* for cases in which disciplinary action was taken, which likely encompass only a fraction of all complaints against physicians. Regrettably, the data available to us within the time constraints of our research do not allow for an "apples to apples" comparison of disciplinary activity. It is clear, however, that for both NDs and physicians, complaints and subsequent disciplinary action are rare relative to the number of practicing licensees.

**Table 3: Complaints Against Naturopathic Doctors and Disciplinary Actions Against Physicians In Selected States 1997-1998**

State	Licensed Naturopathic Doctors				Licensed Physicians			
	Number in 1998	Complaints <sup>1</sup>		Complaints per 100 NDs	Number in 1998	Disciplinary Actions <sup>1</sup>		Actions per 100 Physicians
		1997	1998			1997	1998	
Alaska	20	0	0	0.0	1,887	13	28	2.2
Arizona	169	7	7	8.3	10,807	202	125	3.0
Connecticut	197	2	1	1.5	12,946	59	55	0.9
Hawaii	60	Not Available			6,122	14	15	0.5
Maine	12	0	0	0.0	5,216	25	34	1.1
Montana <sup>2</sup>	33		5	15.2	3,231	12	8	0.6
New Hampshire	12	1	1	16.7	4,039	9	18	0.7
Oregon	325	Not Available			11,386	47	43	0.8
Utah	5	0	0	0.0	6,894	22	32	0.8
Vermont <sup>3</sup>	34	3	1	11.8	2,745	11	17	1.0
Washington <sup>2</sup>	369		15	4.1	18,319	98	84	1.0
<b>Totals</b>	<b>1,236</b>	<b>43</b>		<b>3.5</b>	<b>83,592</b>	<b>971</b>		<b>1.2</b>

Notes: 1) All complaints filed against Naturopathic Doctors (NDs) with state regulatory agencies are shown; whereas, for physicians, only complaints culminating with disciplinary actions by state medical boards are shown. Disciplinary actions against physicians are likely taken in only a fraction of the total complaints filed. As a result, a direct comparison of the figures for the two groups is problematic.

2) Montana and Vermont, respectively, reported complaint totals for NDs as one sum.

3) Figures for Vermont physicians exclude data for the state's approximately 100 Osteopathic Doctors, which are not reported to the Federation of State Medical Boards. All other states include data on Osteopaths.

Sources: NDs--Colorado Department of Regulatory Authorities, Office of Policy and Research, "1998 Sunrise Review: Naturopathic Physicians," p. 22, October, 1998; available online at [www.dora.state.co.us/opr/archive/98naturopath.pdf](http://www.dora.state.co.us/opr/archive/98naturopath.pdf); Physicians--Federation of State Medical Boards of the United States, Inc., "Summary of Board Actions," 1997-1998, available online at [www.fsmb.org](http://www.fsmb.org).

I hope you find this information to be useful. Please do not hesitate to contact us if you have questions or need additional information.

## Naturopathic Disciplinary Reports

PAGE 12

### Appendix D: Comparison of Allopathic and Naturopathic Disciplinary Reports

Medical boards receive complaints and after investigation met out disciplinary actions. Information on complaints and disciplinary actions is not available for several states. Of 13 states that license Naturopathic physicians, information on disciplinary actions could only be found for six states including Alaska, Arizona, Hawaii, Oregon, New Hampshire and Washington. These results are listed below (Table 1) for the years 2000-2003.

Table 1: Naturopathic Disciplinary Actions

	Dates	Alaska	Arizona	Hawaii	Oregon	New Hampshire	Washington
# Naturopaths		40	369	78	550	32	644
Avg. # complaints/yr(1)			not available	0.2	22.75	not available	10.75
<b>Disciplinary actions</b>	<b>2000-present</b>						
Reprimand/Corrective action	"	0	1	0	0	0	1
Probation	"	0	4	0	6	0	0
Suspension	"	0	1	0	0	0	0
Revocation/Surrender	"	0	1	0	2	0	0
<b>Total</b>		<b>0</b>	<b>7</b>	<b>0</b>	<b>8</b>	<b>0</b>	<b>1</b>

The total number of naturopathic doctors in the states was 2,033. The average number of disciplinary actions taken per year is 3.75. The average number of disciplinary actions per year was 3.75 for 2000-2003. The yearly rate of disciplinary actions per 100 doctors per year is 0.34.

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## Naturopathic Disciplinary Reports

Arizona and Oregon are two of the three states with the largest population of naturopathic doctors and a long history of licensure. Disciplinary actions are compared between naturopathic and allopathic doctors for each state (see tables 2 and 3).

**Table 2: Comparison of Naturopathic and Allopathic Disciplinary Actions in Arizona**

Naturopathic Doctors	Year	Letters of Concern*	Reprimand	Probation	Suspension	Revocation	Surrender	Total Disciplinary
# 369	2000	1	1	1				2
	2001	1				1		1
	2002	2		3	1			4
	2003	2						0
<b>Total</b>		<b>8</b>	<b>1</b>	<b>4</b>	<b>1</b>	<b>1</b>		<b>7</b>
<b>Medical Doctors</b>								
#10,652	2003	unknown	38	35	8	11	9	101

\*Letters of concern are not considered disciplinary actions

The total number of naturopathic doctors in Arizona during 2000-2003 were 369. The total number of disciplinary actions during this time period was 7. The yearly rate of disciplinary actions per 100 doctors is 0.47.

The total number of medical doctors in Arizona during 2003 was 10,652. The total number of disciplinary actions during this time was 101. The yearly rate of disciplinary actions per 100 doctors is 0.95.

## Naturopathic Disciplinary Reports

Table 3: Comparison of Naturopathic and Allopathic Disciplinary Actions in Oregon

Naturopathic Doctors	Year	Complaints	Reprimand/corrective action	Probation/restriction	Suspension	Revocation	Surrender	Total Disciplinary
# 550	2000	23	none reported	1	0	0	0	1
	2001	30	"	2	0	1	0	3
	2002	23	"	2	0	0	0	2
	2003	15	"	1	0	1	0	2
<i>Total</i>		91	"	6	0	2	0	8
<b>Medical Doctors</b>								
#11,583	2003	unknown	14	20	2	2	5	43

The total number of naturopathic doctors in Oregon during 2000-2003 was 550. The total number of disciplinary actions during this time period was 8. The yearly rate of disciplinary actions per 100 doctors is 0.36

The total number of medical doctors in Oregon during 2003 was 11,583. The total number of disciplinary actions during this time was 43. The yearly rate of disciplinary actions per 100 doctors is 0.37.

**Sources:**

Arizona Board of Naturopathic Examiners: [www.npbomex.az.gov](http://www.npbomex.az.gov)

Arizona Board of Medical Examiners: [http://www.azmdboard.org/Agency\\_Reports/md\\_stats.pdf](http://www.azmdboard.org/Agency_Reports/md_stats.pdf)

Hawaii Board of Naturopathic Examiners: [naturopathy@dcca.hawaii.gov](mailto:naturopathy@dcca.hawaii.gov)

Oregon Board of Naturopathic Examiners: [www.obnme.state.or.us](http://www.obnme.state.or.us)

Oregon Board of Medical Examiners: [www.bme.state.or.us](http://www.bme.state.or.us)

New Hampshire Dept. HHS, Board of Naturopathic Examiners: (603)271-5127 License Clerk, Janet

New Hampshire Board of Medicine: <http://www.nh.gov/medicine/cid/disciplinary.html>

Washington Health Professions Quality Assurance, Naturopathy Program: [Holly.Rawnsley@doh.wa.gov](mailto:Holly.Rawnsley@doh.wa.gov)

# Naturopathy Di



## Elevating Naturopathic Education

Carnegie Commission recommends giving naturopathic medicine a higher classification.

In December 2005, the U.S. Department of Education hosted a two-day Ad Hoc Internal Review Panel meeting, featuring representation by members of the DoE's Integrated Postsecondary Education Data System (IPEDS) and the Carnegie Commission of Higher Education. What transpired at that meeting could have a profound effect on the future of naturopathy education.

The Carnegie Commission is arguably the most prestigious, nonprofit, independent organization in American

higher education. The Carnegie classifications were created in 1970; at that time, there were approximately 2,800 U.S. colleges and universities. Today, more than 4,000 educational

**According to NCNM President William J. Keppeler, PhD, "This should have profound positive implications for the profession and greatly advance state licensure nationwide."**

institutions offer various programs and degrees. The DoE asks for Carnegie Commission recommendations, seeing them as the leading experts on higher education. The classifications help the

DoE determine such issues as which educational institutions should get government funding and how much.

Dr. William Keppeler, president of National College of Naturopathic Medicine, served as an IPEDS panel member. According to Dr. Keppeler, the panel's assignment was to review and revise the member-

ship of the Carnegie Commission's "First Professional Degree" category. The associate secretary for education was in attendance throughout all of

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## Overview of Naturopathic Regulation

Colorado Department of Regulatory Agencies  
October 14, 2005

The legal status of naturopathy varies from state to state. In some states, the practice of naturopathy, though not regulated, is protected through court rulings or attorney general opinions. In most states, naturopathic physician status is unprotected or unclear. Two states, Florida and Nevada, have repealed regulation of this profession. Nevada ceased licensing naturopathic physicians in 1987 (in Nevada naturopathic physicians were required to be supervised by medical doctors). Although naturopathic licensing in Florida was discontinued in 1959, there are still laws and a board regulating those naturopaths still practicing. Florida allows naturopathic physicians licensed prior to program termination dates to continue to practice. In Tennessee and in South Carolina, the practice of naturopathy is illegal. Tennessee law, for example, provides that the practice of naturopathy is a Class B misdemeanor, but renders this prohibition inapplicable to "persons who comply with the regulatory laws of the state with respect to the practice of the various healing arts." Without a similar textual qualification, however, a South Carolina statute prohibits the practice of naturopathy and subjects offenders to a fine not to exceed \$500 or imprisonment for a period not exceeding one year, or both.

The multiplicity of therapies and techniques that typically comprise the statutory definition of naturopathy may often fall within the scope of practice for other professions. The Montana Naturopathic Practice Act expressly acknowledges this fact by recognizing that many of the therapies used by naturopathic physicians, such as the use of nutritional supplements, herbs, foods, homeopathic preparations, and such physical forces as heat, cold, water, touch, and light, are not the exclusive privilege of naturopathic physicians, and their use, practice, prescription, or administration by persons not licensed to practice naturopathic medicine is not prohibited by this practice act.

Currently, 15 states and the District of Columbia license naturopathic physicians: Alaska, Arizona, California, Connecticut, Florida, Hawaii, Idaho, Kansas, Maine, Montana, New Hampshire, Oregon, Utah, Vermont, and Washington. In several states, licensed naturopathic physicians must also qualify for a certificate to practice natural childbirth, acupuncture, or to dispense a natural substance or device. The following highlights the regulatory programs found in the 15 states.

### Alaska

Alaska's law places several restrictions on the practice of naturopathy. A person who practices naturopathy may not prescribe a prescription drug, perform surgery, or use the word "physician" as a title. There are currently 36 licensed naturopathic doctors in Alaska.

## **Arizona**

Arizona's Naturopathic Physicians Board of Medical Examiners (Arizona Board) was established in 1935. Arizona remains the state with the third highest number of licensed naturopathic physicians (400). The Arizona Board has the statutory authority to adopt rules for recognizing naturopathic specialties. The Arizona Board has approved training programs in four specialty areas and has issued certificates to at least 16 naturopaths in the specialty of family medicine. Additionally, the Arizona Board has assembled a formulary of more than 460 items that naturopathic physicians may dispense including both prescription drugs and some controlled substances. In 2000, the Arizona Board underwent a performance audit. The review concluded that terminating the Arizona Board would not significantly harm the public's health and safety since the practice of medicine would continue to be regulated by the Allopathic Board of Medical Examiners. Naturopaths could continue to perform many traditional activities, but would no longer be allowed to act as primary medical care providers. However, the review further stated that terminating the Arizona Board could harm the public's welfare by potentially limiting access to alternative medical care. Subsequently, there was no action taken by the Arizona legislature to repeal the Arizona Board.

## **California**

California's Bureau of Naturopathic Medicine (Bureau) within the Department of Consumer Affairs was established to administer the Naturopathic Doctor's Act and was authorized to collect fees and receive license applications beginning January 1, 2004. This act authorizes the creation of an advisory committee comprised of three licensed naturopathic doctors, three licensed physicians, and three public members. The committee's first meeting was convened on December 13, 2004. Additionally, a naturopathic formulary advisory committee was formed and a naturopathic childbirth attendance advisory committee was created to issue recommendations concerning the practice of naturopathic childbirth attendance. The scope of practice for licensed naturopathic doctors includes diagnosis and treatment of patients, including the authority to order lab tests and prescribe most drugs subject to supervision of a medical or osteopathic physician. Licensed naturopathic doctors may perform minor procedures, such as treating lacerations and removing moles and growths. The program began accepting license applications in January 2005. Currently there are 129 licensed naturopathic doctors in California.

## **Connecticut**

Connecticut's law, which was enacted in 1920, does not allow licensed naturopathic physicians to perform minor surgery, prescribe drugs, or practice obstetrics and gynecology. The statute requires that naturopathic physicians maintain professional liability insurance. There are currently 196 licensed naturopaths in Connecticut.

## **District of Columbia**

In May 2004, final approval was given to the Naturopathic Medicine Licensing Amendment Act of 2004 to license naturopathic physicians as primary care providers. The act recognized naturopathic physicians who have completed four-years of naturopathic medical college training and successfully passed the NPLEX. Prior to the passage of this act, the District of Columbia had a registration program for naturopaths. A person registered to practice naturopathy was entitled to use the title "Doctor of Naturopathy." The only requirements for

registration were that applicants must be at least 18 years of age and not have been convicted of a crime of moral turpitude that bears directly on the applicant's fitness to be registered. The practice specifically excluded the use of x-rays, performing any surgical procedure, injecting any substance into a person by needle, or performing any invasive procedure. As of September 2005, the District of Columbia had not promulgated any rules or issued any licenses.

### **Florida**

Florida's licensing authority for naturopathic physicians was abolished in 1959 and licensees who were licensed at that time were allowed to continue practicing naturopathic medicine. Draft legislation proposed by the Florida Naturopathic Physician Association was introduced in 2004 to reestablish regulation of naturopathic medicine through licensure and to create the Board of Naturopathic Medicine within the Department of Health. A 2004 Sunrise Report on Proposed Licensure of Naturopathic Physicians, by the Florida House of Representatives, Committee on Health Care, concluded that while there is evidence for support of licensure based on the existence of accredited training programs and licensure examinations, there is no documented evidence of substantial risk from not licensing naturopathic physicians. Moreover, there is potential risk from licensing naturopathic physicians and allowing them to provide a broad range of primary care services.

### **Hawaii**

Hawaii has regulated naturopathic physicians since 1925. There are currently 81 licensed naturopaths. Originally, the Board of Health was responsible for conducting examinations and issuing licenses. In 1969, the regulation was transferred to the Department of Regulatory Agencies, now the Department of Commerce and Consumer Affairs. The regulation of naturopathy was reviewed in 1978 and 1985, with continued regulation recommended in both instances.

### **Idaho**

Idaho became the 15th state in 2005 to create a licensure program for naturopathic physicians. The legislation is a full scope and title protection act. The law requires the creation of a formulary council to determine pharmaceutical privileges for naturopathic physicians.

### **Kansas**

Kansas passed legislation during the 2002 legislative session to regulate the practice of naturopathic medicine. The bill, signed into law in May 2003, provides registration for naturopathic doctors, rather than licensing, yet requires educational and testing requirements. Naturopathic medicine is defined to include such procedures as venipuncture, naturopathic acupuncture, and minor office procedures. Naturopathic doctors may not perform surgery, practice obstetrics, administer ionizing radiation or prescribe, dispense or administer any controlled substances or any prescription-only drugs except those listed on the naturopathic formulary adopted by the Kansas board.

### **Maine**

Maine's Board of Complimentary Health Care Providers regulates 19 naturopathic doctors. Naturopathic doctors have the exclusive right to the use of the terms "naturopathic doctors,"

"naturopathic," "naturopath," "doctor of naturopathic medicine," "Doctor of Naturopathy," "naturopathic medicine," "naturopathic health care," "naturopathy," and "N.D." Use of the term "physician" by a licensee is prohibited. Naturopathic Doctors have a limited scope of prescriptive authority.

### **Montana**

Montana's Naturopathic Health Care Practice Act was enacted in 1991 to regulate lay midwives and naturopathic physicians. Naturopathic physicians are authorized to perform minor surgery, attend a natural childbirth if in possession of a certificate of specialty practice, and prescribe certain drugs as established by the natural substance formulary list. When the program first began there were only five licensed naturopathic physicians in the state, however, as of August 2005, there were 66.

### **New Hampshire**

New Hampshire's Naturopathic Health Care Practice Act was enacted in 1994. Specialty certificates in naturopathic childbirth and acupuncture are offered. Doctors of naturopathic medicine with specialty certification in naturopathic childbirth are authorized to use oxytocin and pitocin. There are currently 36 licensed naturopathic physicians in New Hampshire.

### **Oregon**

Oregon first began licensing naturopathic physicians in 1927, although they were able to practice before then under an exemption in the Osteopathic Practice Act. The total number of licensed naturopathic physicians in Oregon equals 636, ranking second for licensees in a state. Oregon also has the most encompassing law as practitioners are allowed to prescribe drugs, perform minor surgery, and practice natural childbirth with a certificate of special competency.

### **Utah**

Utah's Naturopathic Physicians Licensing Board was created in 1996. The board currently issues five different categories of licenses: naturopath, naturopath including surgery/obstetrics, naturopathic physician, temporary naturopathic physician, and naturopathic controlled substance. In order to perform naturopathic childbirth, a licensee must satisfy the standards of the American College of Naturopathic Obstetricians or its successor.

### **Vermont**

Vermont's licensed naturopathic physicians may order, prescribe, dispense, and administer certain medications of mineral, animal, or botanic origin and must adhere to the Naturopathic Physician Formulary Rules promulgated by the Vermont Department of Health. Licensees may not practice naturopathic childbirth unless they have obtained a special endorsement that requires specific education; training; passage of an examination; and actual childbirth assistance, participation, and observation.

### **Washington**

Washington has regulated naturopathic physicians since 1919, as part of its law created to regulate professions engaged in "drugless healing." The law was substantially amended in 1988

to reflect the current practice of naturopathic physicians. The total number of licensed naturopathic physicians in Washington is 650, ranking first for licensees in a state.

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This article was extracted from the Sunrise Review of Naturopathic Physicians, published by the Colorado Department of Regulatory Agencies' Office of Policy, Research and Regulatory Reform in October 2005.

This article was posted on November 20, 2005.

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- [OnlyMyEmail](#): Award-winning anti-spam services.
- [Herbal Medicine. 3rd edition](#). Excellent reference book, discount-priced.

## Naturopathic Licensing Jurisdictions in the Unites States/Canada

U.S. States	Licensing Laws?	Jurisdiction Contact Information	Professional Associations
Alabama	No		Alabama Association of Naturopathic Physicians The Shoals Natural Health Care Center 503 State Street, Ste. 3 Muscle Shoals, AL 35661 Contact: Deborah Carter, ND Phone: (256) 386-9804 E-Mail: dacarter@bellsouth.net
Alaska	Yes	Alaska Department of Community and Economic Development Division of Occupational Licensing Naturopathic Section P.O. Box 110806 Juneau, AK 99811-0806 Contact: Vacant Fax: (907) 465-2974 Phone: (907) 465-2695 Email: license@commerce.state.ak.us Website: <a href="http://www.dced.state.ak.us/ocd/OccSearch/main.cfm">http://www.dced.state.ak.us/ocd/OccSearch/main.cfm</a>	Alaska Association of Naturopathic Physicians 10928 Eagle River Road Anchorage, AK 99577 Contact: Madeline Morrison Young, N.D. Phone: (907) 694-5522 E-Mail: <a href="mailto:esgledoc@mtsonline.net">esgledoc@mtsonline.net</a>
Arizona	Yes	State of Arizona Naturopathic Physicians Board of Medical Examiners 1400 W. Washington Ave. #230 Phoenix, AZ 85007 Contact: Gail Anthony Fax: (602) 542-3083 Phone: (602) 542-8242 Email: <a href="mailto:gail.anthony@npbomax.az.gov">gail.anthony@npbomax.az.gov</a> Website: <a href="http://www.npbomax.az.gov">http://www.npbomax.az.gov</a>	Arizona Naturopathic Medical Association AzNMA, Inc. 2101 E. Broadway Rd. Suite #14 Tempe, Arizona 85282 Contact: Deborah Mainville-Knight Fax: (480) 921-0061 Phone: (480) 921-3088 E-Mail: <a href="mailto:director@AzNMA.org">director@AzNMA.org</a> Website: <a href="http://www.aznma.org/">http://www.aznma.org/</a>
Arkansas	No		
California	Yes	Bureau of Naturopathic Medicine 1625 North Market Blvd., Suite S-202 Sacramento, CA 95834 Contact: Francine Devise Fax: (916) 574-8645 Phone: (916) 574-7991 Email: <a href="mailto:naturopathic@dca.ca.gov">naturopathic@dca.ca.gov</a> Website: <a href="http://www.naturopathic.ca.gov">http://www.naturopathic.ca.gov</a>	California Naturopathic Doctors Association 1121 "L" Street Suite 610 Sacramento, CA 95814 Contact: Gina Nick, ND - President Fax: (815) 550-2411 Phone: (826) 303-4300 E-Mail: <a href="mailto:executive@calnd.org">executive@calnd.org</a> Website: <a href="http://www.calnd.org/">http://www.calnd.org/</a>
Colorado			Colorado Association of Naturopathic Physicians 1111 Washington Ave., Suite 117 Golden, CO 80401 Contact: Dr. Kaycie Rosen, Secretary Phone: (970) 687-7071 E-Mail: <a href="mailto:kaycierosen@hotmail.com">kaycierosen@hotmail.com</a> Website: <a href="http://www.coanp.org/index.php">http://www.coanp.org/index.php</a>

## Naturopathic Licensing Jurisdictions in the United States/Canada

U.S. States	Licensing Laws?	Jurisdiction Contact Information	Professional Associations	
Connecticut	Yes	Office of Practitioner Licensing & Certification Naturopathic Licensure 410 Capitol Avenue MS#12APP Hartford, CT 06134-0308 Contact: Latasha Staring Fax: (860) 509-7803 Phone: (860) 509-7603 Email: <a href="mailto:opic.dph@po.state.ct.us">opic.dph@po.state.ct.us</a> <a href="http://www.dphstate.ct.us">http://www.dphstate.ct.us</a>	Connecticut Society of Naturopathic Physicians P.O. Box 120 Green Farms, CT 06436 Contact: K. Pramila Vishvanath, N.D. - President Phone: (877) 521-2767 Email: <a href="mailto:board@csnp2000.com">board@csnp2000.com</a>	Connecticut Naturopathic Association 408 Highland Avenue Cheshire, CT 06410 Contact: Debra Anastasio, ND - President Phone: (203) 271-1311 Email: <a href="mailto:info@hygeiacenter.com">info@hygeiacenter.com</a>
Delaware	No			
Florida	No		Florida Naturopathic Physicians Association 537 Fore Drive Bradenton, FL 34208 Contact: Michelle E. Clark, ND, ND - President Phone: (941) 747-0627 Email: <a href="mailto:contact@fnpa.org">contact@fnpa.org</a> Website: <a href="http://www.fnpa.org/index.cfm">http://www.fnpa.org/index.cfm</a>	
Georgia	No			
Hawaii	Yes	DCCA - PVL Naturopathic Licensing Board P.O. Box 3469 Honolulu HI 96801 Contact: Candace Itr Fax: (808) 586-1345 Phone: (808) 586-3000 Email: <a href="mailto:naturopathy@dcca.gov">naturopathy@dcca.gov</a> <a href="http://www.hawaii.gov/dcca/areas/pvl/boards/naturopathy/">http://www.hawaii.gov/dcca/areas/pvl/boards/naturopathy/</a>	Hawaii Society of Naturopathic Physicians 758 Kapehulu Ave. #451 Honolulu, HI 96816 Contact: Ye Ngyen, ND - President Phone: (808) 732-6986 Email: <a href="mailto:dr_nguyen@man.com">dr_nguyen@man.com</a> Website: <a href="http://www.hawaiind.org/index.htm">http://www.hawaiind.org/index.htm</a>	
Idaho	Yes	Idaho State Board of Naturopathic Medical Examiners Idaho Bureau of Occupational Licenses 1109 Main Street, Suite 220 Boise ID 83702-5642 Contact: Carrie Gilstrap Fax: (208) 334-3945 Phone: (208) 334-3233 Email: <a href="mailto:cgilstrap@ibol.idaho.gov">cgilstrap@ibol.idaho.gov</a> Website: <a href="http://ibol.idaho.gov/nat.htm">http://ibol.idaho.gov/nat.htm</a>	Idaho Association of Naturopathic Physicians 1216 W. Jefferson Street Boise, ID 83702 Contact: Joan Haynes, N.D. - President Phone: (208) 338-0405 Email: <a href="mailto:joanhaynes@aol.com">joanhaynes@aol.com</a>	
Illinois	No		Illinois Association of Naturopathic Physicians 2520 Elisha Avenue Zion, IL 60099 Contact: Julie Martin, ND Phone: (847) 735-9142 Email: <a href="mailto:julie.martin@mrmc-clca.com">julie.martin@mrmc-clca.com</a>	
Indiana	No			
Iowa	No			

## Naturopathic Licensing Jurisdictions in the United States/Canada

U.S. States	Licensing Laws?	Jurisdiction Contact Information	Professional Associations
Kansas	Yes	<p>Kansas Board of Healing Arts                      235 S. Topeka Boulevard                      Topeka KS 66603                      Contact: Katy Lenahan                      Fax: (785) 296-0852                      Phone: (785) 296-7413                      E-Mail: klenahan@ink.org                      Website: <a href="http://www.kcna.org/main.html">http://www.kcna.org/main.html</a></p>	<p>Kansas Naturopathic Physicians Association                      Natural Medical Care                      2601 W 6th Street Suite D                      Lawrence, KS 66049                      Contact: Mehdi Khosh, N.D. - President                      Phone: (785) 749-2255                      Email: drakhosh@yahoo.com</p>
Kentucky	No		
Louisiana	No		
Maine	Yes	<p>Dept. of Prof. &amp; Fin. Reg., Off. of Licensing &amp; Reg.                      Board of Complementary Health Care Providers                      #35 State House Station                      Augusta ME 04333                      Contact: Jeri Betts                      Fax: (207) 624-8637                      Phone: (207) 624-8603                      E-Mail: jeri.j.betts@maine.gov                      Website: <a href="http://www.maineprofessionalreg.org">www.maineprofessionalreg.org</a></p>	<p>Maine Association of Naturopathic Physicians                      Full Spectrum Health                      4 Milk Street                      Portland, ME 04101                      Contact: Devra Krassner, ND - President                      Phone: (207) 773-2517</p>
Maryland	No		<p>Maryland Association of Naturopathic Physicians                      10806 Reisterstown Road                      Suite 1E                      Owings Mills, MD 21117                      Contact: Stacey Kargman, ND - President                      Phone: (410) 358-4600                      Email: drskargman@yahoo.com</p>
Massachusetts	No		<p>Massachusetts Society of Naturopathic Physicians                      37 Appleton Street                      Melrose, MA 2176                      Contact: Carol A. Rainville, ND - President                      Phone: (617) 878-2660                      Email: drskargman@yahoo.com                      Website: <a href="http://www.msnd.org/index.htm">http://www.msnd.org/index.htm</a></p>
Michigan	No		<p>Michigan Association of Naturopathic Physicians                      4488 Jackson Road Suite 1                      Ann Arbor, MI 48103                      Contact: Michele Loewe ND - President                      Phone: (734) 389-2380                      Email: painting@earthlink.net</p>
Minnesota	No		<p>Minnesota Association of Naturopathic Physicians                      #05 Jefferson Ave #202                      Minneapolis, MN 55102                      Contact: Lindsay Pearson, ND                      Phone: (651) 221-4111                      Email: lpearson@mnap.org</p>
Mississippi	No		
Missouri	No		

## Naturopathic Licensing Jurisdictions in the United States/Canada

U.S. States	Licensing Laws?	Jurisdiction Contact Information	Professional Associations
Montana	Yes	Board of Alternative Health Care P.O. Box 200513 Helena MT 59620-0513 Contact: Cheryl Brandt Fax: (406) 841-2305 Phone: (406) 841-2394 E-Mail: <a href="mailto:Cbrandt@state.mt.us">Cbrandt@state.mt.us</a> Website: <a href="http://www.discoveringmontana.com/dli/shc">http://www.discoveringmontana.com/dli/shc</a>	Montana Association of Naturopathic Physicians PO Box 6069 Bozeman, MT 59771-6069 Contact: Marc Harris, N.D. - President Phone: (406) 586-1997 Email: <a href="mailto:kiluba@yahoo.com">kiluba@yahoo.com</a>
Nebraska	No		Nebraska Association of Naturopathic Physicians 7447 Farnam Street Omaha, NE 68114 Contact: Randall Bradley, ND - President Phone: (402) 391-6714 Email: <a href="mailto:RBrad5003@aol.com">RBrad5003@aol.com</a>
Nevada	No		
New Hampshire	Yes	NH DHHS Office of Program Support Board of Naturopathic Examiners 129 Pleasant Street, Brown Building Concord NH 03301-3857 Contact: Connie Beliveau Fax: (603) 271-5590 Phone: (603) 271-0863 E-Mail: <a href="mailto:connie.beliveau@dhhs.state.nh.us">connie.beliveau@dhhs.state.nh.us</a> Website: <a href="http://www.dhhs.state.nh.us">http://www.dhhs.state.nh.us</a>	New Hampshire Association of Naturopathic Physicians PO Box 10092 Concord, NH 03301 Contact: Nina Iselin, ND Phone: (603) 827-9885
New Jersey	No		New Jersey Association of Naturopathic Physicians 34 Bussell Court Dumont, NJ 07628 Contact: Jack Larmer, ND - President Phone: (201) 385-7106
New Mexico	No		New Mexico Association of Naturopathic Physicians PO Box 31552 Santa Fe, NM 87504-1552 Contact: Catherine Stauber, N.D. - President Phone: (505) 454-8525 Email: <a href="mailto:staubernd@cybermesa.com">staubernd@cybermesa.com</a>
New York	No		New York Association of Naturopathic Physicians 303 Park Avenue South #1175 New York, NY 10010 Contact: Donnielle Wilson, N.D. - President Phone: (800) 846-6778 Email: <a href="mailto:president@nyanp.org">president@nyanp.org</a> Website: <a href="http://www.nyanp.org/">http://www.nyanp.org/</a>
North Carolina	No		North Carolina Association of Naturopathic Physicians 301 West Weaver Street Carrboro, NC 27510 Contact: Steven Coward, ND Phone: (828) 230-7067 Email: <a href="mailto:ncanp@aol.com">ncanp@aol.com</a> Website: <a href="http://www.ncanp.com/">http://www.ncanp.com/</a>
North Dakota	No		

## Naturopathic Licensing Jurisdictions in the United States/Canada

U.S. State	Licensing Law?	Jurisdiction Contact Information	Professional Associations
Ohio	No		Ohio Association of Naturopathic Physicians 2527 W Dublin-Granville Rd Columbus, OH 43017 Contact: Hakeem Lewis Phone: (614) 397-7999 ☐
Oklahoma	No		Oklahoma Association of Naturopathic Physicians Cancer Treatment Centers of America Naturopathic Med Clinic, 10109 E. 79th St. Tulsa, OK 74133 Contact: Katherine Anderson, ND - President Phone: 800-768-8485 Email: Katherine.Anderson@ctcoftulsa.com
Oregon	Yes	Oregon Board of Naturopathic Examiners 800 NE Oregon St. Suite 407 Portland, OR 97232 Contact: Anne Walsh Fax: (971) 673-0226 Phone: (971) 673-0193 E-Mail: obne.info@state.or.us Website: <a href="http://www.obne.state.or.us">http://www.obne.state.or.us</a>	Oregon Association of Naturopathic Physicians PO Box 5876 Portland, OR 97228 Contact: Mario Roxas, ND - President Phone: 877-500-8277 Fax: 503-262-8586 Email: info@oanp.org Website: <a href="http://www.oanp.org/">http://www.oanp.org/</a>
Pennsylvania	No		Pennsylvania Association of Naturopathic Physicians P.O. Box 847 Brownstown, PA 17508 Contact: Michael Reese, N.D. Phone: (717) 859-4222 Email: mresees@desupermal.net
Rhode Island	No		Rhode Island Association of Naturopathic Physicians Shella M. Frodermann, Ma ND 144 Waterman Street Providence, RI 02906 Contact: Shella M. Froderman, N.D. Phone: (401) 455-0546 Email: sfrodermann@hotmail.com
South Carolina	No		
South Dakota	No		South Dakota Association of Naturopathic Physicians 717 South Duluth Ave Sioux Falls, SD 57104 Contact: Lauri Aesoph, ND - President Phone: (605) 339-9080 Email: aesoph@worldnet.ATT.net
Tennessee	No		
Texas	No		Texas Association of Naturopathic Physicians 325 Roundabout Kerrville, TX 78028 Contact: Candice Jackson, ND Phone: (830) 895-1727 Email: drcanjac@starband.net

## Naturopathic Licensing Jurisdictions in the United States/Canada

U.S. States	Licensing Laws?	Jurisdiction Contact Information	Professional Associations
Utah	Yes	Div. of Occupational & Professional Licensing 160 East 300 South P.O. Box 146741 Salt Lake City UT 84114-6741 Contact: Daniel T. Jones Fax: (801) 530-6511 Phone: (801) 530-6787 E-Mail: <a href="mailto:djones@br.state.ut.us">djones@br.state.ut.us</a> Website: <a href="http://www.dopl.utah.gov/licensing/naturopathy.html">http://www.dopl.utah.gov/licensing/naturopathy.html</a>	Utah Association of Naturopathic Physicians 2186 S. Highland Drive #207 Salt Lake City UT 84106 Contact: Ulrich Knorr - President Phone: (801)474-3684 Email: <a href="mailto:ulixmission.com">ulixmission.com</a>
Vermont	Yes	VT Office of Professional Regulation National Life Building, North, FL2 Montpelier VT 05620-3402 Contact: Loris Rollins Fax: (802) 828-2465 Phone: (802) 828-2191 E-Mail: <a href="mailto:lrollins@sec.state.vt.us">lrollins@sec.state.vt.us</a> Website: <a href="http://vtprofessionals.org/opr1/naturopaths/">http://vtprofessionals.org/opr1/naturopaths/</a>	Vermont Association of Naturopathic Physicians 141 Main St. Montpelier, VT 5602 Contact: Lonlee Schotnebeck, N.D. - President Phone: (802) 860-3366 Email: <a href="mailto:LL@DrLonlee.com">LL@DrLonlee.com</a>
Virginia	No		
Washington	Yes	WA DOH - Naturopathy Program P.O. Box 47869 Olympia WA 98504-7869 Contact: Holly Rawnsley Fax: (360) 236-2406 Phone: (360) 236-4941 E-Mail: <a href="mailto:holly.rawnsley@doh.wa.gov">holly.rawnsley@doh.wa.gov</a> Website: <a href="https://forless.wa.gov/doh/hpps1/hps7/naturopathy/default.htm">https://forless.wa.gov/doh/hpps1/hps7/naturopathy/default.htm</a>	Washington Association of Naturopathic Physicians 9500 Roosevelt Way NE Suite 300C Seattle, Washington 98115 Contact: Kasra Pourmadel - President Phone: (206)547-2130 Email: <a href="mailto:executive@wanp.org">executive@wanp.org</a> Website: <a href="http://www.wanp.org">http://www.wanp.org</a>
West Virginia	No		
Wisconsin	No		Wisconsin Naturopathic Physicians Association PO Box 2623 Madison, WI 53703 Contact: Jill Evenson, N.D. Phone: (608) 880-8672 Website: <a href="http://www.wisconsin-nd.org">http://www.wisconsin-nd.org</a>
Wyoming	No		
District of Columbia	Yes	Health Licensing Specialist 717 14th Street, N.W. Suite 600 Washington DC 20005 Contact: James Granger Fax: (202) 727-8471 Phone: (202) 724-8755 Email: <a href="mailto:james.granger@dc.gov">james.granger@dc.gov</a> Website: <a href="http://www.hpla.doh.dc.gov/hpla/cwp/view,a,1195,q,494455.asp">http://www.hpla.doh.dc.gov/hpla/cwp/view,a,1195,q,494455.asp</a>	District of Columbia Association of Naturopathic Physicians 4801 Connecticut Ave. NW #6 Washington, DC 20008 Contact: Andrea Sullivan, ND - President Phone: (202) 244-4545 Email: <a href="mailto:drespiru@aol.com">drespiru@aol.com</a>
Puerto Rico	Yes	Junta Examinadora Doctores in Naturopatia c/o Myriam Plaza Cell Box 10200 San Juan PR 00908 Contact: Efraim Rodriguez Malave, N.D. Phone: (787) 751-4662 Email: <a href="mailto:eframr@canbe.net">eframr@canbe.net</a>	

## Naturopathic Licensing Jurisdictions in the United States/Canada

U.S. States	Licensing Laws?	Jurisdiction Contact Information	Professional Associations
U.S. Virgin Islands	Yes		
National Association	N/A	N/A	<p>American Association of Naturopathic Physicians                      4435 Wisconsin Avenue, NW, Suite 403                      Washington, DC 20016                      Phone: (866) 538-2267                      Fax: (202) 237-8152                      Email: <a href="mailto:member.services@naturopathic.org">member.services@naturopathic.org</a>                      Website: <a href="http://www.naturopathic.org">http://www.naturopathic.org</a></p>
Canadian Provinces/Territories			
Alberta	No		<p>Alberta Association of Naturopathic Practitioners                      P.O. Box 21142                      865-8th St. S.W.                      Calgary, AB T2P 4H5                      Contact: Mike Nowazak - President                      Phone: (780) 905-1930                      Fax: (780) 462-0153                      Email: <a href="mailto:mike.nowazak@gmail.com">mike.nowazak@gmail.com</a>                      Website: <a href="http://www.naturopathic-alberta.com/">http://www.naturopathic-alberta.com/</a></p>
British Columbia	Yes	<p>College of Naturopathic Physicians of BC                      1698 W. 6th Ave.                      Vancouver BC V6J 1R3                      Contact: Debbie Ferreira                      Fax: (604) 688-8476                      Phone: (604) 688-8236                      E-Mail: <a href="mailto:offices@cnpsc.bc.ca">offices@cnpsc.bc.ca</a>                      Website: <a href="http://www.cnpsc.bc.ca">http://www.cnpsc.bc.ca</a></p>	<p>BC Naturopathic Association                      2238 Pine Street                      Vancouver, BC, V6J 5G4                      Phone: (604) 277-1128                      Fax: (604) 736-6048                      Email: <a href="mailto:bcna@bcna.ca">bcna@bcna.ca</a>                      Website: <a href="http://www.bcna.ca/index.html">http://www.bcna.ca/index.html</a></p>
Manitoba	Yes	<p>Manitoba Naturopathic Association                      P.O. Box 2339 Station Main                      Winnipeg, Manitoba R3C 4A6                      Contact: Dr. Cory Storm, N.D.                      Fax: (204) 452-7044                      Phone: (204) 947-0381                      E-Mail: <a href="mailto:info@mbnd.ca">info@mbnd.ca</a>                      Website: <a href="http://www.mbnd.ca">http://www.mbnd.ca</a></p>	
New Brunswick	No		<p>New Brunswick Association of Naturopathic Doctors                      c/o Crystal Charest                      Westview Chiropractic Health Centre                      11 King Street                      Miramichi NB E1N 2M9                      Phone: (506) 773-5053                      Fax: (506) 773-5056                      Email: <a href="mailto:crystalcharest@hotmail.com">crystalcharest@hotmail.com</a>                      Website: <a href="http://www.nband.ca">http://www.nband.ca</a></p>
Newfoundland/ Labrador	No		<p>Newfoundland and Labrador Association of Naturopathic Doctors                      Email: <a href="mailto:natpathist@yahoo.ca">natpathist@yahoo.ca</a></p>
Northwest Territories	No		

## Naturopathic Licensing Jurisdictions In the Unites States/Canada

U.S. States	Licensing Laws?	Jurisdiction Contact Information	Professional Associations
Nova Scotia	No		Nova Scotia Association of Naturopathic Doctors c/o Wolfville Naturopathic Clinic 189 Dykeland Street, Suite 3 Wolfville, N.S. B4P 1A3 Phone: (902) 542-5560 Fax: (902) 542-4554 Email: wolfvillenaturopath@hotmail.com Website: <a href="http://www.nsand.ca">http://www.nsand.ca</a>
Nunavut	No		
Ontario	Yes	Board of Drugless Therapy - Naturopathy 112 Adelaide St., East Toronto ON M5C 1K9 Contact: Lyle Clark Fax: (416) 866-2175 Phone: (416) 866-8383 E-Mail: <a href="mailto:office@bddtn.on.ca">office@bddtn.on.ca</a> Website: <a href="http://www.boardofnaturopathicmedicine.on.ca">http://www.boardofnaturopathicmedicine.on.ca</a>	The Ontario Association of Naturopathic Doctors 789 Don Mills Rd., Suite 603 Toronto, ON M3C 1T5 Phone: (877) 628-7284 Fax: (416) 233-2924 Email: <a href="mailto:info@oand.org">info@oand.org</a> Website: <a href="http://www.oand.org/">http://www.oand.org/</a>
Prince Edward Island	No		Prince Edward Island Association of Naturopathic Doctors Email: <a href="mailto:drkali@pei.sibn.com">drkali@pei.sibn.com</a>
Quebec	No		Quebec Association of Naturopathic Medicine 1173 Boul. Mont-Royal Montreal QC H2V 2H6 Contact: Stephanie Ogura, ND - Vice President Phone: (514) 279-6629 Fax: (514) 279-0111 Email: <a href="mailto:sogura@sympatico.ca">sogura@sympatico.ca</a> Website: <a href="http://www.qanm.org/index.html">http://www.qanm.org/index.html</a>
Saskatchewan	Yes	Saskatchewan Association of Naturopathic Practitioners 102 - 610 Queen Street Saskatoon SK S7K 0M8 Contact: Kent Bailey, N.D. Fax: (306) 955-7715 Phone: (306) 955-7707 E-Mail: <a href="mailto:infodesk@sarp.ca">infodesk@sarp.ca</a> Website: <a href="http://www.sarp.ca">http://www.sarp.ca</a> ☐	
Yukon	No		
National Association	N/A	N/A	Canadian Association of Naturopathic Doctors 1255 Sheppard Ave. E. Toronto, Ontario, Canada, M2K 1E2 Phone: (800) 551-4381 Fax: (416) 496-8634 Website: <a href="http://www.cand.ca">www.cand.ca</a> ☐

**Minority Report  
of the  
Special Commission on Complementary  
and  
Alternative Medical Practitioners**

**A Report to the Legislature  
January, 2002**

## Executive Summary

The Special Commission on Complementary and Alternative Medical Practitioners was established, at the request of naturopaths (practitioners of "natural medicine"), by an outside section of the fiscal 2000 state budget. Although the Commission's name suggests a more general charge, its work was largely confined to a single task: consideration of state licensing for naturopaths. During the course of a year, naturopaths failed to make a persuasive case for the quality of their educational experience, the efficacy of their treatments, the accuracy of their diagnoses, or the rational basis of their beliefs. Skeptics provided extensive materials, including a Massachusetts based, peer-reviewed study of naturopathic opinions, comprehensive governmental documents on naturopath licensing, and a comprehensive review of naturopathy literature. All of these demonstrate the futility of the case for the licensing of naturopaths.

We, the undersigned, therefore register our opposition to the proposed licensure of naturopaths in the Commonwealth of Massachusetts, and to the establishment of any self-regulating board of "naturopathic medicine." The Commission heard overwhelming evidence that an endorsement of naturopaths through licensure would pose a clear threat to public health and safety. No scientific evidence was presented supporting naturopathic claims, but ample evidence was presented to show that these claims are implausible and dangerous. No evidence was presented to justify distinguishing the small group of naturopaths represented on the Commission from other, "less educated" naturopaths. Finally, the pro-licensure report fails to consider the Arizona report described below, which illustrates that a self-regulation statute cannot result in meaningful regulation and public protection in a field that is inherently irrational and unethical.

The signatories of this report have compiled this brief to reflect the evidence presented to the Commission and to fulfill the charge that the legislature presented to the Commission. We urge readers of this summary also to review the extensive background materials attached to it. Any objective reviewer will find that the evidence is fair and comprehensive, and leads inexorably to the conclusion that naturopaths are not qualified to be licensed health care providers.

**Majority Report  
of the  
Special Commission on Complementary  
and  
Alternative Medical Practitioners**

**A Report to the Legislature  
January, 2002**

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## **EXECUTIVE SUMMARY**

In 2000, the Massachusetts Legislature established a special commission to study the use of and need for licensing complementary and alternative medical practitioners in Massachusetts. This study was to identify the various forms of complementary alternative medical practices that exist in Massachusetts, estimate the level of usage and availability of third party reimbursement, and identify those types of practices that are appropriate for state regulation and/or licensure. The study was also to include recommendations on possible regulation and/or licensure specifically for naturopathic doctors.

Due to time constraints, the Commission focused its deliberations solely on naturopathic medicine. This report provides a review of naturopathic medicine, describes the therapies involved, and outlines issues related to education and training standards, scope of practice and regulation. The report outlines regulatory approaches, and makes recommendations on some general principles for licensing naturopathic doctors in the Commonwealth.

### **Summary of Recommendations for Regulation of Naturopathic Doctors**

After careful consideration of all of the information and evidence presented, the majority of the Commission has concluded that state licensure of practitioners of naturopathic medicine is both appropriate and necessary for the protection of the public health, safety and welfare.

Based upon the evidence presented, the majority has found (1) at least some of the diagnostic and therapeutic modalities currently employed in the practice of naturopathy may result in direct patient harm if they are not used safely and prudently, and (2) safe use of the modalities in naturopathy requires learned skills and/or systematic training. The Commission also found that clinical evidence to support efficacy of naturopathic treatment is very limited. However, a majority of Commission members are persuaded that at least some forms of treatment—such as the use of ginkgo, saw palmetto, St. John's wort, horse chestnut, kava kava, and cranberry juice—have merit in treating certain medical conditions. At the same time, a minority of members is not convinced that current evidence supports the efficacy of naturopathic medicine.

Finally, it was also clear to Commission members that consumers would benefit from government clarification of minimum standards of professional qualifications and practice in this field. While the number of practitioners in this field is currently relatively small, it is evident that public interest in various forms of complementary or alternative health care is growing rapidly. Given this and the historical precedent of medical research institutions to become interested in certain "natural" remedies, the majority believes that the number of practitioners can be expected to grow to meet increasing market demand for these services.

In developing its recommendations, the Commission was mindful of the principle that, unless it can be shown that a particular form of health care service poses a demonstrable and unacceptable risk of injury or harm, a consumer should be free to make informed choices about his or her health care services. Currently, naturopaths are able to receive their education through various means such as naturopathic universities, correspondence programs, and in-the-field apprenticeships. The Commission thought it appropriate to distinguish between the different levels of education and of obtaining status as a naturopathic doctor by recommending specific requirements for licensure while not prohibiting the general practice of naturopathy by those who do not hold a license. A consumer will be more informed knowing that a person calling him/herself a naturopathic doctor has met the Commonwealth's requirements for licensure, and therefore has been compelled to demonstrate that he or she possesses a certain basic level of knowledge and skill in the field. At the same time, he or she still has the freedom to choose naturopathic services provided by an unlicensed practitioner. Hence, the recommendations presented below have attempted to recognize the diversity of philosophy and practice that exists among practitioners of naturopathic health care while ensuring a minimum level of protection of the public interest.

Following are the summary recommendations for regulating naturopathic doctors. Part IV of this report provides a more thorough discussion of each recommendation.

1. Enact licensing legislation for naturopathic doctors that vests the power to license and regulate such practitioners in a board to be comprised of nine members, including four naturopathic medical doctors, professionals from other health care fields and a public member.
2. Licensing legislation for naturopathic practitioners should take the form of a "title protection" statute, as opposed to a so-called "practice" act. Title protection ensures that those individuals who are licensed abide by the practice standards established by the act and would allow the board to suspend, revoke or otherwise discipline a licensee who violates those standards or regulations.
3. Licensing legislation for naturopathic doctors should contain specific provisions which prohibit unlicensed individuals from using any of the following terms or titles: "naturopathic physician", "naturopathic doctor", "doctor of naturopathy", "N.D.", "naturopathic medicine", "naturopath", or any term that indicates or implies that he or she has been licensed or otherwise approved to practice any form of naturopathic health care by any governmental body. The Commission further recommends that the term "physician" and "primary care" be reserved for medical doctors and that licensed naturopathic doctors be prohibited from using those terms.
4. The definition of the scope of practice of naturopathic medicine should include many of the practices and treatments being taught at naturopathic medical schools yet exclude certain

practices—such as surgery and the prescribing of controlled substances—as beyond the scope of naturopathic medicine (see Part IV for more detail).

5. The naturopathic licensing board, in consultation with the Department of Public Health and the Board of Registration in Medicine, should promulgate regulations to establish standards for required collaboration between naturopathic doctors and conventional medical doctors.

6. The naturopathic licensing board should promulgate ethics regulations that would reduce the potential for conflict-of-interest, prohibit false and misleading claims, and provide for adequate disclosure of a patient treatment plan and obtain informed consent before treatment (see Part IV for more detail.)

7. Applicants for licensure as naturopathic practitioners shall possess a baccalaureate degree or its equivalent, as determined by the board, and shall have attended and graduated from a four-year doctoral program that is accredited or is a candidate for accreditation by an accrediting agency recognized by the U.S. Department of Education. The naturopathic doctoral program shall further be accredited or be a candidate for accreditation by the Council on Naturopathic Medical Education, or its successor. The naturopathic licensing board shall also have the authority to approve candidates for licensure who are graduates of naturopathic medical schools in countries or territories outside of the United States that offer equivalent training and education.

8. The naturopathic licensing board should establish a minimum 1,200 hours clinical training requirement, prior to graduation from a doctoral program, as a prerequisite for licensure. The clinical training may take place in both outpatient and inpatient settings, and may include components from conventional medicine as well as naturopathic medicine.

9. Applicants for licensure should be required to take and pass a uniform, proctored, psychometrically sound examination in order to obtain a license to practice as a naturopathic practitioner. This examination should, in particular, test the diagnostic and therapeutic skills of the applicant. The Commission supports the adoption of a standard national examination.

10. Licensing legislation for naturopathic doctors should contain specific continuing education requirements that must be met in order to renew that license.

11. Licensing legislation for naturopathic doctors should grant broad authority to the licensing board to develop and implement any regulations necessary to protect the public health, safety and welfare.

12. Licensing legislation for naturopathic doctors should contain specific grounds for

**taking disciplinary action against providers who engage in certain forms of professional misconduct and violations of regulations of the board.**

**13. The naturopathic licensing board should establish a list of prohibited practices and treatments where controlled clinical trials have demonstrated a lack of efficacy or a risk of harm. The Commission also recommends that the legislature establish a list of prohibited practices for those practitioners who do not fall under the terms of this proposed act. The Commission further recommends that the naturopathic licensing board, in collaboration with the Department of Public Health and the Office of Consumer Affairs and Business Regulation, review annually research reported or conducted by the National Center for Complementary and Alternative Medicine of the National Institutes of Health and other CAM centers.**

# **Naturopathy: A Monograph**

**Prepared by Kimball C. Atwood, M.D.,  
Representative of the Massachusetts Medical Society, for the  
Massachusetts Special Commission on  
Complementary and Alternative Medical Practitioners  
April, 2001**

## **Executive Summary**

A small group of naturopaths (practitioners of "natural medicine"), who refer to themselves as "naturopathic physicians" or "naturopathic doctors" ("ND's"), seeks licensure in the Commonwealth of Massachusetts. These naturopaths portray themselves as "primary care physicians." They are few by any standard, numbering approximately 1500 in the entire U.S. and 30 in Massachusetts (by comparison, in Massachusetts alone there are about 30,000 medical doctors, 4,000 nurse practitioners, 400 nurse midwives, and 1800 chiropractors). They contrast themselves to other naturopaths, whom they consider not worthy of licensure, by virtue of having attended on-campus schools. These schools are not accredited in any meaningful way. They grant the "N.D." degree, but so do several other, "unapproved," correspondence schools. The N.D. degree is not recognized nationally or in the Commonwealth of Massachusetts.

Licensure offers regulation to protect the public. Regulators must hold health professions to a very high standard, since considerable damage can occur as a result of treatment by incompetent practitioners. To be considered a *health* profession, an occupation must be able to demonstrate an objective, scientific, and ethical basis. Naturopathy fails to meet this standard.

For an occupation with little semblance of objective, scientific, and ethical bases, licensure legitimizes an otherwise illegitimate and dangerous activity. This monograph demonstrates, unequivocally and with extensive documentation, that naturopathy is a dangerous activity, and that no amount of regulation is likely to mitigate this fact. It is the opinion of the Massachusetts Medical Society that it would be irresponsible and unconscionable for the Commission to recommend the licensure of naturopathy in the Commonwealth of Massachusetts. Among the reasons are:

1. Naturopathy is both potentially and actually injurious when practiced according to the accepted standards of the profession. This injury is likely to be due to the failure of the naturopathic practitioner to recommend appropriate medical treatment. The discussion includes several clinical examples and one clinical study supporting these assertions (pp. 6-8, 22-43).

2. Unscientific naturopathic beliefs pose irrational challenges to proven public health measures, most notably childhood immunizations (p.40).
3. Irrational, unscientific beliefs and practices abound in naturopathy, likening it more to a cult than to a valid form of health care. These beliefs and practices are not merely at the fringes but are the standards of the field. They are advocated by the leaders themselves (pp.6-8 and most of the discussion).
4. Naturopathic practitioners are incapable of self-regulation commensurate with public safety. The question of protecting the public from "less qualified" naturopaths is demonstrated to be moot. Ample evidence is offered throughout the discussion (see, esp., pp. 33, 44).
5. Naturopaths prescribe numerous "natural medicines" with a standard for safety and efficacy that is unacceptably low, as evidenced by the leading textbook in the field (pp. 13-18 and Appendix I).
6. The scientific pretensions of naturopathy and naturopathic training programs are baseless. There is ample evidence that the basic science courses do not teach students to think critically (p.9). Research performed at naturopathic colleges is lacking in scientific rigor and has not investigated common naturopathic claims (p.11). The libraries at naturopathic colleges are filled with books and journals that promote trendy but implausible notions regarding health care (p.10). The major journal in the field is filled with articles that are both absurd and dangerous (p.12). The oft-repeated claim that the major textbook in the field cites "more than 10,000 scientific references" is a misrepresentation, as exemplified by the textbook's claims for "natural remedies" (pp.12, 13-16 and Appendix I).
7. Collaboration with medical doctors is uncommon in naturopathic practice, in contrast to what the Commission was told by naturopathic representatives. Statistics are cited (p.43).
8. There is a financial conflict of interest built into naturopathic practice that is both sanctioned and shared by the very organization that should be providing ethical guidance (p.18).
9. There are many nonsensical diagnostic practices, some of which are "electrodiagnosis," "applied kinesiology," hair analysis, and "iridology," that are correctly viewed as quackery when offered by a medical doctor but are standard for naturopathic practice (pp. 22-26).
10. There are ubiquitous claims of dubious clinical "syndromes." among which are multiple "food allergies," "toxemia," and chronic yeast infections, which cast further doubt on the science and ethics of naturopathic practice (pp. 26-33).
11. The duration and setting of naturopathic clinical training, even overlooking its content, is inadequate to the task of producing competent primary care physicians. This is clear from a comparison of the training of medical doctors to that of naturopaths. Just as a newly graduated medical doctor, no matter how well-intentioned, would not be allowed to assume the role of a primary care physician, neither should this be allowed for a naturopath whose training is, clearly, inferior (pp.43-44).

**This monograph also addresses the issue of why it might seem to some people, including naturopathic practitioners themselves, that naturopathy "works" (p.45).**

7

## Why Naturopaths Should Not Be Licensed

Kimball C. Atwood IV, M.D.

Naturopaths are licensed as independent practitioners in eleven states (Alaska, Arizona, Connecticut, Hawaii, Maine, Montana, New Hampshire, Oregon, Utah, Vermont, and Washington) and the District of Columbia, and can legally practice in a few others. Naturopaths who have attended on-campus schools are pressing for licensure in the remaining states.

Approximately 30 naturopaths are lobbying for licensure in Massachusetts. They portray themselves as "primary care physicians," consider themselves superior to other naturopaths whose "degrees" were obtained from nonaccredited correspondence schools, and assert that licensure is needed to protect the public from unqualified practitioners. However, the existing naturopathic licensing agencies have done little or nothing to protect the public from naturopathy's widespread quackery.

Since treatment by incompetent practitioners can cause great damage, health professions should be held to very high standards. To be considered a health profession, an occupational group should be able to demonstrate an objective, scientific, and ethical basis. Naturopathy fails to meet this standard. I believe that it is dangerous and that no amount of regulation can control the danger. Moreover, as noted by William T. Jarvis, Ph.D., past-president of the National Council Against Health Fraud:

The difference between more and less educated naturopaths is . . . like comparing more and less educated witch doctors. It could actually be argued that less schooled naturopaths are safer because they may have a smaller bag of tricks and, because they don't consider themselves "primary health physicians," they are more apt to refer patients to M.D.'s for additional care.

The Massachusetts Medical Society strongly opposes naturopathic licensure in Massachusetts. Our reasons include:

- Naturopathy is both potentially and actually injurious when practiced according to the accepted standards of the profession. This injury is likely to be due to the failure of the naturopathic practitioner to recommend appropriate medical treatment.
- Unscientific naturopathic beliefs pose irrational challenges to proven public health measures, most notably childhood immunizations.
- Irrational, unscientific beliefs and practices abound in naturopathy, likening it more to a cult than to a valid form of health care. These beliefs and practices are not merely at the fringes but are the standards of the field. They are advocated by the leaders themselves.
- Naturopathic practitioners are incapable of self-regulation commensurate with public safety. No study has demonstrated that naturopaths who attend full-time schools are any less dangerous than those who have mail-order degrees.
- Naturopaths prescribe numerous "natural medicines" with a standard for safety and efficacy that is unacceptably low, as evidenced by the leading textbook in the field.
- The scientific pretensions of naturopathy and naturopathic training programs are baseless. There is ample evidence that the basic science courses do not teach students to think critically. Research performed at naturopathic colleges is lacking in scientific rigor and has not investigated common naturopathic claims. The libraries at naturopathic colleges are filled with books and journals that promote trendy but implausible notions regarding health care. The major journal in the field is

filled with articles that are both absurd and dangerous. The oft-repeated claim that the major textbook in the field cites "more than 10,000 scientific references" is a misrepresentation, as exemplified by the textbook's claims for "natural remedies."

- Collaboration with medical doctors is uncommon in naturopathic practice.
- Naturopathy involves many nonsensical diagnostic practices that mainstream medicine considers quackery but naturopaths consider standard.
- There are ubiquitous claims of dubious clinical "syndromes," among which are multiple "food allergies," "toxemia," and chronic yeast infections, which cast further doubt on the science and ethics of naturopathic practice.
- The duration and setting of naturopathic clinical training, even overlooking its content, is inadequate for producing competent primary care physicians. This is clear from a comparison of the training of medical doctors to that of naturopaths. Just as a newly graduated medical doctor, no matter how well-intentioned, would not be allowed to assume the role of a primary care physician, neither should this be allowed for a naturopath whose training is clearly inferior.

Naturopathic services are not covered by Medicare or most insurance policies. Expansion of naturopathic licensing will make naturopaths appear more legitimate and could help them gain passage of laws forcing insurance companies to cover their services.

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Dr. Atwood, who practices in Newton, Massachusetts, is board certified in anesthesiology and internal medicine. He is also his state medical society's representative on the Massachusetts Special Commission on Complementary and Alternative Medical Practitioners, an ad hoc group whose purpose is to inform state legislators about naturopathy. This article is modified from a lengthy report that Dr. Atwood submitted to the Commission.

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This article was revised on December 30, 2001.

## **Naturopathic Misrepresentations**

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The Massachusetts Special Commission on Complementary and Alternative Medical Practitioners met from October 2000 until January 2002. Its purpose was to study the request of a group of naturopaths to achieve licensure as health care providers in the Commonwealth of Massachusetts. These naturopaths call themselves "naturopathic physicians" or "doctors" and are represented by their national organization, the American Association of Naturopathic Physicians (AANP). They have attended one of four on-campus schools in the U.S. (Bastyr University, the National College of Naturopathic Medicine, the Southwest College of Naturopathic Medicine, and the University of Bridgeport College of Naturopathic Medicine) or the Canadian College of Naturopathic Medicine. This training, they maintain, is superior to that of other naturopaths and makes them worthy of recognition by state health regulators. The evidence brought to bear during the deliberations of the Special Commission suggests otherwise.

The Commission comprised twelve members: three physicians, six legislators (of whom three were predisposed to favoring licensure for naturopaths), a naturopath, a representative of a group of acupuncturists, and the chairman of the Massachusetts Division of Professional Licensure. Upon its adjournment, six Commissioners favored naturopathic licensure, three opposed, and three abstained.

The following document in slightly different form was included in the materials sent to the state legislature by the Commission upon its adjournment. Also included were the commission's Report in Opposition to the Licensure of Naturopaths, co-authored by William J. Ryder, Esq., and me; the Naturopathy Monograph by me; and the Commission's report in favor of the licensure of naturopaths. That pro-licensure report is notable for its lack of discussion of naturopathic practices, confining its content to superficial considerations only. As such, it is an example of how the public must be wary of a government commission that might otherwise be assumed to act with integrity.

More troubling is that the pro-licensure report was written with the help of two presumed experts in "Complementary and Alternative Medicine" from Harvard Medical School: Dr. David Eisenberg and Attorney Michael Cohen. Dr. Eisenberg was the official representative of the Mass. Department of Public Health to the Commission, but he failed to disclose several conflicts of interest, including funding by the Southwest College of Naturopathic Medicine, funding by the Fetzer Institute, and funding by the National Center for Complementary and Alternative Medicine, whose advisory board included three naturopaths at the time of the Commission's work.

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### **Revealing Quotations from Leading "Naturopathic Physicians"**

**Kimball C. Atwood, M.D.**

**July 3, 2001**

Virtually every naturopath-patient interaction involves "fraud, deceit or misrepresentation of facts in connection with diagnosis, evaluation or treatment" of that patient. When a naturopath claims that "toxins" or "food allergies" or dietary sugar or "candidiasis" are the underlying causes of ear infections, learning disorders, fatigue, arthritis or numerous other problems, it is a misrepresentation of facts. When a naturopath uses "applied kinesiology" or "iridology" or "electrodiagnosis" or "hair analysis" or "live cell analysis" to make any "diagnosis," it is fraudulent. Whenever a naturopath recommends a "cleansing

program" to treat specific problems, it is a misrepresentation of facts. When a naturopath performs "cranial osteopathy," "binasal specific," "colonic irrigation," or "electrical current in the form of positive galvanism, applied transrectally," that constitutes fraud. When a naturopath tells a patient that it's not necessary to treat strep throat with a genuine antibiotic to prevent rheumatic heart disease, it's a dangerous misrepresentation of facts. Each time that a naturopath claims that "natural antibiotics" such as goldenseal or garlic are adequate substitutes for real ones, it is an example of fraud. Almost all examples of naturopaths recommending "natural medicines," which are either known to be ineffective, are unlikely to be effective, or have yet to be studied, are fraudulent. Each time a naturopath sells her own "natural medicines" to a patient by claiming that they are preferable to what can be purchased on the open market, it constitutes deceit. Every instance of a naturopath warning a parent against childhood immunizations is a misrepresentation of facts.

There are numerous other examples, all of which are representative of the consensus of naturopathic practice as shown in the American Association of Naturopathic Physicians (AANP) Position Papers, the *Textbook of Natural Medicine*, the *Journal of Naturopathic Medicine*, the curricula of all four full-time naturopathic schools, and many other sources in the field. These are not merely the exceptional practices of a few mavericks; they are the standards of the field. This is why any proposal for self-regulation is ill-founded and doomed to failure. The regulatory board envisioned by the pro-licensure report couldn't possibly be expected to discipline its constituents for these frauds, deceptions, and misrepresentations of facts. On the contrary, the board would consider such practices to be legitimate. The entire enterprise would go largely unnoticed until a few real tragedies had occurred.

Here are several quotations from mainstream naturopathic sources and critics, covering various health problems, each of which illustrates fraud, deceit, or misrepresentation of facts (all Web sites accessed between December 2000 and July 2001):

## **ADD**

[An Alternative to Ritalin: Homeopathy as a Highly Effective Treatment for ADD. Judyth Reichenberg-Ullman N.D., M.S.W., DHANP]

Comment: Homeopathy has no specific effects on any disease, because the preparations contain no active ingredients. Any apparent effect is due to well-understood phenomena that are common to all patient-practitioner interactions and are the basis for most "alternative" claims. See p. 45 of the *Naturopathy Monograph* for further discussion. Judyth Reichenberg-Ullman is a "former instructor and currently occasional lecturer at Bastyr University, the National College of Naturopathic Medicine (Portland), and the Southwest College of Naturopathic Medicine (Phoenix)."

## **AIDS**

"The greatest promise of St. John's wort, however, may be in the treatment of AIDS." [Pizzomo JE and Murray MT (eds.). *Textbook of Natural Medicine*, Churchill Livingstone, Edinburgh, 1999. p. 803]

Comment: St. John's wort is dangerous for HIV+ patients taking protease inhibitors and has no known value in fighting the HIV itself.

"Electrochemical Ag+ solutions exhibit antimicrobial effectiveness." justification for recommending colloidal silver as a treatment for opportunistic infections in patients with AIDS [*Textbook of Natural Medicine*, p. 1292]

**Comment:** Colloidal silver is a poisonous heavy metal. The FDA has declared it unsafe for any medicinal use.

### **Allergies**

"It is important to remember that the overload of the foreign substances 'attacking' our body and the increased permeability of the mucous membranes create the vicious cycle where they both feed each other. If this situation continues for a long period of time, the person is very likely to become allergic to almost everything, as he/she is no longer capable to prevent foreign substances from entering his/her system." [Bubis, E. Allergies from the Naturopathic Angle. Available at the [Naturopathic Medicine Network](#)]

**Comment:** This is completely false. The author has an office in the Boston area.

### **Alzheimer's disease**

"Hair tests should be performed upon diagnosis to determine if the patient is lacking any vital minerals or vitamins." [[Treatise on Alzheimer's disease](#) from the Southwest College of Naturopathic Medicine]

**Comment:** Hair tests are useless for the diagnosis of vitamin and mineral deficiencies, and are a well-known form of quackery (see: [Hair Analysis: A Cardinal Sign of Quackery](#)). The Southwest College of Naturopathic Medicine provides funds for the Harvard Complementary and Integrative Medicine Course, whose director is David Eisenberg, M.D., the representative of the DPH to the Special Commission on Complementary and Alternative Medical Practitioners.

### **Arthritis**

"Daily bowel movements are essential for the elimination of waste products, which aggravate the inflamed joints.

Acupuncture has proven very effective in treating arthritis. You may want to look for a licensed acupuncturist in your area.

From the following homeopathic medicines, choose the one that best matches your symptoms." [Ruth Bar-Shalom, N.D. and David Soileau, N.D. [Osteoarthritis](#)]

**Comment:** The first claim is just silly. Daily bowel movements have nothing to do with osteoarthritis, and "waste products" in the bowel do not affect joints in any way. Acupuncture has been disappointing in the treatment of arthritis (see, for example: Ernst E. Acupuncture as a symptomatic treatment of osteoarthritis. A systematic review. *Scand J Rheumatol* 1997;26(6):444-7). Homeopathy has no effect on arthritis or any other disease. The authors of the quotations above are frequent contributors to the treatises on the AANP website.

### **Asthma**

"Some doctors recommend taking baths with a cup or so of 3% hydrogen peroxide in the water to bring extra oxygen to the entire surface of the skin, thus making the lungs somewhat less oxygen hungry. This method can be performed preventively. Another technique for an acute attack is to drink some hot water

with the juice of one clove of garlic."

"Often the upper thoracic vertebrae will be out of alignment after an asthma attack, which will ultimately put pressure on the lungs and possibly precipitate another attack." [Kane, E. Asthma]

Comment: This article is filled with dangerous nonsense that is in conflict with the facts of anatomy, physiology, pharmacology and clinical medicine. Its author, Emily Kane, is listed as a senior editor of the *Journal of Naturopathic Medicine*, the "official publication of the American Association of Naturopathic Physicians."

## Cancer

"Even the mainstream advice for preventing cancer is largely nutritional, and naturopaths have treated cancer successfully before it becomes too acute" [Naturopathy: An age-old medicine for the "New Age," by Susan M. Fitzgerald, Communications Coordinator, National College of Naturopathic Medicine, Portland, Oregon]

Comment: There is no evidence for either of these claims.

"So, what can I do to lower my risk of getting breast cancer? Keep your breasts happy and healthy. Love them and yourself. We often develop illnesses because of our own unresolved feelings and lack of love for ourselves." [Preventing breast cancer. Judyth Reichenberg-Ullman N.D., M.S.W., DHAN]

Comment: There is no evidence that breast cancer or any other form of cancer is caused by "unresolved feelings." This is an irresponsible claim that can only add insult to injury for a patient with a life-threatening illness. The author of this article is a "former instructor and currently occasional lecturer at Bastyr University, the National College of Naturopathic Medicine (Portland), and the Southwest College of Naturopathic Medicine (Phoenix)."

"Gerson Therapy is a very powerful healing approach to dealing with cancer, multiple sclerosis and other chronic degenerative diseases and embodies the principles of nature cure [sic]." [Announcement of a lecture to be given at the National College of Naturopathic Medicine: "Upcoming Events Schedule, Fall 2000]

Comment: Gerson Therapy is an absurd, long-since discredited cancer treatment that includes "detoxification" with coffee enemas, ozone enemas, massive quantities of juices made from fruits, vegetables, and raw calves' livers, and other arduous regimens. The treatment bears no relation to anything that is known about cancer or any other disease, and is itself toxic. The lecturer was Anna MacIntosh, NCNM Dean of Research, who is also a member of the National Advisory Council for Complementary and Alternative Medicine.

"It is now relatively well accepted that vitamin C protects humans from stomach cancer." [Steve Austin, N.D. Linus Pauling and Vitamin C therapy for breast cancer]

Comment: This claim is false. The author, who makes numerous other unsubstantiated claims about cancer and "dietary supplements," is a "former professor of nutrition at National College of Naturopathic Medicine, [and] currently on the faculties of Southwest and Canadian Colleges of Naturopathic Medicine."

"In November 1998, then 67-year-old Dolores Lawrence of Kissimmee, Fla., was diagnosed with breast

cancer that had spread to her liver. Her grandson recommended a call to [a naturopath in Lexington, MA], who requested copies of her lab results. By December 1998, she was on a regimen of chemotherapy, vitamins, and herbs, a combination she credits with her cancer's remission since the fall of 1999.

"Don't let anyone tell you that you're going to die," said Lawrence. "Whatever you have to do, whatever it costs, your life is absolutely worth it."

"According to [the naturopath], office visits cost about the same as those charged by conventional physicians. Beyond that, naturopathic treatments can run anywhere from no charge, if just dietary changes are necessary, to \$500 per month for some cancer patients. Lawrence, who has never met [the naturopath], pays for her telephone consultations and prescribed supplements with the help of her two daughters.

"A lot of patients, especially those with cancer, come in after they've been told there's nothing else conventional medicine can do for them. I could help so much more if they'd come to me sooner," he said. "It's frustrating to hear they didn't know there was another option." [Beyond the Conventional: Naturopaths say they treat whole person rather than suppress symptoms, by Cynthia Cantrell, Boston Globe.]

Comment: This article is a series of testimonials, which have long been understood by rational physicians to be unhelpful in determining the efficacy of treatments. The excerpt shows how a desperate cancer patient can fall prey, both financially and emotionally, to the untested claims of "alternative" practitioners. The naturopath, who practices in the Boston area, is reported to be treating the patient over the phone without ever having met her. This is a fundamental breach of medical ethics, and would subject the practitioner to disciplinary measures if he were a medical doctor.

### Childhood Vaccinations

"A good case of smallpox may rid the system of more scrofulous, tubercular, syphilitic and other poisons than could otherwise be eliminated in a lifetime. Therefore, smallpox is certainly to be preferred to vaccination. The one means elimination of chronic disease, the other the making of it." [Harry Riley Spittler, *Basic Naturopathy: a textbook* (n.p.: American Naturopathic Association, Inc., 1948), p. 214. This book was submitted to The U. S. Public Health Service in 1968 as a part of the report from the National Association of Naturopathic Physicians (later to become the AANP). Quoted in the HEW report on naturopathy, available on Quackwatch.

In 1981 a study of naturopaths in Washington found that "many were opposed to routine immunization because they felt the procedure was unnatural, unnecessary and elitist." [Ernst E. *The Attitude Against Immunisation within Some Branches of Complementary Medicine. European Journal of Pediatrics* (1997) 156:513-516]

"Some naturopaths espouse an 'immunization kit' containing homeopathic solutions and pills that supposedly protect against polio, measles, pertussis, tetanus, and other lethal diseases. The Academic Dean of the National College of Naturopathic Medicine, Jared Zeff, N.D., said, in reference to such products, that some naturopaths give conventional vaccines and some give homeopathic pills that 'stimulate the immune system.'" [Butler K. *A Consumer's Guide to Alternative Medicine*. Buffalo, NY. Prometheus Books, 1992. p. 139]

"The fifth [issue], which attacks immunization, contains papers suggesting that vaccines may be a factor in causing cancer and that homeopathic prophylaxis using nosodes would be effective and safer than standard vaccines. (Nosodes are homeopathic products made from pathological organs or tissues: causative agents such as bacteria, fungi, ova, parasites, virus particles and yeast; disease products; or excretions.)" [Review by Stephen Barrett, M.D., of the 1994 issue of the *Journal of Naturopathic Medicine* (the "official publication of the American Association of Naturopathic Physicians").

"Whereas it is well documented that some of the current childhood vaccinations have been associated with significant morbidity and are of variable efficacy and necessity" [Current AANP Position Paper on Childhood Vaccinations]

"In view of the valid questions about the efficacy of modern vaccines and growing concerns about harmful side effects, which appear to be greatly underestimated..."

"When arbitrary decisions in the mandating of vaccines are made by government bureaucracies, which frequently work hand-in-glove with the pharmaceutical industry, with no recourse open to parents, we have all the potential ingredients for a tragedy of historic proportions." [Harold Buttram, MD, author of the chapter on vaccinations in the 1993 edition of the *Textbook of Natural Medicine*, which appeared on the AANP website in 2001]

Comment: The side effects of vaccines are not greatly underestimated. Serious ones are well recognized but very rare, much rarer than the incidence of serious infectious diseases in the absence of vaccines. The naturopathic representative to the Commission denied that present-day naturopaths are opposed to childhood vaccinations. The quotations above, which show a consistent historical pattern, prove otherwise.

### **Depression**

"Depression and fatigue have been linked to food allergies for over 65 years." [*Textbook of Natural Medicine*, p.1046]

"Vitamin C: 3-5 g/day in divided doses." [Recommendation for treatment of bipolar depression in *Textbook of Natural Medicine*, p.1054]

Comment: These claims are false.

### **Diabetes**

"There is increasing evidence that diabetes is both induced and curable by clinical nutrition." Naturopathy: An age-old medicine for the "New Age" by Susan M. Fitzgerald, Communications Coordinator, National College of Naturopathic Medicine, Portland, Oregon

Comment: The statement is a gross distortion, i.e., misrepresentation, of the facts.

"However, there are lots of other ways to control DM (Diabetes Mellitus), including Botanical Medicine with its array of insulin-like plants, Homeopathy, Traditional Chinese Medicine (TCM) and psychological approaches." [Emily Kane, N.D. Adult Onset Diabetes.]

Comment: These claims are false. Only "botanical medicine" has even a theoretical possibility of "controlling diabetes mellitus," but if so it has yet to be discovered. The author of this treatise is listed as a senior editor of the *Journal of Naturopathic Medicine*,

the "official publication of the American Association of Naturopathic Physicians."

### "Electrodiagnosis"

"EAV Screening Device for Sale. Almost new. Increase your revenue while better serving your clients. Test for parasites, food and environmental sensitivities, candida, nutritional deficiencies and much more.

Biopath Listen System using electrodermal screening. A great way to test for allergies of all kinds. Excellent practice builder

Vega Machine For Sale. VegaTest II complete with carrying case, extra hand electrode, instruction manual (Short Manual of VegaTest), test kits and 114 food vials. Remember, Vega units are no longer available in the United States. Save yourself the expense and hassle of importing a Vega unit (and avoid the possibility of having the unit confiscated at the border).

Comment: These ads, culled from many more like them, are from the AANP website "Equipment 4 sale" page. Vega units "may be confiscated at the border" because the FDA has ruled that they are worthless and cannot be legally marketed or imported into the U.S. for diagnostic or treatment purposes. The devices merely measure the skin's resistance to a tiny electric current. Their use is quackery.

### Glaucoma

"of foremost importance in achieving collagen integrity are optimal tissue concentrations of ascorbic acid" (vitamin C). [Recommendation for the treatment of glaucoma in *Textbook of Natural Medicine*. p.1250]

Comment: This claim is misleading unless the patient is suffering from scurvy (due to frank vitamin C deficiency), and it has nothing to do with the pathogenesis of glaucoma. To illustrate this point, consider that water is also "of foremost importance in achieving collagen integrity," but more of it than usual will neither prevent nor treat glaucoma.

### Heart Disease

"If there is significant blockage of the coronary artery, intravenous chelation therapy may be appropriate."

"EDTA chelation therapy is an alternative to coronary artery bypass surgery and angioplasty which may prove to be more effective and is definitely safer and less expensive."

- *Textbook of Natural Medicine*, p.1078, 1082

Comment: Chelation therapy has long been recognized as an implausible, dangerous treatment based on a simplistic misunderstanding of atherosclerosis. A recent review of the entire literature of its use for coronary artery disease, performed by a well-known enthusiast for "alternative medicine," concluded: "The most striking finding is the almost total lack of convincing evidence for efficacy. Given the potential of chelation therapy to cause severe adverse effects, this treatment should now be considered obsolete." (Ernst E. Chelation therapy for coronary heart disease: An overview of all clinical investigations. *Am Heart J*. 2000 Jul; 140(1): 4-5)

"Most drugs prescribed by M.D.'s are intended to impose an external order on the body. In contrast, an N.D.'s goal is not to impose an outside order but to correct the underlying problem. In the case of a weakened heart, an N.D. would accomplish this by using herbs that nourish and strengthen the heart, such as hawthorne berry, or herbs that disperse congestion or toxins in the body, such as dandelion root. When strengthening and detoxification occur, a patient's vitality becomes stronger, the root cause of the illness is addressed, and a permanent recovery becomes possible." [Mary & Michael Morton. "Naturopathic Medicine," from Healthworld Online]

Comment: This quotation is an illustration of the magical thinking that forms the basis of naturopathy.

### **Herbal Medicines**

"If there is any problem with herbal medicines it is that unless one knows how to prescribe them, they may not be effective. Herbal medications should be prescribed based on the symptoms that the person presents rather than for the name of the disease. Herbal medications are much more effective at relieving the patients symptoms when prescribed in this manner. When prescribed the medicines act with the body's own innate healing mechanism to restore balance and ultimately allows healing to occur. What's nice about plant or herbal medicines is that because they are derived from the whole plant they are considerably less toxic to the body. The plant medicine has evolved to work in harmony with the normal body processes rather than taking over its function as many drug therapies do. Because of this herbal medicines may be taken for longer periods of time without the side effects so often experienced with drugs." [Thomas Kruzel, N.D. Multiple Sclerosis and Alternative Medicine]

Comment: The entire paragraph is nonsense. The author is listed as "an Associate Professor of Medicine at National College of Naturopathic Medicine where he teaches Clinical Urology, Geriatric Medicine and Clinical Pathology."

### **High Blood Pressure (Hypertension)**

"Gems that have been reported to be helpful in hypertension are: Sapphire; Coral; Pearl; Pearl, Sapphire, Emerald, Diamond combination; Emerald, Sapphire, Cat's Eye combination

Hypertensive patients are like overreactive sounding boards and often display increased anxiety, inappropriate coping behaviors in socially distressing situations or exaggerated dependency needs." [Emily Kane, N.D. Hypertension]

Comment: These claims are absurd, as are all the rest in this long article. The author is listed as a senior editor of the *Journal of Naturopathic Medicine*, the "official publication of the American Association of Naturopathic Physicians."

### **Infertility**

"Vitamin C supplementation can be very effective in treating male infertility."

- *Textbook of Natural Medicine* p. 1383

"Vitamin C improves sperm motility." [Amy Rothenberg, N.D., in a presentation to the Commission]

Comment: There is no evidence for these claims.

### **Liver Disease**

"Acute hepatitis is one of the easiest diseases for vitamin C to cure." [*Textbook of Natural Medicine* p.1269]

"*Eclipta alba* given 800 mg TID, has been shown to reverse hepatic cirrhosis." [*Clinical Roundtable, J Naturopathic Medicine* vol.1, no.1. available at:

Comment: These claims are entirely false.

### **Multiple Sclerosis**

"Diets low in fats cause the illness to go into remission and the symptoms to diminish. In my opinion, homeopathy is also a cornerstone of treatment for multiple sclerosis along with diet.

Hydrotherapy works because it does several things needed by the MS patient. First, it increases oxygenation in the blood. Because of the higher fat content of the blood in these patients, less oxygen is delivered to the tissues. the process of using hot and cold applications promotes repair of tissue damaged by the disease, thus helping to reverse the damage to the delicate tissues." [Thomas Kruzel, N.D. *Multiple Sclerosis and Alternative Medicine*]

Comment: These claims are false and demonstrate the naïve, naturopathic view of human pathophysiology. The author is listed as "an Associate Professor of Medicine at National College of Naturopathic Medicine where he teaches Clinical Urology, Geriatric Medicine and Clinical Pathology."

### **Obstetrics**

"Naturopathic physicians believe counseling is an important component of their jobs as facilitators for childbirth care. Dr. Zeff says that he requires the mother and partner to invite him and his assistant to dinner."

"N.D.'s use many different treatments during the various stages of gestation and birth, including some that most conventional doctors are unfamiliar with. For instance, some N.D.'s use homeopathy before labor begins to help a breach [sic] baby turn to the correct "head-down" position. In some cases, the homeopathic remedy Pulsatilla is used when the baby is not yet in the right position for delivery. Naturopathic physicians have seen that within twelve hours of giving a dose of Pulsatilla to the mother, the baby turns by itself."

"Also, given that naturopaths are trained in natural childbirth, with their noninvasive and natural treatments, N.D.'s are able to avoid many of the complications associated with childbirth." [Mary & Michael Morton. "*Naturopathic Medicine*," from Healthworld Online

Comment: There are no published data to support these claims. There never will be, because homeopathy is at odds with facts. What would the Board of Registration in Medicine think of a medical doctor who required his patient to invite him to dinner? "Dr. Zeff" is Jared Zeff, the former Academic Dean of the National College of Naturopathic Medicine in Portland, Oregon.

### **Otitis Media (Ear Infection)**

"Yes, bacteria feed on sugar, and if you remove it from a microbiological media, bacteria simply won't

be able grow. By the same logic: reduce the sugar load on the human body, and bacteria will have harder time infecting it."

"Another important factor allowing pathological bacteria to overgrow in our bodies is a weak immune system. Long-term overuse of antibiotics suppresses the immune system."

"From the naturopathic prospective, the single most important thing to understand is that an ear infection itself is a consequence, not a cause. It is a consequence of nutritional imbalances and a weak immune system."

"The above outlined naturopathic approach to otitis media has proven to be very effective and fundamentally curative." [Bubis, E. Why do our children get chronic ear infections? The naturopathic perspective. Available at the Naturopathic Medicine Network]

Comment: Every statement is false. The final one implies that studies of naturopathic treatments for otitis media have been done. They have not. The author is a Boston-area naturopath.

### **Preventive Medicine**

"I think the best position for N.D.'s is in the family practice [sic],' Dr. Kail says. 'Naturopaths are the only physicians who have primary skills in health/risk analysis and disease prevention.' Kail says some of the benefits of using a naturopathic doctor are safer medicine, quicker recovery time, and, especially, prevention of future illness." [Mary & Michael Morton. "Naturopathic Medicine," from Healthworld Online]

Comment: There is no evidence that naturopaths have esoteric knowledge about disease prevention that is unknown to health care professionals in general. On the other hand, it makes no sense for naturopaths to be opposed to childhood vaccinations, the most effective form of preventive medicine ever devised. Naturopaths have no real skills in disease prevention, but they whimsically believe that "toxins," "food allergies," "chronic candidiasis," dietary sugar, fat and gluten, and a few other entities cause all diseases.

The claim that no other health care professionals have "primary skills in health risks" is ridiculous and fraudulent. One of the most important studies in the field has been the Framingham Heart Study, performed in Massachusetts. There are no naturopaths involved. All modern MD's are trained in disease prevention to the extent that there is real knowledge pertaining to it. Why else would doctors and public health experts be concerned with cholesterol levels, smoking, immunizations, exercise, weight control, pap smears, mammograms, colon cancer screening, rubella screening and prenatal care for expectant mothers, genetic counseling, occupational exposures, environmental lead exposure, water fluoridation, sewage treatment, clean water, and a host of other preventive measures? Naturopaths have had no role whatsoever in developing this knowledge. Nor could they have, because they have never performed scientific studies in public health or any other aspect of medicine, and they have historically rejected immunizations, the germ theory and other rational bases for diseases.

Naturopaths don't offer "safer medicine," except in the sense that most of their "medicines" have no effect at all. Naturopaths pretending to be "family practitioners" are a clear danger to public health. "Dr. Kail" is a member of the National Advisory Council for

## Complementary and Alternative Medicine.

### Schizophrenia

"The hypothesis that gluten is a causative factor in the development of schizophrenia is substantiated by epidemiological, clinical, and experimental studies." [Pizzorno JE and Murray MT. *Encyclopedia of Natural Medicine*. Quoted in Burns K. Causes and Perceptions of Schizophrenia]

Comment: There is no evidence for this claim. Health consumers should be skeptical of authors, such as Pizzorno and Murray, who claim expertise in such disparate matters as schizophrenia, heart disease, gynecology, glaucoma, and "cellulite." This is only possible because of the few simplistic "theories" that naturopaths use to explain all diseases.

### Streptococcal Pharyngitis (Strep Throat) and Rheumatic Heart Disease

"Naturopathic physicians are well trained in the standard clinical and laboratory diagnosis of Strep pharyngitis, and have been successfully treating Strep pharyngitis with very low incidence of poststreptococcal sequelae, using various natural antibiotics, and natural immune enhancing therapies, for close to one hundred years" [AANP Position Paper on Treatment of Strep Pharyngitis (1992)]

Comment: Naturopaths have never published a study documenting the incidence of post-streptococcal rheumatic fever in patients treated by their methods. If the treatment advocated by this Position Paper were to become more common, it would lead to a certain rise in the incidence of rheumatic heart disease. The "one hundred year" claim is impossible: it was not until about 1930 that rheumatic fever was understood to be a sequel of streptococcal infections.

"Goldenseal is one of the most effective of the herbal antimicrobial agents" [and] "may be ideal in the treatment of 'strep throat'" [Pizzorno JE and Murray MT (eds.) *Textbook of Natural Medicine (TNM)*, Churchill Livingstone, Edinburgh, 1999. p. 1187]

Comment: Goldenseal has no antimicrobial activity when given orally to a patient.

### Stroke

"Another hydrotherapy technique with a similar rationale is to soak the feet in a hot foot bath, as soon as possible after the stroke has occurred, while applying a cold compress to the neck, face and scalp. If this technique can be applied as a stroke is happening, it may even abort the stroke. Make sure the ice-cold compress touches the skin over the carotid arteries under the jaw bone. Mustard paste or powder may be added to the foot bath to increase the heating effect. Make sure to continue this treatment for at least 20 minutes." [Kane E. Stroke. AANP Web site]

Comment: It is now possible, in many cases, to abort strokes by emergent medical intervention. Following the fanciful advice above would guarantee that there is no chance for such timely intervention.

### "Toxins"

"It is conservatively estimated that up to 25% of the US population suffer to some extent from heavy metal poisoning. Hair mineral analysis is a good screening test for heavy metal toxicity." [*Textbook of*

Comment: The first statement is alarmist and false. The second is fraudulent.

### **Tuberculosis**

"Bernard Lust, considered the founder of naturopathic medicine, was cured of tuberculosis through hydrotherapy." [Mary & Michael Morton. "Naturopathic Medicine," from Healthworld Online]

Comment: Simply stating it doesn't make it so. Nevertheless, it serves as the only evidence for most naturopathic claims.

### **More Untested Claims**

"Every day, all over America, we are helping people heal diseases that are supposed to be incurable,' said Dr. James Sensenig." (Founding Dean of the Bridgeport Univ. College of Naturopathic Medicine, owned by the "Moonies"). [Quoted in Naturopathy: An age-old medicine for the "New Age." by Susan M. Fitzgerald, Communications Coordinator, National College of Naturopathic Medicine, Portland, Oregon]

"Dr. Stephen Speidel, an N.D. practicing in Poulsbo, Washington, says, 'A good example of how we in naturopathic medicine use the healing force in the body is what we do or don't do when a child has a fever. Often times a fever is a way that the body rids itself of a bacteria [sic] that only grows in certain temperatures. "Most parents say, 'My God, my child has a fever. We have to stop that fever. Give him aspirin or Tylenol.' I tell them, 'Imagine that your child has a helper, which is the immune system.' If you take the aspirin, it's like taking a sledge hammer to your child's immune system and saying, 'Be quiet and sit down!' And it will.'" [Mary & Michael Morton. "Naturopathic Medicine," from Healthworld Online]

Comment: In fact, fever is a potent immunosuppressant, and there is no evidence that it helps to rid the body of bacteria. Furthermore, high fevers in infants and toddlers are dangerous in other ways, including the triggering of febrile seizures.

### **Summary**

Anyone with medical knowledge can peruse various naturopathic treatises and find similar frauds, deceits, or misrepresentations of facts on almost every page.

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## Naturopathic State Laws



- 1. The red states require a license to practice Naturopathy.**  
Florida hasn't issued a license to a naturopath since the mid 1950's. At that time applicants were required to have a professional degree, for example, M.D. or D.O.
- 2. The blue states don't require a license to practice Naturopathy.**
- 3. Registration is required in The District of Columbia and Kansas in order to practice Naturopathy.**
- 4. The practice of Naturopathy is prohibited in South Carolina and Tennessee.**

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**1. Can you compare the colleges? Which one is best?**

We treat as confidential the information we receive from naturopathic medicine programs. All accredited programs have our recommendation, but we do not rank them. Each naturopathic college has unique qualities. We encourage prospective students to visit the campuses and to participate in the schools' student-for-a-day programs.

**2. Does CNME recognize home-study schools or external-degree programs?**

Many correspondence schools offer N.D. or N.M.D. degrees or diplomas. Some are exempt from state regulations because they claim a religious purpose or they do not recruit students from their home states. Correspondence programs do not prepare students for practice as state or provincial licensed naturopathic physicians, and the programs are not eligible for affiliation with our agency. In states and provinces without licensing laws, it is generally not illegal for those who obtain N.D. or N.M.D. degrees from correspondence schools to use the initials after their names; they may not, however, legally represent themselves as physicians or engage in the practice of medicine unless they are otherwise licensed as medical practitioners. Although correspondence courses can be effective in many disciplines, naturopathic licensing agencies do not believe they are adequate for preparing students to practice as licensed physicians. The American Association of Naturopathic Physicians and the Canadian Association of Naturopathic Doctors do not consider those who obtain N.D. or N.M.D. degrees from correspondence schools to be part of the naturopathic medical profession.

**3. Is there a difference between the N.D. and the N.M.D. degree?**

Universities and colleges may choose to call the naturopathic degree they confer either the "Doctor of Naturopathy" or the "Doctor of Naturopathic Medicine" degree. These are two different names for the same degree. By either name, the degree is

usually abbreviated "N.D.," but an institution that refers to its naturopathic credential as the "Doctor of Naturopathic Medicine" degree may abbreviate it either "N.D." or "N.M.D." Presently, all colleges and universities with accredited or candidate naturopathic medicine programs confer the Doctor of Naturopathic Medicine degree or, in Canada, the Doctor of Naturopathic Medicine diploma. In all states and provinces that regulate naturopathic medicine, except Arizona, naturopathic physicians use the N.D. initials after their names. In Arizona, they may use either the N.D. or N.M.D. initials; the different sets of initials do not indicate a difference in scope of practice, but only a preference by the individual physicians. The N.D. initials are the ones more widely associated with the naturopathic medical profession and are the only ones used in the corporate seals of both the American Association of Naturopathic Physicians and the Canadian Association of Naturopathic Doctors.

4. **What does "candidate for accreditation" mean?**  
Candidacy is a status of affiliation with us that indicates a naturopathic medicine program satisfies our agency's 17 eligibility requirements – e.g., that it is properly organized, is adequately supported financially, has good facilities and a qualified faculty, offers an appropriate curriculum, and accurately represents itself to prospective students. Candidacy, however, is not accreditation and does not ensure eventual accreditation. We grant candidacy when a program meets our eligibility requirements, complies with our standards to the degree expected for its stage of development, and is progressing toward accreditation. If it does not achieve accreditation within five years, the program loses affiliation with us for at least one year and until deficiencies are corrected. A new program may apply for candidacy at any time, but CNME will not grant candidacy until after at least its first academic year with students enrolled full time. A naturopathic medicine program may not be accredited until it has graduated its first class. Students and graduates of candidate programs are eligible to apply for the Naturopathic Physicians Licensing Examinations, administered by the North American Board of Naturopathic Examiners.
5. **What criteria does CNME use in evaluating naturopathic medicine programs?**  
The evaluation process involves a comprehensive self-study by the program, periodic visits to the campus by CNME teams, and ongoing monitoring. Evaluation teams have three or more trained members, with at least one a practicing naturopathic

physician, another a member of the Council, and another not affiliated with the naturopathic profession, its colleges, or CNME. Our *Handbook of Accreditation for Naturopathic Medicine Programs* contains our objectives, eligibility requirements, standards, policies, procedures, Articles of Incorporation, and Bylaws. The handbook may be ordered for \$20 (U.S.), prepaid:

Council on Naturopathic Medical  
Education  
P.O. Box 178  
Great Barrington, MA 01230

Or, download a free PDF version of the handbook. The PDF file (81 pages, 800KB) may be opened and printed with Adobe Acrobat Reader, a free download.

**6. Where may N.D.s practice?**

Fourteen states and four provinces allow the practice of naturopathic medicine: Alaska, Arizona, British Columbia, California, Connecticut, Hawaii, Idaho, Kansas, Maine, Manitoba, Montana, New Hampshire, Ontario, Oregon, Saskatchewan, Utah, Vermont, and Washington. Washington, D.C., Puerto Rico and the U.S. Virgin Islands also have licensing laws for naturopathic doctors. In a number of states and provinces where there is not yet professional licensure, naturopathic medical associations are actively engaged in legislative initiatives to pass licensing laws. The scope of practice varies from state to state and province to province. In states and provinces without naturopathic licensing laws, many who hold the N.D. degree also hold other degrees, such as the Doctor of Medicine, Doctor of Chiropractic, or Masters in Oriental Medicine degree, and they practice under licenses for those professions. Others offer services that do not violate their states' medical practice acts. Most naturopathic physicians are in the states and provinces that regulate the profession.

**7. How is CNME organized?**

CNME was incorporated in August 1978 under the District of Columbia Nonprofit Corporation Act and is recognized by the U.S. Internal Revenue Service as a 501(c)(3) nonprofit organization. The Agency is run by a Board of Directors that works in partnership with the agency's Executive Director. Presently, two of CNME's eleven board members are public members; a public member is not affiliated in any way with the naturopathic profession. The board has three positions for institutional member representatives, who are elected rotationally for

three-year terms from among administrators and faculty members at the four accredited naturopathic medicine programs. Our Articles of Incorporation also require from four to six profession members, who must be licensed naturopathic physicians. Five profession members currently serve on the board.

**8. How does someone start a new naturopathic college?**

Establishing a new naturopathic program within an existing college or university is preferable to beginning a freestanding naturopathic medical college, unless the organizing group has the necessary assets and extensive experience in higher education administration. CNME can refer organizations with the potential for developing a new program to consultants. Any new program, to qualify for accreditation, would likely need to be in a state or province that licenses naturopathic physicians, because students do their clinical training primarily under practicing naturopathic physicians. Additionally, state authorities might not approve a college's request to grant the N.D. degree in a state that does not allow the practice of naturopathic medicine.

**9. May I be licensed in the United States or Canada if I attend an overseas naturopathic college?**

Because no international standards for naturopathic education exist other than those for the U.S. and Canada, students who graduate from naturopathic colleges in other countries are not eligible to apply for the Naturopathic Physicians Licensing Examinations. The exams are administered twice a year at the state and provincial level by the North American Board of Naturopathic Examiners, Portland, Oregon ([www.nabne.org](http://www.nabne.org)). Students who attend an overseas school may have some course credits accepted for transfer to a U.S. or Canadian school if the foreign school is a graduate-level institution and governmentally recognized. If you plan to spend the first year or two of naturopathic studies at a foreign school, you should first check with one of the U.S. or Canadian naturopathic colleges to learn if any credits may be transferred later.

**10. May I be licensed in the United States if I attend naturopathic college in Canada, and vice versa?**

If you graduate from a CNME-recognized naturopathic program in the U.S., you may apply for a license in the four Canadian provinces that regulate naturopathic medicine. If you graduate from a

CNME-recognized college in Canada, some states will accept your licensing application, but several will not. This is because private colleges in Canada do not confer degrees but "diplomas," e.g., the Doctor of Naturopathic Medicine diploma. Some state laws have language that specifically requires an N.D. "degree." U.S. students who plan to attend naturopathic college in Canada should first check with the naturopathic licensing agencies in the states where they plan to practice to make sure they can apply for a license with a Canadian diploma. See question 6 above for the names of the states and two U.S. territories that license naturopathic doctors. For information on contacting the naturopathic licensing agency in one of these states or territories, please refer to [naturopathic.org](http://naturopathic.org) for contact information.

**11. What is the difference between CNME and the other organizations that accredit naturopathic programs?**

CNME is the organization that accredits programs which prepare students to become licensed naturopathic physicians. It is the accrediting agency accepted by the U.S. and Canadian professional associations for licensed naturopathic doctors, and it is the agency recognized by the North American Board of Naturopathic Examiners. CNME is also the only naturopathic accreditor with membership in the Association of Specialized and Professional Accreditors. This organization accepts as members those accreditors recognized by the Secretary of Education or that meet ASPA's own criteria. Among the almost 50 agencies that belong to ASPA are the recognized accreditors for allopathic (M.D.), osteopathic (D.O.), chiropractic (D.C.), acupuncture, and dental programs. Other naturopathic accrediting agencies accredit correspondence and other schools that do not prepare students to practice as licensed naturopathic physicians. None is recognized by the Secretary of Education, and none of the schools or programs they accredit has institutional accreditation from a recognized regional accrediting agency. Comparing the published standards, policies, procedures, and bylaws of accrediting agencies is one way to determine their differences. For CNME, these documents are in its Handbook. Please see question 5 above for information on obtaining the Handbook.

**12. What does "recognition by the U.S. Secretary of Education" mean?**

Accrediting agencies with the Secretary of Education's recognition have been found in

compliance with the federal regulations that apply to accrediting agencies. The recognition means the schools or specialized educational programs that the accreditor accredits are eligible to seek participation in programs sponsored by federal agencies. Students and graduates of U.S. naturopathic medicine programs with CNME accreditation are eligible to apply for such federal programs as the Academic Research Enhancement Awards and the Loan Repayment Program administered by the National Institutes of Health's National Center for Complementary and Alternative Medicine.

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Last updated December, 2007

## **Textbook of Natural Medicine**

**Arnold S. Relman, M.D.**

**January 9, 2001**

This two-volume textbook, published in a second edition in 1999, is edited by two naturopaths -- one the president, and the other a member of the faculty of Bastyr University, which is the leading school of naturopathic medicine in the country. The textbook has over 1,600 pages and 57 contributors (most of whom practice and/or teach naturopathic medicine), and it purports to provide "well-documented standards of practice for natural medicine." I therefore take it to be an up-to-date summary of what is taught about the practice of naturopathic medicine and how its practitioners are expected to provide care for the patients who consult them.

Among the criteria we have adopted for deciding whether a complementary and alternative ("CAM") practice should be licensed by the State are: (a) evidence that the practice "confers measurable benefits" to those who use it (Criterion #2), and (b) evidence that the use of "some or all of the modalities within a practice that fall within the accepted standards of the practice may result in direct patient harm" (Criterion #5). A close reading of this textbook should provide some answers to these crucial questions about the potential benefit and harm of naturopathic practices as currently taught.

I borrowed a copy of the Textbook of Natural Medicine (the "Textbook") and studied it carefully over a period of several days in an attempt to answer these questions. My conclusion is that the licensing of naturopathic medical practitioners as independent providers of primary health care would endanger the health and safety of the public and would not result in health benefits commensurate with its risks. There is abundant evidence in the Textbook to support this conclusion, but I summarize below only a few of the most problematic examples of the deficiencies and dangers in naturopathic practices.

1) The textbook describes the diagnosis and treatment of only 70 "specific health problems," and they are simply listed in alphabetical order, without regard to the nature of the condition or the organ(s) involved. In comparison, standard textbooks of conventional medicine provide a much more rational and systematic presentation that includes hundreds of disease conditions and describes them in much greater depth and detail. The Textbook includes in its 70 chapters on specific diseases nothing about cancer, diseases of the blood (including leukemias and anemias), nothing about heart attacks or serious abnormal rhythms of the heart (such as atrial fibrillation), and virtually nothing about kidney diseases, chronic obstructive pulmonary disease, cirrhosis of the liver, or about many common and serious infections such as pulmonary tuberculosis, malaria, syphilis, meningitis, encephalitis or bacterial endocarditis. Lacking adequate education about these diseases, naturopathic practitioners might fail to diagnose them in a timely fashion or delay in referring patients for appropriate medical treatment,

2) Many of the treatments recommended in the Textbook for the 70 diseases are not *likely* to be effective, and treatments proven to be effective are often totally ignored. This could endanger the health and safety of patients *with* serious diseases who relied solely on care from a naturopathic practitioner. As explained in the Textbook, naturopathy objects to the use of pharmaceutical agents and depends instead on the use of herbal or "natural" remedies of unproven value. Here are some examples of common, serious diseases that are dangerously mistreated in the naturopathic Textbook:

A) The chapter on the treatment of anginal (coronary artery) heart disease does not even mention the use of nitrates, beta-blockers or calcium-channel blockers -- all of which are

standard, effective, FDA-approved treatment for this condition. Failure to use one or more of these agents in the treatment of severe angina would probably be considered medical malpractice. There is no mention of "statin" drugs to lower cholesterol and prevent further progression of coronary heart disease. The use of angioplasty or bypass surgery for patients unresponsive to pharmacologic therapy is dismissed. "Chelation" -- a totally irrational and unproven form of treatment -- is discussed favorably. However, at the end of this chapter, it is stated that "patients with unstable angina pectoris . . . should be hospitalized", thus tacitly admitting that naturopathic methods may be ineffective and that serious cases may require medical or surgical treatment found only in hospitals.

B) The chapter on congestive heart failure recommends unproven nutritional supplements, but says nothing about the standard (and usually effective) treatment with diuretics and ACE-inhibitors, which have been shown to give comfort to, and prolong, the lives of these patients. It does, however, admit that "In later stages, adjunct (prescription) drug therapy is Usually necessary", but gives no details,

C) The chapter on high blood pressure says nothing about the diagnostic work up that is often needed to rule out certain curable causes (such as certain diseases of the adrenal gland, or obstruction in the aorta or the renal arteries). It recommends diet lifestyle changes and the use of herbs but admits that severe cases unresponsive to these "natural" measures may require treatment with pharmaceuticals (presumably under the management of a conventional medical doctor). However, it ends with the dangerous advice that once control of high blood pressure has been achieved with drugs, the naturopathic physician should have the patient "taper off " the medications. For some such patients, a reduction in medication risks sudden resurgence of severe hypertension and the possibility of a stroke or heart attack. Most patients with severe hypertension need to remain on medication indefinitely, or for many years.

D) The chapter on diabetes says very little about the use of insulin, nothing about oral hypoglycemic drugs, and nothing about the diagnosis, prevention or treatment of diabetic acidosis-- except to warn that it is a medical emergency that will require hospitalization,

E) The chapter on epilepsy says nothing about the use of anti-epileptic drugs, without which many cases simply could not be adequately controlled. Uncontrolled epilepsy is dangerous.

F) The chapter on HIV infection and AIDS advocates various types of herbal and "natural" remedies but gives no information about conventional drug therapy. Although it is admitted that no clinical studies have yet demonstrated the effectiveness of naturopathic medical care in HIV infection when used alone, or even as a supplement to conventional medical treatment, the chapter nevertheless ends with this advice: "We urge physicians to apply the principles of naturopathic medicine in the care of their HIV positive patients." As if this neglect of the proven life-prolonging value of anti-viral pharmacotherapy were not shocking enough, the chapter also fails to recommend drug treatment of pregnant women with HIV infections, which is standard practice for the prevention of HIV transmission to the newborn. Neglect of such treatment would surely be considered malpractice in the medical profession.

G) The chapter on the treatment of asthma is also seriously deficient because it says nothing about the use of bronchodilator drugs, or drugs that block the allergic response in the lining of the respiratory passages, or about the short-term use of adrenal steroids for emergency cases. These are all well-established treatments for asthma; and it is difficult to imagine

how serious cases could be managed without them. However, the Textbook advises naturopathic physicians to refer patients with acute asthmatic attacks to a hospital emergency room. This acknowledging that naturopathic remedies may not work and that seriously ill patients will need treatment by conventional medical methods. But this advice is also deficient in that it fails to mention that appropriate medical treatment could prevent the onset of attacks that require emergency care.

3) As already noted, naturopathic teaching (as exemplified in the Textbook) claims that "natural" herbal remedies are generally superior to pharmaceuticals in the treatment of most diseases -- despite the fact that the FDA forbids the manufacturers of herbal preparations and dietary supplements from making therapeutic claims. The textbook nevertheless devotes a large section to herbs and dietary supplements in which many such claims are made, often with little or no credible supporting evidence in the peer-reviewed scientific literature. At the same time, the Textbook omits entirely (or mentions only in passing) the use of many standard, proven pharmaceuticals that modern medicine has found useful or even essential in the treatment of serious diseases. For example:

- Antibiotics are given only cursory consideration and often mentioned only as a last resort.
- Nothing is said about the antibiotic treatment of syphilis tuberculosis or meningitis.
- Chemotherapeutic agents for cancer are dismissed despite the fact that they are known to be effective in certain types of tumors and in leukemias.
- There is no mention of the use of anticoagulants (blood-thinners) in the treatment of blood clots or their use to prevent embolic strokes in patients with atrial fibrillation. (These diseases are not even mentioned.)
- There is no mention of diuretic drugs that are sometimes absolutely essential in the treatment of edema due to heart failure or kidney disease.

Perhaps most disturbing of all, there is no mention of opioid drugs in the treatment of intractable pain. Morphine and its derivatives are often essential for the relief of patients in the terminal stages of cancer. It is almost incomprehensible that nowhere in the numerous discussions of the management of pain by a great variety of "natural" methods is there a reference to the use of morphine or other analgesic drugs. Obviously, as any experienced physician knows, there are alternatives to drugs that may help -- particularly when pain is mild, moderate or only intermittent. But in advanced cancer, morphine is often the only way to afford relief, and it seems remarkable that the Textbook should omit such an essential form of treatment.

Primary care practitioners whose education does not include the use of prescription drugs simply cannot be expected to provide effective and safe care for many serious conditions they are likely to encounter. While it is true that unnecessary or inappropriate use of drugs is harmful, and that even proper usage of drugs can sometimes cause serious reactions, there can be no doubt that on balance prescription drugs have been enormously beneficial, and that drugs will be even more important in the future. The anti-pharmaceutical bias of naturopathic education (as illustrated in the Textbook) therefore poses real risks for patients who rely on naturopaths for the management of their illnesses. Without prompt and appropriate drug therapy many patients with serious diseases will die.

I recognize that there are probably large variations in philosophy and medical education among naturopathic practitioners. Some may practice more prudently than others and may use conventional medical treatments more frequently and work more closely with conventional medical practitioners. But we should make public policy decisions based on the standards of practice that are being taught, not on our opinions about individual practitioners. Judging by the standards of practice presented in the Textbook, it seems clear that the risks to many sick patients seeking care from the average naturopathic practitioner would far outweigh any possible benefits.

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Dr. Relman is Emeritus Professor of Medicine and of Social Medicine, Harvard Medical School; Editor-in-Chief Emeritus of *The New England Journal of Medicine*; and a member of the Massachusetts Board of Registration in Medicine (BORM). He prepared this report while serving as BORM's representative to the Special Legislative Commission on Complementary and Alternative Medical Practitioners, an ad hoc group formed to provide advice to the Massachusetts legislature.

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This article was revised on April 10, 2002.

# **Bureau of Naturopathic Medicine**

*A Bureau of the California Department of Consumer Affairs*



## **Findings and Recommendations Regarding the Prescribing and Furnishing Authority of a Naturopathic Doctor**

**Tonya Blood, Chief  
Bureau of Naturopathic Medicine**

**Presented to the California State Legislature  
January 2007**

**APPENDIX\***

**Meeting Agendas**

**Curriculum at Approved Schools**

**Other States' Laws**

**Hierarchy of Healing**

**Letter from Northwest Jury Verdicts**

**Letter from NCMIC**

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\* For copies of items listed in the appendix, please contact the Bureau of Naturopathic Medicine at (916) 574-7991 or [naturopathic@dca.ca.gov](mailto:naturopathic@dca.ca.gov)

**The Bureau, along with the Committee, would like to also extend gratitude to special consultants, Dr. Virginia Osborne, National College of Naturopathic Medicine, Dr. Craig Runbeck, Executive Director, Arizona Naturopathic Physician Board of Medical Examiners, and Professor Debra Woliner, Southwest College of Naturopathic Medicine, for their invaluable assistance and expertise.**

**I am very pleased to have served as the Bureau Chief during the development of this report and to be able to present this report with the unanimous findings and recommendations of this Committee. Without their extensive knowledge, experience, and commitment to the field of naturopathic medicine, these reports would not have been possible.**

**Sincerely,**

**Tonya Blood, Chief  
Bureau of Naturopathic Medicine**

## **Naturopathic Formulary Advisory Committee**

The Naturopathic Formulary Advisory Committee (the Committee) was appointed by Charlene Zettel, Director of the Department of Consumers Affairs. The Committee is chaired by Dr. Peter Wannigman, a pharmacist and ND, and is vice-chaired by Dr. Soram Singh Khalsa, a medical doctor. The Committee consists of three pharmacists, three medical doctors, and three NDs. The committee first met on June 26, 2005, and has met every 4-6 weeks for over a year to determine the recommendations included in this report. Biographies of the committee members are contained in the Appendix.

## **Brief History of Naturopathic Medicine**

Naturopathic medicine is one of the oldest continuously licensed health care professions in the country. Its roots lie in German traditions of "Water Cure" or hydrotherapy advocated by Sebastian Kneipp in the mid-19<sup>th</sup> century. Dr. Benedict Lust, considered to be the Father of Naturopathic Medicine, expanded upon the European water cure and herbal therapies to develop a comprehensive philosophy and system of health which he brought to the United States around the turn of the century.

In 1901, Dr. Lust opened the American School of Naturopathy in Manhattan. Its approach emphasized diet, exercise, physical medicine, herbs, and homeopathy as ways to improve and maintain good health. Naturopathic medicine grew quickly as a profession and by 1925 there were approximately 2,500 practicing naturopathic doctors and more than a dozen schools. During this period, regulations were enacted in many states, with about half of the states licensing or regulating naturopathic medicine. This rise in popularity created strong opposition from allopathic medicine, which labeled naturopathic medicine as "quackery."

Naturopathic medicine experienced a significant decline in popularity from the post World War II era until the 1970s as most health care at that time centered on the allopathic medical model and the increased use and development of drugs and antibiotics. In the 1970s, with increased interest in holistic and alternative health care, naturopathic medicine experienced a resurgence of interest with expanded educational programs and state licensure. In the past 30 years, naturopathic medicine has experienced dramatic growth with new schools being established, standardization of education and accreditation, and expanded research on safety and efficacy of naturopathic practices.

In 2003, California became the 13<sup>th</sup> state to recognize naturopathic medicine and provide licensure to naturopathic doctors.

➤ **Treat the Whole Person:**

Naturopathic doctors attempt to take into consideration all the factors that make up patients' lives and affect their health and well-being.

➤ **Prevention:**

Naturopathic medicine emphasizes the prevention of disease, assesses risk factors, and makes appropriate interventions with patients to prevent illness.

Most naturopathic doctors provide primary care natural medicine through office-based, private practice. In states where NDs have been licensed for many years, they often work in collaboration with medical doctors, and routinely refer patients to each other for optimum management of a patient's healthcare.

### **Bureau Information**

The Act, which created the Bureau, was effective January 1, 2004. Before the Bureau could issue any licenses, a Bureau Chief and staff were hired. Equipment was purchased to support the Bureau's activities. Emergency regulations were drafted to implement the Act. An application process was developed, files were set up, application forms and a website were created. The first ND license was issued on January 14, 2005. There are currently 211 newly licensed NDs in California.

The Bureau is staffed by one full-time analyst. The analyst is responsible for all activities of the Bureau, including answering phones, analyzing qualifications for licensure, issuing licenses, responding to correspondence, coordinating legislative, regulatory, and budgetary activities, preparing reports, and administering all disciplinary and enforcement activities. The Bureau is completely funded by application and licensing fees.

### **Requirements for Licensure**

In order to be licensed as an ND in California, the Act and the California Code of Regulations require an applicant to:

- Have obtained a degree in naturopathic medicine from an approved naturopathic medical school. (Section 3630)
- Pass Parts I and II of the Naturopathic Physicians Licensing Examination [An applicant who graduated prior to 1986 must have passed a state or Canadian provincial exam.] (Section 3631)
- Submit fingerprints, and not have been convicted of any crime that would be grounds to deny licensure. (Sections 144, 480, 3630)
- Request verification of good standing for any other licenses held in California or another state be submitted directly to the Bureau from the licensing entity. (Section 3633)

Council on Naturopathic Medical Education, or an equivalent federally recognized accrediting body for naturopathic doctor education.

- To qualify as an approved naturopathic medical school, a naturopathic medical program located in Canada or the United States shall offer a full-time, doctoral-level, naturopathic medical education program with its graduates being eligible to apply to the Bureau for licensure and to the North American Board of Naturopathic Examiners that administers the naturopathic licensing examination.

### Approved Schools

To be eligible for licensure in California, an applicant must have graduated from one of six approved naturopathic medical schools. Each of these schools has met the requirements listed above for accreditation by CNME. Four of the approved schools are located within the United States and two are in Canada. A brief synopsis of the schools is given below. As can be seen below, the number of pharmacology hours required for graduation at the approved schools varies from 42 to 110. More detailed information on each of the schools, including admission requirements and curriculum may be found in the Appendix.

School	Year Established	Class Size*	Pharmacology Hours Required for Graduation
National College of Naturopathic Medicine Portland, Oregon	1956	81	72 hours
Bastyr University Seattle, Washington	1977	260	55 hours
Southwest College of Naturopathic Medicine and Health Sciences Scottsdale, Arizona	1993	65	110 hours
University of Bridgeport College of Naturopathic Medicine Bridgeport, Connecticut	1996	19	44 hours
Canadian Naturopathic Medical College Toronto, Ontario, Canada	1978	135	110 hours
Boucher Institute of Naturopathic Medicine New Westminster, British Columbia, Canada	2001	16	42 hours
* Number of graduates in 2006.			

exam format will consist of extensive clinical case summaries for which the candidate must answer a series of questions relevant to diagnosis and treatment for each case.

Part I of the examination is also being restructured and updated. The new integrated Part I of the examination will be administered to candidates beginning in 2008.

The Bureau must receive a report directly from NABNE with an applicant's passing scores on both Parts I and II of the NPLEX before a license will be issued.

The NPLEX is administered twice a year at six different test sites through the U.S. and Canada.

### **Continuing Education**

In order to renew his or her license, an ND must satisfactorily complete 60 hours of approved continuing education biennially. (This requirement is waived for the first renewal.) The continuing education submitted must meet the following requirements (Section 3635):

- ***At least 20 hours shall be in pharmacotherapeutics.***
- No more than 15 hours may be in naturopathic medical journals or osteopathic or allopathic medical journals, or audio or videotaped presentations, slides, programmed instruction, or computer-assisted instruction or preceptorships.
- No more than 20 hours may be in any single topic.
- No more than 15 hours of the continuing education requirements for the specialty certificate in naturopathic childbirth attendance shall apply to the 60 hours of continuing education requirement.

The continuing education requirements may be met through continuing education courses approved by the California Naturopathic Doctors Association, the American Association of Naturopathic Physicians, the Medical Board of California, the California State Board of Pharmacy, the State Board of Chiropractic Examiners, or the Bureau.

### **Scope of Practice**

The Act authorizes an ND to:

- Order and perform physical and laboratory examinations for diagnostic purposes, including, but not limited to, phlebotomy, clinical laboratory tests, speculum examinations, orificial examinations, and physiological function tests (Section 3640(a)).

- **Prescribe, dispense, or administer a controlled substance, except as authorized.**
- **Administer therapeutic ionizing radiation or radioactive substances.**
- **Practice or claim to practice any other system or method of treatment for which licensure is required, unless otherwise licensed to do so.**
- **Administer general or spinal anesthesia.**
- **Perform an abortion.**
- **Perform any surgical procedure.**
- **Perform acupuncture or traditional Chinese and Asian medicine, including Chinese herbal medicine, unless also licensed in California as an acupuncturist.**

pharmacotherapeutics are able to prescribe drugs and controlled substances. Southwest College in Tempe, Arizona has made this additional training part of their required curriculum for NDs.

Hawaii state law authorizes NDs to prescribe vitamins, minerals, amino acids, and fatty acids.

Idaho passed a bill in 2005 authorizing licensure of NDs. The bill creates a formulary council to establish a formulary for use by NDs that is consistent with the training and education of NDs. The formulary will be reviewed on an annual basis. To date, the formulary has not been completed.

Kansas passed an ND licensing law in 2003. It authorizes an intravenous and intramuscular formulary which must be under the supervision of a physician. Kansas is the only state, other than California, which requires continuous MD supervision for prescribing.

Maine NDs are allowed to independently prescribe noncontrolled legend drugs after completing a 12-month collaborative relationship with a licensed allopathic or osteopathic physician to review the NDs prescribing practices.

Montana law requires a five-member formulary committee to establish a natural substance formulary list and review the list on an annual basis. Among other items, the approved list of natural substances contains antibiotics and hormones.

Oregon NDs have wide prescribing authority. All substances on the formulary are recommended by the formulary council and approved by the State Board of Naturopathic Examiners.

Utah NDs are allowed to prescribe noncontrolled drugs that are consistent with competent practice of naturopathic medicine and are approved in collaboration with the Naturopathic Formulary Advisory Peer Committee.

Vermont law authorizes the Commissioner of Health to establish the formulary with the advice of advisory appointees. The formulary lists the substances that are authorized as well as their route of administration, and in some instances even the specific dose and length of treatment.

Washington state law was recently amended to allow NDs a broader formulary. HB 1546 of 2005 defined naturopathic medicines to mean "vitamins; minerals, botanical medicines; homeopathic medicines; hormones; and those legend drugs and controlled substances consistent with naturopathic medical practice in accordance with rules established by the secretary." An updated formulary has not yet been completed.

The AANP recommended that further work on practice principles move to the academic community. Throughout the 1990's clinical faculty and practitioners built on the core foundation throughout the 1990's. In 1997, "The Process of Healing, a Unifying Theory of Naturopathic Medicine" was published in the Journal of Naturopathic Medicine (Zeff). The article presented three principles underlying the practice of naturopathic medicine. The first of these is the characterization of disease as a *process* rather than a *pathologic entity*. The second is the focus on the determinants of health rather than on pathology. The third is the concept of a therapeutic hierarchy. As taught in naturopathic medical schools, the therapeutic hierarchy is a guideline to applying the modalities of naturopathic medicine according to unique needs of an individual patient.

1. Establish the conditions for health.
2. Stimulate the self-healing mechanisms (*Vis Medicatrix Naturae*).
3. Support weakened or damaged systems or organs.
4. Address structural integrity.
5. Address pathology using specific natural substances, modalities or interventions.
6. Address pathology using specific pharmacologic or synthetic substances.
7. Suppress pathology.

Here is an example of a child with Recurrent Otitis Media (ear infections), a common reason for seeking naturopathic care. Using the hierarchy above:

1. Look for and address obstacles to health - allergies, environmental irritants (e.g., 2nd hand cigarette smoke), diet high in simple sugars, etc.
2. Stimulate the healing power of nature with therapies like homeopathy and hydrotherapy.
3. Support affected systems such as immune support - Vitamins C and A, oligopolysaccharides; respiratory support with herbs like Hydrastis or Berberis.
4. Address structural factors with soft tissue manual therapy like lymphatic drainage.
5. Treat the pathology with specific natural therapies such as topical Garlic-Hypericum oil.
6. Typically children respond well experiencing fewer infections with faster recovery. Should a child experience a particularly severe ear infection, it may be necessary to prescribe a course of antibiotics.
7. If the infection does not subside, referral to a MD may be necessary.

Another scenario might involve a child who experiences significant relief and the parents bring the child in for a sore throat, that turns out to be Group A Strep. The safest, most effective, and most convenient treatment would be for the naturopathic doctor to prescribe a course of appropriate antibiotics.

However, in the interest of ensuring maximum public safety and taking the most conservative approach, the final position of the Committee was to recommend a limited inclusionary formulary. The inclusionary formulary included in the recommendation section of this report was drafted with the intention of allowing for the use of the most common medications necessary for safe and efficacious use in primary care medicine. An ND would still need to qualify and receive a furnishing number as outlined in regulation, and would additionally have to complete 20 hours of pharmacology for each license renewal. The Committee determined that the inclusionary formulary would be the most functional for both NDs and pharmacists.

### **Formulary Upkeep**

As can be seen from the information given above, most states appoint an advisory committee that has the authorization to create and update the state's ND formulary. Currently a statutory change would be necessary to allow the Bureau or a Committee to determine and update the formulary. It would be much easier for the Bureau through the Committee or the Naturopathic Advisory Council to update the formulary through regulation rather than through a more lengthy statutory process. This would be true particularly in the case of a drug that is later discovered to be unsafe, or if a safer more effective drug becomes available. In order to protect consumers, an emergency regulation could be adopted which would remove the unsafe drug from the formulary. Intravenous formulary upkeep should also be done by the Bureau through the regulatory process.

### **Routes of Administration Need to Be Clarified for Prescribing**

Section 3640(d) of the Act states that "[a] naturopathic doctor may utilize routes of administration that include oral, nasal, auricular, ocular, rectal, vaginal, transdermal, intradermal, subcutaneous, intravenous, and intramuscular."

Section 3640 (c)(1) authorizes a naturopathic doctor to "dispense, administer, order, and prescribe or perform the following:

"(1) Food, extracts of food, nutraceuticals, vitamins, amino acids, minerals, enzymes, botanicals and their extracts, botanical medicines, homeopathic medicines, all dietary supplements and nonprescription drugs as defined by the federal Food, Drug, and Cosmetic Act, ***consistent with the routes of administration identified in subdivision (d).***" (Emphasis added.)

The sponsors of SB 907 (California Naturopathic Doctors Association) intended for naturopathic doctors to be able to administer the substances authorized by Section 3640(c)(1) through any of the authorized routes of administration, including intramuscular (IM) and intravenous (IV) when safe and appropriate. After SB 907 was passed, there was some confusion as to whether NDs were

## **COMMITTEE RECOMMENDATIONS**

There are two main factors to be considered when making recommendations for naturopathic medicine formulary laws. First, it is paramount that the act of prescribing or IV administration be done safely by a competently trained ND. Secondly, the substance being administered must be prepared in a way to provide for absolute patient safety. Both of these factors were considered by the Committee in many arduous discussions in order to prepare the recommendations provided in this report.

### **Recommendation # 1—Prescribing Laws Need to Be Clarified.**

It was the intent of the sponsors of SB 907, and the intent of the clarification to Section 3640(c)(1) in AB 302 that NDs are to be recognized as independent intravenous and intramuscular prescribers for the substances listed in Section 3640(c)(1)—food, extracts of food, nutraceuticals, vitamins, amino acids, minerals, enzymes, botanicals and their extracts, botanical medicines, homeopathic medicines, all dietary supplements and nonprescription drugs as defined by the federal Food, Drug, and Cosmetic Act. The Committee recommends that statutory and/or regulatory changes be made to effectuate this clarification in the pharmacy laws and the Act.

### **Recommendation # 2—Regulation of the Ocular Route.**

Section 3627 requires the Bureau to make recommendations regarding the required supervision and protocols for utilization of the ocular route of prescription drug administration. Section 4234(d) of Division 40 of Title 16 of the California Code of Regulations specifies that an ND may only use the ocular route of administration if he or she is clinically competent in that area. Clinical competence is defined as possessing and exercising the degree of learning, skill, care and experience ordinarily possessed and exercised by a member of the appropriate discipline in clinical practice. Use of the ocular route is limited by the authorized formulary (see Ophthalmic Agents in Recommendation #6). The Committee has determined that further regulation of this route is not necessary.

**Recommendation # 4—IV Formulary.**

It is the recommendation of the Committee that NDs who have successfully completed an approved IV continuing education course as specified above be able to independently administer the following substances via the IV route of administration.

**I. Category: Amino Acids and Glutathione**

**II. Category: Vitamins**

**III. Category: Minerals**

**IV. Category: Electrolytes, Sugars, and Diluents**

**V. Category: Chelating Agents:**

⇒ Substances:

1. DMPS	2. EDTA
---------	---------

**VI. Any substance that may be prescribed or furnished by an ND which is part of an Institutional Review Board (IRB) approved study.**

## **Recommendation # 6—Pharmaceutical Formulary.**

It is recommended that changes be made to statutory law and subsequently to the Bureau's regulations to allow NDs to be able to independently prescribe, without supervision or protocol, from the formulary below (in addition to what is currently allowed by Section 3640.7). It is recommended that this formulary be included and maintained in the California Code of Regulations, rather than in statute. It is further recommended that a statutory change be made in order to require the Bureau in consultation with the Committee and the Naturopathic Advisory Council to review and update the naturopathic formulary on an annual basis. Changes to the formulary by the Bureau would be recommended by the Committee and approved by the Naturopathic Advisory Council.

### **ANTIBIOTICS**

Amebecides  
Antifungal agents  
Anthelmintics  
Antimalarial preparations (includes artemesin, derived from *Artemesia annua*)  
Antiprotozoal agents  
Antiviral agents  
Bacitracin  
Cephalosporins and related antibiotics  
Fluroquinolones  
Macrolides  
Nitrofurantoin  
Metronidazole  
Neomycin  
Nitrofurans  
Penicillins  
Quinalones  
Sulfonamides  
Tetracyclines

### **PAIN CONTROL AGENTS**

Salicylates  
NSAIDS  
Opioid Analgesic Combinations - Schedules III, IV, and V only

**GASTROINTESTINAL AGENTS**

Proton pump inhibitors  
Antidiarrheals  
Gallstone Solubilizing Agents  
H. pylori agents

**CARDIOVASCULAR AGENTS**

Anti-hyperlipidemic agents

**RENAL AND GENITOURINARY AGENTS**

Vaginal Preparations

**DIAGNOSTIC AGENTS**

In vitro Diagnostics Aids  
In vivo Diagnostic Biologicals

**VACCINES**

**ANTI-DIABETIC AGENTS**

**IV FORMULARY**

**I. Category: Amino Acids and Glutathione**

**II. Category: Vitamins**

**III. Category: Minerals**

**IV. Category: Electrolytes, Sugars, and Diluents**

**V. Category: Chelating Agents:**

⇒ Substances:

3. DMPS	4. EDTA
---------	---------

**VI. Any substance that may be prescribed or furnished by an ND which is part of an Institutional Review Board (IRB) approved study.**

### **Soram Singh Khalsa, MD, Vice Chair**

Board certified in internal medicine, Dr. Soram Khalsa is a clinical professor of medicine and Chairman of the Advisory Committee for the Environmental Medicine Center of Excellence at Southwest College of Naturopathic Medicine in Phoenix, Arizona. He also serves as Medical Director for the East-West Medical Research Institute.

Dr. Khalsa is a founding member of the American Holistic Medical Association and a founding member of the American Academy of Medical Acupuncture. He is also a member of the Outside Scientific Advisory Board for the NIH-sponsored Center on Botanical Studies at the David Geffen School of Medicine at the University of California, Los Angeles (UCLA). In his private medical practice, he integrates phytotherapeutics, homeopathy, acupuncture and environmental medicine with traditional internal medicine.

Dr. Khalsa graduated from Yale University and attended Case Western Reserve School of Medicine in Cleveland. After an internship at St. Luke's Hospital in Cleveland, he completed a residency at the Hospital of the Good Samaritan in Los Angeles. He continued his study of complementary medicine in North America, as well as Europe and Asia. He is an associate physician in the Division of Internal Medicine at Cedars-Sinai Medical Center.

### **Cynthia Watson, MD**

Cynthia Mervis Watson is board certified in family medicine and is the medical director of Watson Wellness in Santa Monica, California. She is a staff member of Santa Monica UCLA and St. John's Hospital and also serves as a clinical faculty instructor in the Department of Family Medicine at UCLA. In her practice, Dr. Watson takes an integrative healing approach to medicine using natural hormone therapy, nutrition, herbal medicine, and homeopathy.

Dr. Watson has written several books and articles. Love Potions, A Guide to Aphrodisiacs and Sexual Pleasures was initially published in 1993 and an updated edition was released in June of 2003. Her other publications include: User's Guide to Easing Menopausal Symptoms Naturally, a guide for women wanting to use a natural approach to menopause and All About Lipoic Acid. She was a co-author on "Improved Immune Activation Markers in Chronic Fatigue and Immune Dysfunction (CFIDS) Patients Treated with Thymic Protein A", published in the Journal of Nutritional and Environmental Medicine.

In 1973, Dr. Watson studied herbal and homeopathic medicine in a one-year work-study program at a naturopathic hospital in the Black Forest region of Germany. From there she returned to the U.S. to complete her bachelor's degree in chemistry at Duquesne University in Pittsburgh, graduating Magna

the Advisory Council for the newly established California Bureau of Naturopathic Medicine.

The multi-disciplinary clinic she founded at Cedars-Sinai in the department of Medicine in 1998 allowed her to explore the practical and philosophical issues that both facilitate and impede the development of Integrative Medicine as a discipline. Contributing to the national development of integrative medicine, she serves as the Co-chairperson of the Clinical Practice Committee of the Academic Consortium of Integrative Medicine (an organization of the leading medical schools practicing and teaching in this area).

Most recently she is serving as the co-director of the Integrative Medicine Health and Wellness Program at the Venice Family Clinic, the largest free clinic in the United States. Her clinical practice now involves educating cancer patients in integrative therapies at the Ted Mann Family Integrative Oncology Program at UCLA.

Her current research interests include reviewing the evidence for the safety and efficacy of natural therapies, especially botanicals. Dr. Hardy's recently completed a book for Reader's Digest, *Best Remedies* that focuses on Integrative Medicine. She is also conducting a review of the quality of research trials in herbal medicine and is finishing a systematic review on the effects of dietary supplements on coagulation for the Office of Dietary Supplements.

#### **Trevor Holly Cates, ND**

Dr. Trevor Holly Cates received a Doctor of Naturopathic Medicine degree from the National College of Naturopathic Medicine and is a licensed naturopathic doctor in California. Co-founder of the Santa Barbara Center for Natural Medicine, Dr. Cates provides individualized naturopathic care with a focus on women and children's healthcare. Dr. Cates was appointed by Governor Schwarzenegger to the Bureau of Naturopathic Medicine Advisory Council of which she serves as vice-chairperson. She is a member of the American Association of Naturopathic Physicians, the National Center for Homeopathy, the Homeopathic Association of Naturopathic Physicians, the California Naturopathic Doctors Association, and the Holistic Pediatric Association.

#### **Paul Mittman, ND**

Paul Mittman, ND, DHANP, graduated from National College of Naturopathic Medicine in 1985. He completed a 2 year residency, and later directed research on natural therapies at the College. Dr. Mittman's practice integrates the foundations of naturopathic medicine – improved nutrition, lifestyle enhancement through exercise and stress reduction, with homeopathy and botanical medicine. A Diplomate of the Homeopathic Academy of Naturopathic Physicians, Dr. Mittman has been the editor of *Similimum* and the *New England Journal of*

part-time practice in Marin County, California.

**Arthur Presser, Pharmacist**

Arthur M. Presser, PharmD, DPh, is an Adjunct Assistant Professor of Pharmacy Practice at the University of Southern California School of Pharmacy and the Curriculum Coordinator of the Complimentary and Alternative Medicine Program. After beginning his career in conventional pharmacy in 1969, he switched his focus to integrative medicine in 1980. Dr. Presser is the author of three books in this field, including the *Pharmacist's Guide to Medicinal Herbs*, *The Nature Pharmacist's Vitamin Primer* and *The Medicinal Herb Primer*, his work has also been featured in numerous health magazines and newsletters. He is a frequent guest lecturer on complementary and alternative medicine for consumers, retailers and health professionals, and has appeared on many television and radio shows. Presser has committed himself to spending more time educating consumers, retailers, and health professionals alike in the safe use of nutrients and herbals to promote a higher level of wellness. To this end he is currently also the President of Huntington College of Health Sciences, a fully accredited distance learning institution.

**Larry Woodhouse, Pharmacist**

Larry Woodhouse is Director of Product and Business Development at McGuff Company, McGuff Compounding Pharmacy Services and McGuff Pharmaceuticals and Editor of the McGuff Company and Compounding Pharmacy Newsletter. He received Doctor of Pharmacy Degree from University of California, San Francisco School of Pharmacy and participated in an American Society of Health System Pharmacist Residency at the University of California, Irvine Medical Center.

## Identifying the Similarities and Differences:

### An analysis of two medical training programs -- Bastyr University's Naturopathic Doctorate (ND) compared to the University of Washington's Medical Doctorate (MD) program

#### Admissions Criteria

Similarities -- Overall, a high degree of similarity exists between the programs.

- ❖ Both programs:
  - Expect applicants to have completed, but do not require completion of, a baccalaureate degree.
  - Encourage a strong background in the humanities and liberal arts.
  - Require a strong background in the sciences, including chemistry, biology, and physics.
    - While not required for admission, biochemistry is very strongly recommended.
  - Allow for waiving a limited number of academic requirements under exceptional circumstances.

#### Differences

- ❖ Medical College Admissions Test (MCAT):
  - Required for University of Washington (UW) medical school, taken no later than fall in the year prior to possible matriculation.
    - Under *exceptional* circumstances, GRE scores may be considered for admission, but MCAT must be taken prior to matriculation.
  - Not required for Bastyr University (BU) naturopathic medical school
- ❖ Required courses:
  - UW specifies science requirements by number of credit hours\* for each:
    - Chemistry (18\*), biology (12\*), and physics (4\*), plus additional "open" science credits (8\*).
  - BU specifies science requirements by number of courses for each:
    - Chemistry (4, for science majors), physics (1, college level), algebra or pre-calculus (1, college level), and psychology (1, introductory course recommended).
    - Additionally, BU requires a minimum of 3 quarter credits in general biology for science majors, with a lab.
- ❖ Additional Notes:
  - UW provides mean statistics for the entering class 2004 – GPA 3.71, MCAT scores (Verbal 10.3; Physical Sciences 10.8; Biological Sciences 11.1 and mode of "C" in writing) -- BU does not.
  - UW states:
    - "All candidates must demonstrate substantial academic ability in their major field as well as in the required science courses."
    - "Candidates should be proficient in the use of the English language and of basic mathematics, and are expected to have a basic understanding of personal computing and information technologies."
  - BU requires admissions committee review for all chemistry and biology courses not completed within 7 years of matriculation, and may require additional courses if deemed appropriate.
  - BU allows submission of test scores for prerequisite consideration as noted below:
    - AP, IB, CLEP, or GRE for math, psychology, or physics.
    - AP or IB for biology or chemistry.

## **Preclinical/Basic Sciences and Didactic Clinical Training**

### Similarities

- ❖ Both programs emphasize:
  - Anatomy, including gross (with cadaver dissection), histology, embryology and neuroscience
  - Physiology
  - Biochemistry
  - Pathology
  - Immunology and infectious disease
  - Clinical medicine – utilizing a systems-based approach, including
    - Cardiovascular, respiratory, endocrine/reproductive, urinary, musculoskeletal, skin and gastrointestinal systems
- ❖ Both programs include courses in:
  - Psychology
  - Pharmacology
  - Human Nutrition
  - Evaluation of medical research literature
  - Epidemiology and public health

### Differences

- ❖ In some cases, both programs offer courses in a particular area, but one will emphasize it more heavily. For example:
  - BU more heavily emphasizes human nutrition, requiring four courses (12 credits\*) to the UW's one (1 credit\*).
  - BU more heavily emphasizes psychology/counseling, requiring five courses (12 credits\*) to the UW's three (8 credits\*).
  - UW more heavily emphasizes pharmacology, offering two courses (8 credits\*) to BU's one (5 credits\*).
- ❖ The BU didactic program includes a number of courses with no equivalent course at the UW. Examples of these include:
  - Naturopathic clinical theory and case analysis.
  - Specialty care for individuals at certain points in the life cycle, such as family medicine, pediatrics, and geriatrics
  - Overview courses in world traditional medical systems including Ayurvedic and Traditional Chinese Medicine
  - Traditional medical therapeutic approaches such as botanical, homeopathic, and physical medicine (i.e. massage, hydrotherapy, naturopathic manipulation).
  - More recent developments in natural health, including environmental medicine, clinical ecology, and clinical (orthomolecular) nutrition.
  - Medical law and practice management.
- ❖ Some courses offered at the UW as electives are required by BU, such as:
  - Medical ethics and the philosophy of healing/being a physician.
- ❖ Elective options:
  - BU provides a wide range of elective options for their ND students, and requires completion of 15 credits\* for graduation. However, many are not all listed in BU's published curricular information.
  - The UW's published curricular information lists a minimum of 37 available elective credits\* by course name and number. It remains unclear exactly how many elective credits are required for graduation and whether or not additional courses are offered but not listed.

## **Clinical Training**

### **Similarities**

- ❖ Both programs emphasize training in the clinical setting, where the student receives practical, hands-on training from licensed practicing physicians.

### **Differences**

- ❖ BU naturopathic students complete a total of 25 shifts, all in the outpatient setting. The only specialized shifts completed are in physical medicine (4 shifts). Three shifts are completed as preceptorships, with independently practicing physicians.
- ❖ UW medical students complete 10 rotations of varying lengths in numerous areas of specialized as well as general medicine. Some of these are in the outpatient setting, others in an inpatient setting. In total, they complete a total of 58 weeks of these rotations, with the greatest emphasis on general medicine (12 weeks).
- ❖ All inpatient setting rotations such as surgery and trauma/emergency medicine are required by UW, but unavailable to BU naturopathic students (or with very limited availability as preceptoships).
- ❖ UW students are required to complete a rotation in obstetrics and gynecology; BU students complete rotations in childbirth only if enrolled in the separate midwifery program.
- ❖ UW students may complete elective rotations in rural/underserved community medicine; BU students may volunteer in these programs away from school (although preceptorship credits may be available).

### **Licensure Examinations**

- ❖ Both MD and ND licensure require successful completion of a two-step examination process, one covering basic or pre-clinical sciences, and a second covering clinical sciences.
  - MD students complete the United States Medical Licensure Examination (USMLE) Part I at some point prior to their last year, and the USMLE Part II during their final year of enrollment at UW.
  - ND students complete the Naturopathic Physician Licensure Examination (NPLEX) Basic Sciences exams after their second academic year, and the Clinical Sciences exams post-graduation.

### **Sources**

- ❖ <http://eduser.vhscer.washington.edu/uwsom/> Accessed 5 April 2005
- ❖ <http://www.washington.edu/students/crscat/humbio.html> Accessed 5 April 2005
- ❖ <http://www.bastyr.edu/academic/naturopath/curriculum.asp?track=4> Accessed 6 April 2005
- ❖ [http://biomed.uaa.alaska.edu/A\\_Z/Curriculum.htm](http://biomed.uaa.alaska.edu/A_Z/Curriculum.htm) Accessed 7 April 2005

### Comparison of curriculum hours for US Naturopathic Medical Schools

School	Academic Hours	Credits	Clinical Hours	Credits	Total
Bastyr University	3291.5	268.5q	1100*	47q	4391.5
NCNM	3078	224.5q	1572	65.5q	4650
SCNM	3325*	313q	1340	67q	4665
Bridgeport	3564	169s	1296	36s	4860

\* Bastyr: Bastyr has the narrowest definition of what constitutes clinical credits, excluding, for instance, the clinical credits assigned to Grand Rounds. The other schools include these clinical credits in their totals, thus explaining this apparent discrepancy between Bastyr and the other naturopathic programs.

### Comparison of average curriculum hours for US Naturopathic, Chiropractic and Allopathic Schools

+ Source: Coulter IB, Adams AH, Sandefur R. Niagara Chiropractic Society On Line: Chiropractic in the United States: Training, Practice and Research; Chapter III: Chiropractic Traini

Profession	Academic Hours	Clinical Hours	Total
Naturopathic	3315	1327	4642
Chiropractic+	3790	1010	4800
Allopathic			
Osteopathic			

# Naturopathic Education Related to Diagnosis and Treatment

Proposed Bill Language	1 <sup>st</sup> and 2 <sup>nd</sup> Year ND Education	3 <sup>rd</sup> and 4 <sup>th</sup> Year ND Education	ND Clinical Education	Total Hours and Exams	States & Territories with Licensure
<p>The practice of the profession of naturopathy or naturopathic medicine is defined as a system of health care for the prevention, diagnosis, treatment and prescribing for human health conditions, injury, and disease; the promotion or restoration of health; and the support and stimulation of a patient's inherent self-healing processes through patient education and the use of natural therapies and therapeutic substances.</p>	<p><b>Diagnosis (Credits):</b>  <b>Basic Sciences</b>            Gross Anatomy Lec/Lab (16.5)            Biochemistry (12)            Physiology Lec/Lab (14)            Embryology (3)            Histology (5)            Immunology (4)            Neuroscience (5.5)            Pathology (12)            Infectious Disease (6.5)            Physical/Clinical Diagnosis Lec/Lab (12)            Clinical Lab Diagnosis Lec/Lab (10.5)</p>	<p><b>Diagnosis and Treatment (Credits):</b>            Naturopathic Case Analysis (2.5)            Cardiology (3)            Gynecology (3)            Normal Maternity (3)            EENT (2)            Pediatrics (4)            Environmental Medicine (1.5)            Public Health (1.5)            Gastroenterology (2)            Dermatology (2)            Endocrinology (3)            Geriatrics (2)            Urology (1.5)            Oncology (2)            Psychological Assessment (2)            Addictions and Disorders (2)            Sports Medicine (2)            Orthopedics (2)            Neurology (2)            Rheumatology (1.5)            Pulmonary Medicine (1.5)            Radiographic Interpretation Lec/Lab (7)            Diagnostic Imaging (2)</p>	<p><b>2nd Year (credits)</b>            Clinic Entry (2)            Clinical Exam            Clinical Preceptorships (1)</p>	<p><b>1<sup>st</sup> and 2<sup>nd</sup> year total:</b>            154.5 credits            1700 hours</p> <p><b>3<sup>rd</sup> and 4<sup>th</sup> year total:</b>            161 credits            1770 hours</p> <p><b>Clinical – direct patient</b>            1120 hours</p> <p><b>Total Credits:</b>            315.5 credits            4590 hours</p> <p><b>Minimum Requirements</b>            4100 hours total            1200 hours clinical            720 hours direct patient care</p>	<p>Licensed to Diagnose and Treat:</p> <p>Alaska            Arizona            California            Connecticut            DC            Hawaii            Idaho            Kansas            Maine            Montana            New Hampshire            Oregon            Puerto Rico            Utah            Vermont            Virgin Islands            Washington</p>
	<p><b>Treatment (Credits):</b>            Naturopathic Clinical Theory (2)            The Determinants of Health (1.5)            Research Methods (2)            Principles of Chinese Medicine (3)            Massage (1.5)            Hydrotherapy/Physiotherapy Lec/Lab (3)            Fundamentals of Ayurvedic medicine (2)            Botanical Medicine (8)            Naturopathic Philosophy (1.5)            Homeopathy (8)            Naturopathic Counseling (6)            Dietary Systems and Assessment (3)            Macro and Micronutrients (3)            Naturopathic Manipulation (2)            Pharmacology (5)</p>	<p><b>Treatment (Credits):</b>            Naturopathic Clinical Theory (1)            Botanical Medicine (4)            Diet and Nutrient Therapy (6)            Naturopathic Counseling (2)            Minor Office Procedures (3)            Medical Procedures (3)            Naturopathic Manipulation (9)            Family Medicine (2)            The Healing Systems (1)            Adv. Naturopathic Therapeutics (4)            Clinical Ecology (2)            Interim Patient Care (2)            Ethics (1)            Jurisprudence (1)            Practice Management (4)            Electives (15)</p>	<p><b>3<sup>rd</sup> &amp; 4<sup>th</sup> Year Clinical Training</b></p> <ul style="list-style-type: none"> <li>• 1120 hours of direct patient care</li> <li>• Minimum of 350 patient contacts (usually 750-1000 patient contacts)</li> <li>• Clinical Competencies</li> <li>• Grand Rounds</li> <li>• Clinical Preceptorships (2) (132 hours of preceptorships)</li> </ul>	<p><b>Basic Science Board Exams (After 2<sup>nd</sup> Year):</b>            Anatomy, Physiology, Biochemistry, Microbiology and Pathology</p> <p><b>Clinical Board Exams (After 4<sup>th</sup> Year):</b> Physical &amp; Clinical Diagnosis, Lab Diagnosis &amp; Diagnostic Imaging, Emergency Medicine, Botanical Medicine, Pharmacology, Nutrition, Psychology, Physical Medicine, Homeopathy, and Minor Surgery</p>	

**Dana Owen**

**From:** Strickler, Jenny R (CED) [jenny.strickler@alaska.gov]  
**Sent:** Thursday, January 24, 2008 3:25 PM  
**To:** Dana Owen  
**Subject:** FW: SB 107 - Naturopaths

**From:** Strickler, Jenny R (CED)  
**Sent:** Thursday, January 24, 2008 3:21 PM  
**To:** 'dana.owen@legis.state.ak.us'  
**Cc:** Saddler, Sally A (CED)  
**Subject:** SB 107 - Naturopaths

Hi Dana,

As requested, here is a recap of our telephone conversation yesterday and the department's concerns with SB 107 and CSSB 107(L&C) work draft.

1. One public member on a five member board is normal. Currently, there are 10 licensing boards that consist of five members each with one position being a public member.

The Department has the following concerns –

- 1. Allowing expanded naturopathic practice to include prescriptive authority and minor surgery with only 60 hours of pharmacology training and 30 hours of pharmacology for renewal. In contrast:
  - a) Physicians Assistants and Advanced Nurse Practitioners are both required to have at least 6 years of education and at least one year of clinical rotation or preceptor oversight before being allowed prescriptive authority or to perform invasive procedures; additionally, both are only allowed to practice under an approved collaborative plan with a licensed medical doctor.
  - b) Veterinarians must possess a minimum of 8 years of education before "Junior" surgery training begins in the 7<sup>th</sup> year of schooling. Pharmacology training spans approximately 6 years of education before writing prescriptions.
  - c) Medical doctors invest 8 to 12+ years of education.
- 2. There are only 44 current licensees in Alaska, of which 7 have out-of-state addresses.
- 3. In FY 05 there were zero (-0-) complaints; FY 06 there was 1 complaint re: unlicensed activity; FY 07 there were zero (-0-) complaints; FY 08 to date there has been no complaints.
- 4. There have been no substantial regulation projects, aside from fee adjustments, in the past several years.
- 5. If expanded practice is allowed, a regulatory entity (Board/Council) will be needed. However, the Board should be established through Boards and Commission's in the Office of the Governor, not within the department to be appointed by the Commissioner. Boards and Commissions already have a process in place to establish regulatory entities. To duplicate the process within a department would be cumbersome.
- 6. As a suggestion, if expanded practice is allowed, perhaps naturopaths should operate under a collaborative plan with a medical physician like the Physicians Assistants or Advanced Nurse Practitioners for public protection and safety.
- 7. Creation of a new regulatory entity for 44 licensees will be an expensive proposition for the 44 licensees who are already subject to the self-sufficiency statutes of AS 08.01.065. Fees will be increased tremendously to support operating costs of the Council.

If you have further questions that I can help with, please let me know.

Thank you.  
Jenny

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Jennifer Strickler, Chief  
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1/25/2008

# Alaska State Medical Association

4107 Laurel Street • Anchorage, Alaska 99508 • (907) 562-0304 • (907) 561-2063 (fax)

April 17, 2007

Honorable Johnny Ellis, Chair Senate Labor and Commerce Committee  
State Capitol, Room 9  
Juneau, AK 99801-1182  
RE: SB107 – Naturopathic Scope of Practice

Transmitted By Fax: 907-465-2529

Dear Senator Ellis:

The Alaska State Medical Association (ASMA) represents physicians statewide and is primarily concerned with the health of all Alaskans.

ASMA opposes SB107 and urges you to oppose it as well. Training for naturopaths is less rigorous than for medical doctors in both length and depth of study. Its emphasis on natural healing does not allow sufficient time for its students to fully learn the accepted pathology, physiology, and pharmacology necessary to treat most medical conditions. To allow naturopaths to prescribe drugs and perform "minor" surgery is unsafe for Alaskan patients.

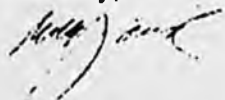
It needs to be pointed out that there is no such thing as "minor" surgery. For example, suturing simple lacerations and removing simple moles often requires complex surgical techniques and knowledge. The decisions involved with selecting optimal closure techniques or biopsy type (and the associated risks of each) are not mastered after a short course of study. While it may seem simple to biopsy a mole, it is much more complex to determine what type of biopsy is best for which lesions, or to assess which lesions could be cancerous and at higher risk of spreading if diagnosed or biopsied incorrectly. As surgeons are quick to point out: there is no such thing as "minor surgery" there are just minor surgeons....

In 2004, many of the same issues were presented via SB306 in its initial version. At the end of the 23<sup>rd</sup> Legislature, SB306 was enacted with not expanding any scope of practice for naturopaths. It did, however, create a task force, "Task Force on Naturopath Scope of Practice". That task force did not produce a report and thus left undone its important investigative elements. Those elements being comparing the education and training of naturopaths to medical doctors; investigating what an appropriate scope of practice would be for naturopaths, for prescription of drugs; investigating what an appropriate scope of practice for naturopaths would be for minor surgery and other non-pharmacological treatments; examine the potential structure and operation of any collaborative protocols and agreements for naturopaths with other licensed practitioners; investigate the liability issues involved with any collaborative arrangements; and to investigate any other issues found to be relevant by the task force. These same issues remain and need to be thoroughly investigated before any consideration is given to acting on this bill.

ASMA strongly feels that its resources as well as the Legislature's resources should be spent in finding solutions for Alaska's current acute shortage in physicians estimated to be a 30% shortage at this time. Spending time and resources exploring and debating expanded scope of practice for naturopaths will slow the efforts to recruit the highly trained physicians in sufficient numbers that we need today and in the future.

ASMA urges you to oppose SB107.

Sincerely,



By: Roland Gower, MD, President  
For: The Alaska State Medical Association

cc: Members, Senate Labor and Commerce Committee

# Alaska State Legislature

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Senator Bettye Davis@legis.state.ak.us  
http://www.akdemocrats.org

## Senator Bettye Davis

### CS for Senate Bill 107 ( ), 25-LS0702K (3\7\08)

**“An Act relating to naturopaths and to naturopathic practice; establishing an Alaska Naturopathic Council; amending the duties of the Board of Pharmacy relating to the naturopathic practice; and providing for an effective date.”**

### Explanation of CSSB 107( ) 25-LS0702\K

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After the February 13, 2008 Senate HESS Committee hearing on the “M” version from Labor and Commerce Committee, CSSB 107(L&C), 25-LS0702M, the Chair concluded that changes were required in oversight, training, and experience in order to expand naturopathic scope of practice into areas for the most part formerly reserved to allopathic MDs and DOs, *i.e.*, minor surgery, prescribing prescription drugs, and ordering medical laboratory tests and imaging. Changes in the CS include:

1. The Alaska Naturopathic Council is increased from 5 to 7 members, including 3 naturopaths, 1 medical doctor, 1 pharmacist, and 2 members of the public who have no direct financial interest in naturopathic practice or the health care industry.
2. Members of the Alaska Naturopathic Council are to be appointed by the governor, *i.e.*, to be established through Boards and Commissions in the governor’s office, not the Department of Commerce, Community and Economic Development.
3. Naturopaths must have practiced for five years before being allowed the expanded scope of practice in minor surgery, prescribing prescription drugs, and ordering medical laboratory tests and imaging.
4. Naturopaths qualified and licensed to prescribe prescription drugs must take 15 contact hours of pharmacy educational training each year.
5. Naturopaths who independently perform minor surgery must first have received a minimum of 1200 clinical hours of training under supervision of medical doctors, physician’s assistants, or nurse practitioners.

# LEGAL SERVICES

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## MEMORANDUM

March 7, 2008

**SUBJECT:** Requested Blank Committee Substitute for Senate Bill 107  
(Work Order No. 25-LS0702\K)

**TO:** Senator Bettye Davis  
Attn: Thomas Obermeyer

**FROM:** Alphcus Bullard  
Legislative Counsel

This memorandum accompanies the draft committee substitute you requested. I have two comments and a concern about the constitutionality of some of the requested provisions.

### **Substantive Due Process**

Some provisions of this draft could be interpreted to run afoul of the substantive due process prohibition against unreasonable and arbitrary legislation. Substantive due process under art. I, sec. 7, Constitution of the State of Alaska protects against unreasonable and arbitrary legislation. The constitutional guarantee of substantive due process assures that legislation is not arbitrary, but is based on some rational policy. Allam v. State, 830 P.2d 435 (Alaska App. 1992).

A person's right to substantive due process is violated if the person is subject to "a legislative enactment [that] has no reasonable relationship to a legitimate governmental purpose." Concerned Citizens of South Kenai Peninsula v. Kenai Peninsula Borough, 527 P.2d 447, 452 (Alaska 1974). Those provisions of this draft that (1) require a naturopath to have practiced for five years before being able to order or conduct medical imaging, perform minor surgery, or qualify for a prescription endorsement and (2) mandate that a naturopath must receive 1,200 hours of training in minor surgery under the supervision of a licensed physician, physician's assistant, or nurse practitioner (but not a qualified naturopath) could be challenged on substantive due process grounds.

Any due process judicial review of this legislation would begin with the assumption the legislation is proper. The party asserting a denial of due process would have the burden of showing that no rational basis exists for the challenged legislation. If any conceivable legitimate public policy for the legislation is apparent on its face or is offered by those defending the legislation, the opponents of the measure must disprove the factual basis for such a justification. Municipality of Anchorage v. Leigh, 823 P.2d 1241 (Alaska 1992).

**Senator Bettye Davis**

**March 7, 2008**

**Page 2**

Arguably the state has a rational basis in making sure that naturopaths are properly trained and qualified. Whether this justification would support the specific provisions of this committee substitute as being reasonable related to this legitimate governmental purpose, or whether a court would find that they are fundamentally unfair or arbitrary is unknown.

**Comments**

1. I changed the membership of the Alaska Naturopathic Council (Council) from five to seven members in the manner you requested. Would you also like to change the number of members necessary to constitute a quorum? See the draft's sec. 08.45.052(c).

2. You requested that the pharmacist and physician members of the Council be recommended by the Board of Pharmacy and the State Medical Board respectively and be appointed by the governor. If the governor is required to appoint the members recommended by the respective boards, this is little different than the boards themselves making the appointments. This draft requires each board to provide the governor a list of pharmacists or physicians for possible appointment to the Council. Is this consistent with your intent? See the draft's sec. 08.45.052(f).

If I can be of further assistance, please do not hesitate to contact me.

TLAB:mc

08-151.med

Enclosure

25-LS0702K  
Bullard  
3/7/08

**CS FOR SENATE BILL NO. 107( )**

**IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-FIFTH LEGISLATURE - SECOND SESSION**

**BY**

**Offered:  
Referred:**

**Sponsor(s): SENATOR DAVIS BY REQUEST**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to naturopaths and to the practice of naturopathy; establishing an**  
2 **Alaska Naturopathic Council; amending the duties of the State Medical Board and the**  
3 **Board of Pharmacy relating to naturopathic practice; and providing for an effective**  
4 **date."**

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

6 **\* Section 1. AS 08.45.030 is amended to read:**

7 **Sec. 08.45.030. Issuance of license.** The department shall issue a license to  
8 practice naturopathy to an applicant who provides proof satisfactory to the department  
9 that the applicant has received a degree from an accredited four-year college or  
10 university, has paid the applicable fees, and

11 (1) on or before December 31, 1987, has graduated from a school of  
12 naturopathy that required four years of attendance at the school and after graduation  
13 has received a license in another state after passing an examination for licensure in  
14 that state and is licensed by a state at the time of application; or

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(2) after December 31, 1987, has

(A) graduated from a school of naturopathy that required four years of attendance at the school and at the time of graduation the school was accredited or a candidate for accreditation by the Council on Naturopathic Medical Education or a successor organization recognized by the United States Department of Education; and

(B) passed the Naturopathic Physicians Licensing Examination.

\* Sec. 2. AS 08.45 is amended by adding a new section to read:

**Sec. 08.45.045. Scope of practice as a naturopath.** (a) A naturopath may

(1) use physical examinations consistent with naturopathic medical education and training for diagnostic purposes; and

(2) perform and administer therapies consistent with naturopathic medical education and training.

(b) A naturopath who has practiced naturopathy for at least five years may

(1) order or conduct medical imaging and laboratory examinations consistent with naturopathic medical education and training;

(2) under a prescription endorsement issued under AS 08.45.056, administer and prescribe prescription drugs and medical devices as approved for use by naturopaths by the Alaska Naturopathic Council; and

(3) subject to (c) of this section, perform minor surgery.

(c) Minor surgery may be performed by a naturopath licensed under this chapter only if the naturopath has submitted proof satisfactory to the department that the naturopath has completed at least 1,200 hours of training in minor surgery under the supervision of a licensed physician, physician's assistant, or nurse practitioner.

\* Sec. 3. AS 08.45.050 is amended to read:

**Sec. 08.45.050. Restrictions on practice of naturopathy.** A person who practices naturopathy may not

(1) except as authorized under AS 08.45.056, give, prescribe, or recommend in the practice

(A) a prescription drug;

(B) a controlled substance;

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(C) a poison;

(2) engage in surgery, except minor surgery as authorized under AS 08.45.045(b) and (c);

(3) use the word "physician" in the person's title;

(4) use general or spinal anesthetics; or

(5) administer ionizing radioactive substances for therapeutic purposes.

\* Sec. 4. AS 08.45 is amended by adding new sections to read:

**Sec. 08.45.052. Alaska Naturopathic Council.** (a) The Alaska Naturopathic Council is established in the department. The council consists of seven members appointed by the governor. Three members shall be naturopaths licensed under AS 08.45.030 who have been engaged in the practice of naturopathic medicine in the state for at least five years immediately preceding appointment, with at least one naturopathic member that lives outside the third judicial district; one member shall be a pharmacist, appointed under (e) of this section; one member shall be a physician appointed under (c) of this section; and two members shall be public members with no direct financial interest in a naturopathic practice or the health care industry.

(b) Members of the Alaska Naturopathic Council shall serve staggered terms of three years unless removed for cause.

(c) Four members of the council constitute a quorum for the transaction of all business properly before the council.

(d) When appointing naturopaths under (a) of this section, the governor may consider licensed naturopaths who have been nominated by the Alaska Association of Naturopathic Physicians.

(e) When appointing pharmacists and physicians under (a) of this section, the governor may appoint a pharmacist from the list of names submitted by the Board of Pharmacy under AS 08.80.030(b) and a physician from the list of names submitted by the State Medical Board under AS 08.64.101.

(f) In the event of the death, resignation, or removal of a member, the vacancy shall be filled for the unexpired portion of the term in the same manner as the original appointment.

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**Sec. 08.45.054. Duties of the council.** The Alaska Naturopathic Council shall

(1) establish a list of prescription drugs and medical devices that are consistent with naturopathic education and practice that the department may approve for use by naturopaths authorized under AS 08.45.056;

(2) review the list of prescription drugs and medical devices approved for use by naturopaths authorized under AS 08.45.056 annually and on request by the department;

(3) meet at the request of the department to review allegations of misconduct involving naturopaths licensed under this chapter or persons claiming to be naturopaths;

(4) advise the department on the approval of naturopathic medical programs; and

(5) advise the department on the adoption of regulations under AS 08.45.056.

**Sec. 08.45.056. Prescription endorsement.** (a) The department shall issue a prescription endorsement to a naturopath licensed under this chapter, who has practiced naturopathy for five years, who is qualified under AS 08.45.045(b), and who submits proof satisfactory to the department that the naturopath has

(1) successfully completed at least 60 hours of education from a program approved by the Alaska Naturopathic Council;

(2) met other requirements establishing proof of competency and professional qualifications that the department, in consultation with the Alaska Naturopathic Council, considers necessary to ensure the continued protection of the public; and

(3) obtained the appropriate registration issued by the Federal Drug Enforcement Administration.

(b) An endorsement issued under (a) of this section authorizes the licensee to prescribe and administer prescription drugs and medical devices that are on the formulary approved by the Alaska Naturopathic Council under AS 08.45.054.

(c) An endorsement issued under (a) of this section is valid for two years unless revoked or suspended by the department.

1 (d) The department may not renew an endorsement issued under (a) of this  
 2 section unless the licensee submits proof satisfactory to the department that the  
 3 licensee has completed at least 15 hours of pharmaceutical education in each of the  
 4 past two years.

5 \* **Sec. 5.** AS 08.45 is amended by adding a new section to read:

6 **Sec. 08.45.110. Fees.** The department shall set fees under AS 08.01.065 for  
 7 each of the following:

- 8 (1) a license issued under this chapter;
- 9 (2) a temporary license issued under this chapter;
- 10 (3) renewal of a license issued under this chapter;
- 11 (4) a prescription endorsement issued under this chapter.

12 \* **Sec. 6.** AS 08.45.200 is amended by adding a new paragraph to read:

13 (4) "minor surgery"

14 (A) means the use of

15 (i) operative, electrical, or other methods for surgical  
 16 repair and care incidental to superficial lacerations and abrasions or  
 17 superficial lesions and the removal of foreign bodies located in  
 18 superficial tissues; and

19 (ii) antiseptics and local anesthetics in connection with  
 20 methods authorized under (A) of this paragraph;

21 (B) does not include use of general or spinal anesthetics,  
 22 surgery of the body cavities, or specialized surgery, such as plastic surgery,  
 23 surgery involving the eyes, or surgery involving tendons, ligaments, nerves, or  
 24 blood vessels;

25 \* **Sec. 7.** AS 08.64.101 is amended to read:

26 **Sec. 08.64.101. Duties.** The board shall

- 27 (1) examine and issue licenses to applicants;
- 28 (2) develop written guidelines to ensure that licensing requirements are  
 29 not unreasonably burdensome and the issuance of licenses is not unreasonably  
 30 withheld or delayed;
- 31 (3) after a hearing, impose disciplinary sanctions on persons who

1 violate this chapter or the regulations or orders of the board;

2 (4) adopt regulations ensuring that renewal of licenses is contingent  
3 upon proof of continued competency on the part of the licensee; [AND]

4 (5) under regulations adopted by the board, contract with private  
5 professional organizations to establish an impaired medical professionals program to  
6 identify, confront, evaluate, and treat persons licensed under this chapter who abuse  
7 alcohol, other drugs, or other substances or are mentally ill or cognitively impaired;  
8 and

9 (6) nominate licensed physicians for appointment to the Alaska  
10 Naturopathic Council established under AS 08.45.052.

11 \* Sec. 8. AS 08.80.030(b) is amended to read:

12 (b) In order to fulfill its responsibilities, the board has the powers necessary  
13 for implementation and enforcement of this chapter, including the power to

14 (1) elect a president and secretary from its membership and adopt rules  
15 for the conduct of its business;

16 (2) license by examination or by license transfer the applicants who are  
17 qualified to engage in the practice of pharmacy;

18 (3) assist the department in inspections and investigations for  
19 violations of this chapter, or of any other state or federal statute relating to the practice  
20 of pharmacy;

21 (4) adopt regulations to carry out the purposes of this chapter;

22 (5) establish and enforce compliance with professional standards and  
23 rules of conduct for pharmacists engaged in the practice of pharmacy;

24 (6) determine standards for recognition and approval of degree  
25 programs of schools and colleges of pharmacy whose graduates shall be eligible for  
26 licensure in this state, including the specification and enforcement of requirements for  
27 practical training, including internships;

28 (7) establish for pharmacists and pharmacies minimum specifications  
29 for the physical facilities, technical equipment, personnel, and procedures for the  
30 storage, compounding, and dispensing of drugs or related devices, and for the  
31 monitoring of drug therapy;

1 (8) enforce the provisions of this chapter relating to the conduct or  
2 competence of pharmacists practicing in the state, and the suspension, revocation, or  
3 restriction of licenses to engage in the practice of pharmacy;

4 (9) license and regulate the training, qualifications, and employment of  
5 pharmacy interns and pharmacy technicians;

6 (10) issue licenses to persons engaged in the manufacture and  
7 distribution of drugs and related devices;

8 **(11) nominate licensed pharmacists for appointment to the Alaska**  
9 **Naturopathic Council established under AS 08.45.052.**

10 \* **Sec. 9.** AS 08.80.400 is amended to read:

11 **Sec. 08.80.400. Other licensees not affected.** This chapter does not affect the  
12 practice of medicine by a licensed medical doctor and does not limit a licensed  
13 medical doctor, osteopath, podiatrist, physician assistant, advanced nurse practitioner,  
14 dentist, veterinarian, dispensing optician, naturopath, or optometrist in supplying a  
15 patient with any medicinal preparation or article within the scope of the person's  
16 license.

17 \* **Sec. 10.** The uncodified law of the State of Alaska is amended by adding a new section to  
18 read:

19 **TRANSITION: REGULATIONS.** The Department of Commerce, Community, and  
20 Economic Development may proceed to adopt regulations necessary to implement the  
21 changes made by this Act. The regulations take effect under AS 44.62 (Administrative  
22 Procedure Act), but not before the effective date of sec. 13 of this Act.

23 \* **Sec. 11.** The uncodified law of the State of Alaska is amended by adding a new section to  
24 read:

25 **TRANSITIONAL PROVISIONS.** Notwithstanding AS 08.45.052, as enacted in sec. 4  
26 of this Act, the terms of the first members of the Alaska Naturopathic Council appointed by  
27 the governor are as follows: (1) the licensed physician member, one licensed naturopath  
28 member, and one public member shall be appointed for two-year terms; (2) the licensed  
29 pharmacist member and one licensed naturopath member shall be appointed for three-year  
30 terms; and (3) one licensed naturopath member and one public member shall be appointed for  
31 a one-year term. The department shall specify the term of office of each licensed naturopath

1 and public member appointed subject to this subsection.

2 \* **Sec. 12.** Section 10 of this Act takes effect immediately under AS 01.10.070(c).

3 \* **Sec. 13.** Except as provided in sec. 12 of this Act, this Act takes effect July 1, 2009.

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## MEMORANDUM

March 17, 2008

**SUBJECT:** Alaska Naturopathic Board (CSSB 107( ) ,  
Work Order No. 25-LS0702\L)

**TO:** Senator Bettye Davis  
Attn: Thomas Obermeyer

**FROM:** Alpheus Bullard *AB*  
Legislative Counsel

This memorandum accompanies the draft committee substitute and an accompanying sectional summary that you requested.

This draft of CSSB 107( ) (25-LS0702\L) transforms the "Alaska Naturopathic Council" (council) which was to serve in an advisory capacity to the Department of Commerce, Community, and Economic Development (department) into an "Alaska Naturopathic Board" (board) and amends the manner in which the pharmacist and physician members of the council/board are selected.

While I preserved what could be preserved from CSSB 107( ) (25-LS0702\K), recasting the council as a board necessitated changes in AS 08.45 (Naturopaths) beyond those provisions that were added to or amended in AS 08.45 by the previous committee substitute. The first two sections of 25-LS0702\L relate to the mechanics of the council's becoming a board. Sections three and four provide for the establishment and organization of the Alaska Naturopathic Board and the board's duties and powers.

The board is composed of the same members as was the council, but the manner in which the physician and pharmacist members are selected has changed. In the previous committee substitute, the pharmacist and physician members of the council were appointed by the governor from lists of names submitted by the Board of Pharmacy and the State Medical Board respectively; in this draft the governor is free to appoint any licensed pharmacist and licensed physician.

The board also differs from the council with the addition of sec. 08.45.003(b) that requires the board to (1) select a chair and secretary and (2) meet at least twice a year or at the request of either the board's chair or the department. The duties (and powers) of the board have also been expanded beyond those that the council exercised to account for the board's increased responsibilities.

**Senator Bettye Davis**

**March 17, 2008**

**Page 2**

Because there is no one way in which boards are established, it was necessary for me to take certain liberties in construing how an Alaska Naturopathic Board would operate. Starting with the idea that there are not many naturopaths to regulate in Alaska, I left licensing, enforcement issues, and the collection of fees to the department, while providing that the board may request that the department make certain licensing decisions or invoke disciplinary action against a naturopath licensed under the chapter.

Please review the draft carefully to make sure that it is consistent with your intent.

TLAB:med  
08-185.med

Enclosure

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## MEMORANDUM

March 17, 2008

**SUBJECT:** Sectional Summary of CSSB 107( )  
(Work Order No. 25-LS0702\L)

**TO:** Senator Bettve Davis  
Attn: Thomas Obermeyer

**FROM:** Alpheus Bullard *ZAB*  
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

**Section 1.** Adds the Alaska Naturopathic Board to the list of boards and professions to which AS 08.01 applies.

**Section 2.** Adds the Alaska Naturopathic Board (board) to a list of boards that may request that the Department of Commerce, Community, and Economic Development (department) provide assistance and treatment to the boards' licensees who abuse alcohol, drugs, or other substances.

**Section 3.** Adds new sections to AS 08.45 (Naturopaths)

Sec. 08.45.003. Provides for the establishment and organization of the Alaska Naturopathic Board.

Sec. 08.45.005. Provides the duties and powers of the board.

**Section 4.** Amends AS 08.45.030 to provide that the board shall request the department to issue a license to practice naturopathy to an applicant who has provided satisfactory proof of the applicant's educational qualifications and paid the applicable fees.

**Section 5.** Amends AS 08.45.035(a) to provide that the board shall request the department to issue a temporary license to practice naturopathy to an applicant who has

provided satisfactory proof to the board of the applicant's qualifications and paid the applicable fees.

**Section 6.** Adds a new section to AS 08.45 defining the scope of practice of naturopaths.

**Section 7.** Amends AS 08.45.050 (Restrictions on the practice of naturopathy) to (1) allow a licensed naturopath under AS 08.45.056 to be able to prescribe certain substances and engage in minor surgery authorized under AS 08.45.045 and (2) prohibit a naturopath from using general or spinal anesthetics and administer ionizing radioactive substances for therapeutic purposes.

**Section 8.** Establishes a "prescription endorsement" allowing certain naturopaths to prescribe and administer certain prescription drugs and medical devices.

**Section 9.** Amends AS 08.45.100 to provide that both the department and the board shall adopt regulations to implement AS 08.45.

**Section 10.** Adds a new section that provides what fees may be charged by the department under AS 08.45.

**Section 11.** Provides new definitions for AS 08.45.

**Section 12.** Adds naturopaths to the list of licensees whose practices are not limited by the statutes applicable to pharmacists in AS 08.80, as long as the naturopath is acting within the scope of the license or endorsement under AS 08.45.

**Section 13.** Adds a provision to uncodified law allowing the department to adopt regulations necessary to implement the Act.

**Section 14.** Adds a provision to uncodified law that provides transitional provisions governing the terms of the first members of the Alaska Naturopathic board.

**Section 15.** Gives an immediate effective date to sec. 13 so that the regulations process can start before the rest of the bill takes effect (90 days after becoming law).

**Section 16.** Provides that the Act, except as provided in sec. 15, will take effect July 1, 2009.

25-LS0702L  
Bullard  
3/17/08

**CS FOR SENATE BILL NO. 107( )**

**IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-FIFTH LEGISLATURE - SECOND SESSION**

**BY**

**Offered:  
Referred:**

**Sponsor(s): SENATOR DAVIS BY REQUEST**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to naturopaths and to the practice of naturopathy; establishing an**  
2 **Alaska Naturopathic Board; and providing for an effective date."**

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

4 **\* Section 1. AS 08.01.010(26) is amended to read:**

5 (26) Alaska Naturopathic Board (AS 08.45.003) [REGULATION  
6 OF THE PRACTICE OF NATUROPATHY UNDER AS 08.45];

7 **\* Sec. 2. AS 08.01.050(d) is amended to read:**

8 (d) At the request of one of the following boards, the department may contract  
9 with public agencies and private professional organizations to provide assistance and  
10 treatment to persons licensed by the board who abuse alcohol, other drugs, or other  
11 substances:

12 (1) Board of Social Work Examiners;

13 (2) Board of Dental Examiners;

14 (3) Board of Dispensing Opticians;

- 1 (4) State Medical Board;
- 2 (5) Board of Nursing;
- 3 (6) Board of Examiners in Optometry;
- 4 (7) Board of Pharmacy;
- 5 (8) State Physical Therapy and Occupational Therapy Board;
- 6 (9) Board of Professional Counselors;
- 7 (10) Board of Psychologist and Psychological Associate Examiners;
- 8 (11) Board of Veterinary Examiners; [AND]
- 9 (12) Board of Marital and Family Therapy; and
- 10 (13) the Alaska Naturopathic Board.

11 \* Sec. 3. AS 08.45 is amended by adding new sections to read:

12 **Sec. 08.45.003. Board created; organization.** (a) There is created the Alaska  
13 Naturopathic Board. The board consists of seven members appointed by the governor.  
14 Three members shall be naturopaths licensed under this chapter who have been  
15 engaged in the practice of naturopathic medicine in the state for at least five years  
16 immediately preceding appointment, at least one of whom lives outside the third  
17 judicial district. One member shall be a licensed pharmacist. One member shall be a  
18 licensed physician. Two members shall be public members who, in addition to the  
19 limitations imposed under AS 08.01.025, may not have a direct financial interest in the  
20 health care industry other than as a consumer of health care services.

21 (b) The board shall select from among its members a chair and a secretary.  
22 The board shall meet at least twice a year, and additional meetings shall be held on  
23 request of the chair or on request of the department.

24 (c) Members of the board shall serve staggered terms of three years unless  
25 removed for cause.

26 (d) Four members of the board constitute a quorum for the transaction of all  
27 business properly before the board.

28 (e) When appointing naturopaths under (a) of this section, the governor may  
29 consider licensed naturopaths who have been nominated by the Alaska Association of  
30 Naturopathic Physicians.

31 (f) In the event of the death, resignation, or removal of a member, the vacancy

1 shall be filled for the unexpired portion of the term in the same manner as the original  
2 appointment.

3 **Sec. 08.45.005. Duties of the board.** (a) The board shall

4 (1) establish a list of prescription drugs and medical devices that are  
5 consistent with naturopathic education and practice that may be prescribed and  
6 administered by a naturopath holding a prescription endorsement, and review the list  
7 of prescription drugs and medical devices annually and on request by the department;

8 (2) review allegations of misconduct involving naturopaths licensed  
9 under this chapter or persons claiming to be naturopaths;

10 (3) approve naturopathic medical programs;

11 (4) implement the continuing education requirement of  
12 AS 08.45.056(d); and

13 (5) adopt regulations necessary to implement this chapter in a manner  
14 that protects public health.

15 (b) The board may

16 (1) conduct hearings on charges of alleged violations of this chapter or  
17 regulations adopted under this chapter;

18 (2) invoke, or request the department to invoke, disciplinary action  
19 against a licensee.

20 \* **Sec. 4.** AS 08.45.030 is amended to read:

21 **Sec. 08.45.030. Issuance of license.** The board shall request the department  
22 to [SHALL] issue a license to practice naturopathy to an applicant who provides proof  
23 satisfactory to the board [DEPARTMENT] that the applicant has received a degree  
24 from an accredited four-year college or university, has paid the applicable fees, and

25 (1) on or before December 31, 1987, has graduated from a school of  
26 naturopathy that required four years of attendance at the school and after graduation  
27 has received a license in another state after passing an examination for licensure in  
28 that state and is licensed by a state at the time of application; or

29 (2) after December 31, 1987, has

30 (A) graduated from a school of naturopathy that required four  
31 years of attendance at the school and at the time of graduation the school was

1 accredited or a candidate for accreditation by the Council on Naturopathic  
2 Medical Education or a successor organization recognized by the United States  
3 Department of Education; and

4 (B) passed the Naturopathic Physicians Licensing Examination.

5 \* Sec. 5. AS 08.45.035(a) is amended to read:

6 (a) The board shall request the department to [SHALL] issue a temporary  
7 license to practice naturopathy to an applicant who has applied for and is qualified to  
8 take the next Naturopathic Physicians Licensing Examination offered after the date of  
9 application and provides proof satisfactory to the board [DEPARTMENT] that the  
10 applicant

11 (1) has paid the applicable fees:

12 (2) meets the requirements of AS 08.45.030(2)(A); and

13 (3) [(2)] has not previously failed the Naturopathic Physicians  
14 Licensing Examination.

15 \* Sec. 6. AS 08.45 is amended by adding a new section to read:

16 Sec. 08.45.045. Scope of practice as a naturopath. (a) A naturopath may

17 (1) use physical examinations consistent with naturopathic medical  
18 education and training for diagnostic purposes; and

19 (2) perform and administer therapies consistent with naturopathic  
20 medical education and training.

21 (b) A naturopath who has practiced naturopathy for at least five years may

22 (1) order or conduct medical imaging and laboratory examinations  
23 consistent with naturopathic medical education and training;

24 (2) under a prescription endorsement issued under AS 08.45.056,  
25 administer and prescribe prescription drugs and medical devices as approved for use  
26 by naturopaths by the board; and

27 (3) subject to (c) of this section, perform minor surgery.

28 (c) Minor surgery may be performed by a naturopath licensed under this  
29 chapter only if the naturopath has submitted proof satisfactory to the board that the  
30 naturopath has completed at least 1,200 hours of training in minor surgery under the  
31 supervision of a licensed physician, physician's assistant, or nurse practitioner.

1 \* Sec. 7. AS 08.45.050 is amended to read:

2 Sec. 08.45.050. **Restrictions on practice of naturopathy.** A person who  
3 practices naturopathy may not

4 (1) except as authorized under AS 08.45.056. give, prescribe, or  
5 recommend in the practice

6 (A) a prescription drug;

7 (B) a controlled substance;

8 (C) a poison;

9 (2) engage in surgery, except minor surgery as authorized under  
10 AS 08.45.045(b) and (c):

11 (3) use the word "physician" in the person's title;

12 (4) use general or spinal anesthetics; or

13 (5) administer ionizing radioactive substances for therapeutic  
14 purposes.

15 \* Sec. 8. AS 08.45 is amended by adding new sections to read:

16 Sec. 08.45.056. **Prescription endorsement.** (a) The board shall request the  
17 department to issue a prescription endorsement to a naturopath licensed under this  
18 chapter who has practiced naturopathy for five years, who is qualified under  
19 AS 08.45.045(b), and who has submitted proof satisfactory to the board that the  
20 naturopath has

21 (1) successfully completed at least 60 hours of education from a  
22 program approved by the board;

23 (2) met other requirements establishing proof of competency and  
24 professional qualifications that the board considers necessary to ensure the continued  
25 protection of the public; and

26 (3) obtained the appropriate registration issued by the Federal Drug  
27 Enforcement Administration.

28 (b) An endorsement issued under (a) of this section authorizes the licensee to  
29 prescribe and administer prescription drugs and medical devices that are on the  
30 formulary approved by the department under AS 08.45.005.

31 (c) An endorsement issued under (a) of this section is valid for two years

1 unless revoked or suspended by the department.

2 (d) The department may not renew an endorsement issued under (a) of this  
3 section unless the licensee submits proof satisfactory to the board that the licensee has  
4 completed at least 15 hours of pharmaceutical education in each of the past two years.

5 \* Sec. 9. AS 08.45.100 is amended to read:

6 Sec. 08.45.100. Regulations. The board and the department  
7 [DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC  
8 DEVELOPMENT] shall adopt regulations to implement this chapter.

9 \* Sec. 10. AS 08.45 is amended by adding a new section to read:

10 Sec. 08.45.110. Fees. The department shall set fees under AS 08.01.065 for  
11 each of the following:

- 12 (1) a license issued under this chapter;  
13 (2) a temporary license issued under this chapter;  
14 (3) renewal of a license issued under this chapter;  
15 (4) a prescription endorsement issued under this chapter.

16 \* Sec. 11. AS 08.45.200 is amended by adding new paragraphs to read:

17 (4) "board" means the Alaska Naturopathic Board established under  
18 this chapter;

19 (5) "minor surgery"

20 (A) means the use of

21 (i) operative, electrical, or other methods for surgical  
22 repair and care incidental to superficial lacerations and abrasions or  
23 superficial lesions and the removal of foreign bodies located in  
24 superficial tissues; and

25 (ii) antiseptics and local anesthetics in connection with  
26 methods authorized under (i) of this subparagraph;

27 (B) does not include use of general or spinal anesthetics,  
28 surgery of the body cavities, or specialized surgery, such as plastic surgery,  
29 surgery involving the eyes, or surgery involving tendons, ligaments, nerves, or  
30 blood vessels;

31 \* Sec. 12. AS 08.80.400 is amended to read:

1           **Sec. 08.80.400. Other licensees not affected.** This chapter does not affect the  
2 practice of medicine by a licensed medical doctor and does not limit a licensed  
3 medical doctor, osteopath, podiatrist, physician assistant, advanced nurse practitioner,  
4 dentist, veterinarian, dispensing optician, naturopath, or optometrist in supplying a  
5 patient with any medicinal preparation or article within the scope of the person's  
6 license.

7       \* **Sec. 13.** The uncodified law of the State of Alaska is amended by adding a new section to  
8 read:

9           **TRANSITION: REGULATIONS.** The Department of Commerce, Community, and  
10 Economic Development may proceed to adopt regulations necessary to implement the  
11 changes made by this Act. The regulations take effect under AS 44.62 (Administrative  
12 Procedure Act), but not before the effective date under sec. 16 of this Act.

13       \* **Sec. 14.** The uncodified law of the State of Alaska is amended by adding a new section to  
14 read:

15           **TRANSITIONAL PROVISIONS.** Notwithstanding AS 08.45.003, as enacted in sec. 3  
16 of this Act, the terms of the first members of the Alaska Naturopathic Board appointed by the  
17 governor are as follows: (1) the licensed physician member, one licensed naturopath member,  
18 and one public member shall be appointed for two-year terms; (2) the licensed pharmacist  
19 member and one licensed naturopath member shall be appointed for three-year terms; and (3)  
20 one licensed naturopath member and one public member shall be appointed for one-year  
21 terms. The board shall specify the term of office of each licensed naturopath and public  
22 member appointed subject to this section.

23       \* **Sec. 15.** Section 13 of this Act takes effect immediately under AS 01.10.070(c).

24       \* **Sec. 16.** Except as provided in sec. 15 of this Act, this Act takes effect July 1, 2009.

# Alaska State Legislature

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## Senator Betty Davis

### CS for Senate Bill 107 ( ), 25-LS0702K (3/7/08)

**“An Act relating to naturopaths and to naturopathic practice; establishing an Alaska Naturopathic Council; amending the duties of the Board of Pharmacy relating to the naturopathic practice; and providing for an effective date.”**

### Explanation of CSSB 107( ) 25-LS0702K

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After the February 13, 2008 Senate HESS Committee hearing on the “M” version from Labor and Commerce Committee, CSSB 107(L&C), 25-LS0702M, the Chair concluded that changes were required in oversight, training, and experience in order to expand naturopathic scope of practice into areas for the most part formerly reserved to allopathic MDs and DOs, *i.e.*, minor surgery, prescribing prescription drugs, and ordering medical laboratory tests and imaging. Changes in the CS include:

1. The Alaska Naturopathic Council is increased from 5 to 7 members, including 3 naturopaths, 1 medical doctor, 1 pharmacist, and 2 members of the public who have no direct financial interest in naturopathic practice or the health care industry.
2. Members of the Alaska Naturopathic Council are to be appointed by the governor, *i.e.*, to be established through Boards and Commissions in the governor’s office, not the Department of Commerce, Community and Economic Development.
3. Naturopaths must have practiced for five years before being allowed the expanded scope of practice in minor surgery, prescribing prescription drugs, and ordering medical laboratory tests and imaging.
4. Naturopaths qualified and licensed to prescribe prescription drugs must take 15 contact hours of pharmacy educational training each year.
5. Naturopaths who independently perform minor surgery must first have received a minimum of 1200 clinical hours of training under supervision of medical doctors, physician’s assistants, or nurse practitioners.

# LEGAL SERVICES

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LEGISLATIVE AFFAIRS AGENCY  
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## MEMORANDUM

March 7, 2008

**SUBJECT:** Requested Blank Committee Substitute for Senate Bill 107  
(Work Order No. 25-LS0702\K)

**TO:** Senator Bettye Davis  
Attn: Thomas Obermeyer

**FROM:** Alpheus Bullard  
Legislative Counsel

This memorandum accompanies the draft committee substitute you requested. I have two comments and a concern about the constitutionality of some of the requested provisions.

### **Substantive Due Process**

Some provisions of this draft could be interpreted to run afoul of the substantive due process prohibition against unreasonable and arbitrary legislation. Substantive due process under art. I, sec. 7, Constitution of the State of Alaska protects against unreasonable and arbitrary legislation. The constitutional guarantee of substantive due process assures that legislation is not arbitrary, but is based on some rational policy. Allam v. State, 830 P.2d 435 (Alaska App. 1992).

A person's right to substantive due process is violated if the person is subject to "a legislative enactment [that] has no reasonable relationship to a legitimate governmental purpose." Concerned Citizens of South Kenai Peninsula v. Kenai Peninsula Borough, 527 P.2d 447, 452 (Alaska 1974). Those provisions of this draft that (1) require a naturopath to have practiced for five years before being able to order or conduct medical imaging, perform minor surgery, or qualify for a prescription endorsement and (2) mandate that a naturopath must receive 1,200 hours of training in minor surgery under the supervision of a licensed physician, physician's assistant, or nurse practitioner (but not a qualified naturopath) could be challenged on substantive due process grounds.

Any due process judicial review of this legislation would begin with the assumption the legislation is proper. The party asserting a denial of due process would have the burden of showing that no rational basis exists for the challenged legislation. If any conceivable legitimate public policy for the legislation is apparent on its face or is offered by those defending the legislation, the opponents of the measure must disprove the factual basis for such a justification. Municipality of Anchorage v. Leigh, 823 P.2d 1241 (Alaska 1992).

**Senator Bettye Davis**

**March 7, 2008**

**Page 2**

Arguably the state has a rational basis in making sure that naturopaths are properly trained and qualified. Whether this justification would support the specific provisions of this committee substitute as being reasonable related to this legitimate governmental purpose, or whether a court would find that they are fundamentally unfair or arbitrary is unknown.

**Comments**

1. I changed the membership of the Alaska Naturopathic Council (Council) from five to seven members in the manner you requested. Would you also like to change the number of members necessary to constitute a quorum? See the draft's sec. 08.45.052(c).

2. You requested that the pharmacist and physician members of the Council be recommended by the Board of Pharmacy and the State Medical Board respectively and be appointed by the governor. If the governor is required to appoint the members recommended by the respective boards, this is little different than the boards themselves making the appointments. This draft requires each board to provide the governor a list of pharmacists or physicians for possible appointment to the Council. Is this consistent with your intent? See the draft's sec. 08.45.052(f).

If I can be of further assistance, please do not hesitate to contact me.

TLAB:mcd  
08-151.mcd

Enclosure

# Alaska State Legislature

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## Senator Bettye Davis

### Senate Bill 107

**“An Act relating to naturopaths and to naturopathic practice; establishing a Naturopathic Advisory Committee and an Alaska Naturopathic Formulary Council; amending the duties of the State Medical Board and the Board of Pharmacy relating to the naturopathic practice; and providing for an effective date.”**

### Sponsor Statement

For purposes of expanding allowed procedures and regulating the growing practice of naturopathic medicine in Alaska, SB 107 establishes required licensing fees, a Naturopathic Advisory Committee, and an Alaska Naturopathic Formulary Council. The three-member Advisory Committee, is to be comprised of 3 licensed naturopaths and is appointed by the Commissioner of Commerce. The Advisory Committee is responsible for selecting the Formulary Council and reviewing allegations of member misconduct. The Alaska Naturopathic Formulary Council is to include 3 naturopaths, 1 medical doctor or osteopath, and 1 pharmacist appointed by their respective boards to approve certain drugs to be prescribed by naturopaths and to authorize prescription endorsements to qualified naturopaths. While the State Medical Board licenses osteopaths, podiatrists, physician assistants, intensive care paramedics, and foreign medical graduates, the Department of Commerce, Community and Economic Development licenses naturopathic applicants who have graduated from one of the four accredited schools of naturopathy in the United States and one of the two schools in Canada. Applicants must also have passed the Naturopathic Physicians Licensing Examination.

New naturopathic procedures under SB 107 allow minor surgery, including operative, electrical, and other methods of repair to superficial lacerations and abrasion or lesions, and removal of foreign bodies in superficial tissues. The bill also allows naturopaths to use antiseptics and local anesthetics in connection with allowed procedures. The law prohibits naturopaths from performing major surgery, and spinal and general anesthetics.

The thirteen states which license naturopaths and have instituted formulary laws include Arizona, Connecticut, Hawaii, Idaho, Kansas, Maine, Montana, New Hampshire, Oregon, Utah, Vermont, and Washington. Currently there are 40 naturopaths practicing in Alaska, 802 in Washington, 715 in Oregon, 375 in Arizona, 210 in Connecticut, 117 in Vermont, 85 in Hawaii, 67 in Montana, 57 in New Hampshire, 27 in Maine, 18 in Utah, 11 in Kansas, and 8 in Idaho. While the scope of practice of Naturopathic Doctors varies from state to state, almost all deal to some extent with prescribing drugs. Of the 13 other states that license naturopaths, 9 of those states allow naturopaths to prescribe independently without any MD supervision or protocol. Arizona has the broadest formulary in the nation, allowing naturopaths to prescribe all but IV medications, controlled substances except morphine, cancer chemotherapeutics, and antipsychotic drugs. Kansas, which instituted licensure in 2003, requires MD supervision, and Maine requires collaboration with a physician for one year prior to independent prescribing.

Naturopathic Doctors focus on preventative care and in keeping patients healthy, and they usually rely much less than MDs on the use of drugs. Patients often turn to naturopathic doctors when traditional medicine has failed. One of the reasons naturopaths require a formulary or prescribing law is to reduce the amount and combination of drugs patients are currently taking. SB 107 is designed to reasonably expand the services of Naturopathic Doctors only to areas collateral to the needs of their daily practice without infringing on the duties and responsibilities of Medical Doctors licensed by the State Medical Board.

# FISCAL NOTE

**STATE OF ALASKA**  
**2008 LEGISLATIVE SESSION**

Fiscal Note Number: 1  
 Bill Version: CSSB 107(L&C)  
 (S) Publish Date: 1/28/08

Identifier (file name): SB107-CED-OL-01-12-08 Dept. Affected: DCCED  
 Title: NATUROPATHS RDU: Corp. Bus & Prof Licensing (117)  
 Component: Corp. Bus & Prof Licensing  
 Sponsor: Davis by Request  
 Requester: Senate Labor & Commerce Component No.: 2380

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
<b>OPERATING EXPENDITURES</b>								
Personal Services	37.4	37.4	37.4	37.4	37.4	37.4	37.4	37.4
Travel	22.0	22.0	22.0	10.4	10.4	10.4	10.4	10.4
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
<b>TOTAL OPERATING</b>	<b>59.4</b>	<b>59.4</b>	<b>59.4</b>	<b>47.8</b>	<b>47.8</b>	<b>47.8</b>	<b>47.8</b>	<b>47.8</b>

<b>CAPITAL EXPENDITURES</b>								
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<b>CHANGE IN REVENUES ( 1156 )</b>	<b>118.8</b>	<b>118.8</b>	<b>0.0</b>	<b>95.6</b>	<b>0.0</b>	<b>95.6</b>	<b>0.0</b>
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
<b>TOTAL</b>	<b>59.4</b>	<b>59.4</b>	<b>59.4</b>	<b>47.8</b>	<b>47.8</b>	<b>47.8</b>	<b>47.8</b>

Estimate of any current year (FY2008) cost: 0.0

**POSITIONS**

Full-time							
Part-time	1	1	1	1	1	1	1
Temporary							

**ANALYSIS:** (Attach a separate page if necessary)

This legislation amends various provisions of AS 08.45 and establishes a Naturopathic Advisory Committee and an Alaska Naturopathic Formulary Council.

The program is required to cover its costs with licensing fees under AS 08.01.065, and revenue generated by program fees are required to cover its full operating costs.

There are currently 44 licensed naturopaths. A detailed analysis of costs follows.

Prepared by: Jennifer Strickler, Chief  
 Division: Corporations, Business, and Professional Licensing  
 Approved by: Emil Notti, Commissioner  
Commerce, Community, and Economic Development

Phone (907) 465-2144  
 Date/Time 1/12/08 12:58 PM  
 Date 1/12/2008

**ANALYSIS CONTINUATION**

**FY 09 and 10 Cost Analysis**

Total PERSONAL SERVICES: \$37.4

- One (1) Part-time Occupational Licensing Examiner position, Range 13, to support both the committee and the council

Total TRAVEL: \$22.2

- This legislation establishes the Alaska Naturopathic Formulary Council consisting of 5 members. It is estimated the Council will have to meet 4 times a year for the first two years - and twice a year starting in 2011. Estimated travel costs for the Council for FY 09 and FY 10 - \$17.0 each year

- This legislation also establishes a Naturopathic Advisory Committee consisting of 3 members. It is estimated the Committee will have to meet 2 times a year for the first two years - and once a year starting in 2011. Estimated travel costs for the Council for FY 09 and FY 10 - \$5.2 each year

**FY 11 and Subsequent Years**

Total PERSONAL SERVICES: \$37.4

- One (1) Part-time Occupational Licensing Examiner position, Range 13, to support both the committee and the council

Total TRAVEL: \$10.4

- This legislation establishes the Alaska Naturopathic Formulary Council consisting of 5 members. It is estimated the Council will meet twice a year starting in 2011.

- This legislation also establishes a Naturopathic Advisory Committee consisting of 3 members. It is estimated the Committee will once a year starting in 2011.

**REVENUE:** Revenue would be generated by the approximately 44 individuals currently licensed and would be collected biennially.

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## Senator Bettye Davis

### CS for Senate Bill 107 (L&C) -25-LS0702\M (1\28\08)

**“An Act relating to naturopaths and to naturopathic practice; establishing an Alaska Naturopathic Council; amending the duties of the Board of Pharmacy relating to the naturopathic practice; and providing for an effective date.”**

### Sponsor Statement

#### Changes from the original bill

For purposes of expanding the scope of practice and regulating naturopathic medicine in Alaska, CSSB 107(L&C) was adopted by the Senate Labor & Commerce Committee in January, 2008, after other versions have been introduced in at least two legislatures, including a Task Force assigned to study the matter in the 23<sup>rd</sup> Legislature which failed to produce a report.

This bill establishes required licensing fees and an Alaska Naturopathic Council comprised of five members: two naturopaths, two public members, and one pharmacist appointed by the Board of Pharmacy. This bill authorizes naturopaths to perform the formerly prohibited acts of:

- 1) performing minor surgery using antiseptics and local anesthetics;
- 2) prescribing drugs by obtaining a prescription endorsement from the Department of Commerce, Community and Economic Development, Division of Corporations, Business and Professional Licensing, after first obtaining a DEA authorization.

The bill also authorizes naturopaths to order laboratory and imaging tests consistent with naturopathic medical education and training; it forbids major surgery, and spinal and general anesthetics.

Oversight was changed in this Committee Substitute by the Labor and Commerce Committee from more rigorous state regulation involving M.D.s and the State Medical Board to largely self-regulation by two Naturopaths, one public member, and one pharmacist. This change was reportedly due in part to unwillingness by medical doctors and the State Medical Board to oversee Naturopathic practice for liability reasons, and to the great differences in training and ethical responsibilities between M.D.s and naturopaths. It also may reflect the added expense of multiple committees for such a small membership.

The bill does, however, leave open the public member position for an M.D. willing to volunteer on the Alaska Naturopathic Council.

Also removed from the original bill were the Advisory Committee and the Formulary Council. The Advisory Committee was to have selected the Formulary Council and to have reviewed allegations of misconduct, while the Alaska Naturopathic Formulary Council was to have included a medical doctor or osteopath and a pharmacist appointed by their respective boards to approve designated prescription drugs and to authorize prescription endorsements to qualified naturopaths.

### **Overview of Naturopathic Practice in Alaska and the nation**

The Alaska Department of Commerce, Community and Economic Development, Division of Corporations, Business, and Professional Licensing, has had full responsibility for licensing and regulating the practice of naturopathy in Alaska since 1994. In 2002 about 1500 licensed naturopaths were reported in the country. There currently are only 44 licensed naturopaths in Alaska, seven of whom report addresses in other states. There reportedly are about a dozen Alaska naturopaths with very active practices who view the expanded scope of this bill to be a natural extension of their training and everyday practice. The department only licenses naturopaths who have provided satisfactory proof of graduation from one of the four accredited on-campus schools of naturopathy in the U.S. There are a number of unaccredited naturopathic correspondence schools in the country. While curriculums vary from school to school, the department requires that applicants also must have passed the Naturopathic Physicians Licensing Examination.

Naturopathic licensing and practice procedures are found in 15 states, including Alaska, Arizona, California, Connecticut, Florida, Hawaii, Idaho, Kansas, Maine, Montana, New Hampshire, Oregon, Utah, Vermont, and Washington. Roughly nine states allow various levels of prescribing privileges and different levels of independence from supervision by state medical and pharmacy boards, licensing agencies, and MDs. A number of states prohibit licensing naturopaths, including Massachusetts, and one state, South Carolina has a statute which imposes fines and imprisonment for violation. Nevertheless, this bill recognizes the growing public interest in naturopathy nation-wide. People seeking alternative remedies need professional advice, including in over-the-counter naturopathic remedies manufactured, advertised, and packaged by many companies, some of which are reported to support naturopathic schools financially. This bill attempts to provide enough oversight to protect the public.