

ALASKA LEGISLATURE COMMITTEE FILES

1903-1904

0012

2254 HESS HB 347

2254

1 2. FOR APPLICATION FOR A LICENSE TO PRACTICE NATUROPATHY BY
2 RECIPROCITY UNDER SECTION 32-1523, A FEE NOT TO EXCEED FOUR HUNDRED
3 DOLLARS.

4 3. FOR APPLICATION FOR A TEMPORARY LICENSE TO PRACTICE NATUROPATHY
5 UNDER SECTION 32-1524, TWO HUNDRED DOLLARS FOR THE INITIAL TERM AND ONE
6 HUNDRED DOLLARS FOR THE RENEWAL TERM.

7 4. FOR ISSUANCE OF A DUPLICATE LICENSE, ONE HUNDRED DOLLARS.

8 5. FOR ENDORSEMENT OF AN ARIZONA LICENSE FOR THE PURPOSE OF
9 APPLYING FOR A LICENSE IN ANOTHER STATE, FIFTY DOLLARS.

10 6. FOR INITIAL REGISTRATION OF LICENSE, FIFTY DOLLARS.

11 7. FOR ANNUAL REGISTRATION, A UNIFORM FEE OF ONE HUNDRED DOLLARS OR
12 MORE BUT NOT TO EXCEED FOUR HUNDRED DOLLARS TO BE ANNUALLY DETERMINED BY
13 THE BOARD AS NECESSARY TO PROVIDE FUNDS TO CONDUCT ITS BUSINESS.

14 8. FOR LATE REGISTRATION, A PENALTY OF TWO HUNDRED DOLLARS.

15 9. FOR ANNUAL REGISTRATION FOR INTERNSHIP, PRECEPTORSHIP OR
16 CLINICAL TRAINING, ONE HUNDRED DOLLARS.

17 10. FOR THE SALE OF COPIES OF THE ANNUAL NATUROPATHIC DIRECTORY
18 WHICH ARE NOT DISTRIBUTED FREE OF CHARGE UNDER SECTION 32-1528, A FEE NOT
19 TO EXCEED TWENTY-FIVE DOLLARS.

20 11. FOR SERVICES NOT REQUIRED TO BE PROVIDED BY THIS CHAPTER BUT
21 WHICH THE BOARD DEEMS APPROPRIATE TO CARRY OUT THE INTENT AND PURPOSE OF
22 THIS CHAPTER, A FEE NOT TO EXCEED THE COSTS OF RENDERING THE SERVICES.

23 ARTICLE 3. REGULATION

24 32-1551. Grounds for probation, suspension, revocation
25 or refusal to issue license; notice; hearing;
26 appeal

27 A. THE BOARD ON ITS OWN MOTION MAY INVESTIGATE ANY INFORMATION
28 WHICH APPEARS TO SHOW GROUNDS FOR PROBATION, SUSPENSION, REVOCATION OR
29 REFUSAL TO ISSUE A LICENSE FOR UNPROFESSIONAL CONDUCT. ANY NATUROPATHIC
30 PHYSICIAN OR HEALTH CARE INSTITUTION AS DEFINED IN SECTION 36-401 SHALL,
31 AND ANY OTHER PERSON MAY, REPORT TO THE BOARD ANY INFORMATION THE PERSON
32 MAY HAVE WHICH APPEARS TO SHOW GROUNDS FOR PROBATION, SUSPENSION,
33 REVOCATION OR REFUSAL TO ISSUE A LICENSE. ANY PERSON WHO REPORTS OR
34 PROVIDES INFORMATION TO THE BOARD IN GOOD FAITH IS NOT SUBJECT TO AN ACTION

1 FOR CIVIL DAMAGES AS A RESULT, AND THE PERSON'S NAME SHALL NOT BE DISCLOSED
2 UNLESS THE PERSON'S TESTIMONY IS ESSENTIAL TO THE DISCIPLINARY PROCEEDINGS
3 CONDUCTED UNDER THIS SECTION. ANY HEALTH CARE INSTITUTION WHICH FAILS TO
4 REPORT AS REQUIRED BY THIS SECTION SHALL BE REPORTED BY THE BOARD TO THE
5 INSTITUTION'S LICENSING AGENCY.

6 B. IF, IN THE OPINION OF THE BOARD, IT APPEARS THE CHARGE IS OF SUCH
7 MAGNITUDE AS TO WARRANT SUSPENSION OR REVOCATION OF A NATUROPATHIC
8 PHYSICIAN'S LICENSE THE BOARD SHALL SERVE ON THE PHYSICIAN A SUMMONS AND A
9 COMPLAINT FULLY SETTING FORTH THE CONDUCT OR INABILITY CONCERNED AND
10 SETTING THE TIME AND PLACE FOR A HEARING TO BE HELD BEFORE THE BOARD. THE
11 HEARING SHALL NOT BE HELD LESS THAN THIRTY DAYS FROM SERVICE OF THE SUMMONS
12 AND COMPLAINT.

13 C. IF THE PHYSICIAN WISHES TO BE PRESENT AT THE HEARING IN PERSON OR
14 BY REPRESENTATION, OR BOTH, HE SHALL FILE WITH THE BOARD HIS ANSWER TO THE
15 CHARGES IN THE COMPLAINT. THE ANSWER SHALL BE IN WRITING, VERIFIED UNDER
16 OATH AND FILED WITHIN TWENTY DAYS AFTER SERVICE OF THE SUMMONS AND
17 COMPLAINT.

18 D. IF THE PHYSICIAN COMPLIES WITH SUBSECTION C, HE MAY BE PRESENT AT
19 THE HEARING WITH COUNSEL AND WITNESSES.

20 E. THE BOARD SHALL ISSUE SUBPOENAS FOR WITNESSES IT DEEMS NECESSARY
21 AND FOR WITNESSES THE PHYSICIAN REQUESTS. ANY PERSON REFUSING TO OBEY A
22 SUBPOENA SHALL BE CERTIFIED BY THE BOARD TO THE SUPERIOR COURT IN THE
23 COUNTY IN WHICH SERVICE WAS MADE, AND PROCEEDINGS SHALL BE HAD AS FOR
24 CONTEMPT.

25 F. SERVICE OF THE SUMMONS AND COMPLAINT SHALL BE AS PROVIDED FOR
26 SERVICE OF THE SUMMONS AND COMPLAINT IN CIVIL CASES.

27 G. SERVICE OF SUBPOENAS FOR WITNESSES SHALL BE AS PROVIDED BY LAW
28 FOR THE SERVICE OF SUBPOENAS GENERALLY.

29 H. THE BOARD MAY ADMINISTER THE OATH TO ALL WITNESSES AND SHALL KEEP
30 A WRITTEN TRANSCRIPT OF ALL ORAL TESTIMONY SUBMITTED AT THE HEARING AND THE
31 ORIGINAL OR A COPY OF ALL OTHER EVIDENCE SUBMITTED. THE BOARD MAY WAIVE
32 THE TECHNICAL RULES OF EVIDENCE AT ANY HEARING CONDUCTED UNDER THIS
33 SECTION.

1 I. IF THE BOARD FINDS, AFTER A HEARING CONDUCTED UNDER THIS
2 SECTION, THAT SUFFICIENT GROUNDS EXIST TO MERIT PROBATION, SUSPENSION,
3 REVOCATION OR DENIAL OF A LICENSE, THE BOARD SHALL TAKE THE APPROPRIATE
4 ACTION.

5 J. COPIES OF THE WRITTEN TRANSCRIPT AND ALL OTHER EVIDENCE
6 SUBMITTED SHALL BE AVAILABLE AT THE PHYSICIAN'S EXPENSE TO ANY PHYSICIAN
7 APPEALING A DECISION OF THE BOARD AND WITHOUT CHARGE TO THE COURT IN WHICH
8 AN APPEAL IS TAKEN.

9 K. AN APPEAL TO THE SUPERIOR COURT OF MARICOPA COUNTY MAY BE TAKEN
10 FROM DECISIONS OF THE BOARD PURSUANT TO TITLE 12, CHAPTER 7, ARTICLE 6.

11 32-1552. Reinstatement of a suspended license; reissuance
12 of a revoked license

13 A. A PHYSICIAN WHOSE LICENSE TO PRACTICE NATUROPATHY HAS BEEN
14 SUSPENDED FOR AN INDEFINITE PERIOD OF TIME, OR REVOKED, MAY APPLY TO THE
15 BOARD FOR THE TERMINATION OF THE SUSPENSION OR REISSUANCE OF THE REVOKED
16 LICENSE UNDER THE FOLLOWING TERMS AND CONDITIONS:

17 1. THE APPLICATION SHALL BE SUBMITTED IN WRITING, VERIFIED UNDER
18 OATH AND SHALL CONTAIN OR HAVE ATTACHED TO IT SUBSTANTIAL EVIDENCE SHOWING
19 THAT THE BASIS FOR SUSPENSION OR REVOCATION HAS BEEN REMOVED AND THAT THE
20 TERMINATION OF SUSPENSION OR REISSUANCE OF THE REVOKED LICENSE WILL NOT
21 CONSTITUTE A THREAT TO THE PUBLIC HEALTH OR SAFETY.

22 2. IF IT IS AN APPLICATION FOR THE TERMINATION OF A SUSPENSION FOR
23 AN INDEFINITE PERIOD, THE APPLICANT HAS NOT APPLIED FOR TERMINATION MORE
24 FREQUENTLY THAN ONCE IN ANY SIX MONTH PERIOD.

25 3. IF IT IS AN APPLICATION FOR THE REISSUANCE OF A REVOKED LICENSE,
26 THE APPLICANT HAS NOT APPLIED FOR REISSUANCE MORE FREQUENTLY THAN ONCE IN
27 ANY TWENTY-FOUR MONTH PERIOD.

28 B. THE BOARD MAY INTERVIEW AN APPLICANT UNDER SUBSECTION A.

29 C. THE BOARD SHALL MAKE ITS DETERMINATION ON EACH APPLICATION AS IT
30 DEEMS CONSISTENT WITH THE PUBLIC HEALTH AND SAFETY AND JUST IN THE
31 CIRCUMSTANCES.

32 32-1553. Insurers to report malpractice claims and actions

33 A. ANY INSURER PROVIDING PROFESSIONAL LIABILITY INSURANCE TO A
34 NATUROPATHIC PHYSICIAN LICENSED BY THE BOARD SHALL REPORT TO THE BOARD,

1 WITHIN THIRTY DAYS OF ITS RECEIPT, ANY WRITTEN OR ORAL CLAIM OR ACTION FOR
2 DAMAGES FOR PERSONAL INJURIES CLAIMED TO HAVE BEEN CAUSED BY AN ERROR,
3 OMISSION OR NEGLIGENCE IN THE PERFORMANCE OF THE INSURED'S PROFESSIONAL
4 SERVICES, OR BASED ON A CLAIMED PERFORMANCE OF PROFESSIONAL SERVICES
5 WITHOUT CONSENT OR BASED UPON BREACH OF CONTRACT FOR PROFESSIONAL SERVICES
6 BY A NATUROPATHIC PHYSICIAN.

7 B. REPORTS REQUIRED BY SUBSECTION A SHALL CONTAIN:

8 1. THE NAME AND ADDRESS OF THE INSURED.

9 2. THE INSURED'S POLICY NUMBER.

10 3. THE DATE OF THE OCCURRENCE WHICH CREATED THE CLAIM.

11 4. THE DATE OF CLAIM IF SUIT IS NOT SIMULTANEOUSLY FILED.

12 5. THE DATE SUIT IS FILED.

13 6. A SUMMARY OF THE OCCURRENCE WHICH CREATED THE CLAIM AS STATED BY
14 THE CLAIMANT.

15 7. SUCH OTHER REASONABLE INFORMATION RELATED TO THE CLAIM AS THE
16 BOARD MAY REQUIRE.

17 C. EVERY INSURER REQUIRED TO REPORT TO THE BOARD UNDER THIS SECTION
18 SHALL ALSO BE REQUIRED TO ADVISE THE BOARD OF ANY SETTLEMENTS OR JUDGMENTS
19 AGAINST A NATUROPATHIC PHYSICIAN WITHIN THIRTY DAYS AFTER THE SETTLEMENT
20 OR JUDGMENT OF ANY TRIAL COURT.

21 D. THE BOARD SHALL MAINTAIN THE REPORTS FILED IN ACCORDANCE WITH
22 THIS SECTION AS CONFIDENTIAL RECORDS. STATISTICAL DATA DERIVED FROM THESE
23 REPORTS SHALL BE RELEASED ONLY FOR BONA FIDE RESEARCH OR EDUCATIONAL
24 PURPOSES.

25 E. THE BOARD SHALL INSTITUTE PROCEDURES FOR AN ANNUAL REVIEW OF ALL
26 RECORDS KEPT IN ACCORDANCE WITH THIS CHAPTER IN ORDER TO DETERMINE WHETHER
27 IT IS NECESSARY FOR THE BOARD TO TAKE REHABILITATIVE OR DISCIPLINARY
28 MEASURES PRIOR TO THE RENEWAL OF A NATUROPATHIC PHYSICIAN'S LICENSE TO
29 PRACTICE.

30 F. THE BOARD SHALL ANNUALLY REPORT TO THE DIRECTOR OF INSURANCE THE
31 FOLLOWING STATISTICAL INFORMATION REPORTED BY INSURERS:

32 1. THE NUMBER OF CLAIMS.

33 2. THE DATES OF THE ACTS OR OMISSIONS WHICH FORM THE BASIS OF
34 CLAIMS.

1 3. THE FINAL DISPOSITION OF CLAIMS.

2 G. THERE IS NO LIABILITY ON THE PART OF AND NO CAUSE OF ACTION
3 ARISES AGAINST ANY INSURER REPORTING OR ITS AGENTS OR EMPLOYEES, OR THE
4 BOARD OR ITS REPRESENTATIVES, FOR ANY ACTION TAKEN BY THEM IN GOOD FAITH
5 UNDER THIS SECTION.

6 32-1554. Observance of public health laws and regulations

7 NATUROPATHIC PHYSICIANS LICENSED UNDER THIS CHAPTER SHALL OBSERVE
8 AND ARE SUBJECT TO ALL STATE, COUNTY AND MUNICIPAL LAWS AND REGULATIONS
9 RELATING TO PHYSICIANS AND TO PUBLIC HEALTH AS REQUIRED FOR PHYSICIANS OF
10 OTHER SCHOOLS OF HEALING.

11 32-1555. Unlawful acts

12 IT IS UNLAWFUL FOR ANY PERSON:

13 1. TO PRACTICE, ATTEMPT TO PRACTICE OR CLAIM TO PRACTICE
14 NATUROPATHY OR ANY BRANCH OF NATUROPATHY WITHOUT COMPLYING WITH THIS
15 CHAPTER.

16 2. NOT LICENSED UNDER THIS CHAPTER TO USE THE DESIGNATION "DOCTOR
17 OF NATUROPATHIC MEDICINE", "DOCTOR OF NATUROPATHY", "NATUROPATH",
18 "NATUROPATHIC PHYSICIAN" OR THE USE OF ANY OTHER WORDS, INITIALS, SYMBOLS
19 OR COMBINATION THEREOF WHICH WOULD LEAD THE PUBLIC TO BELIEVE SUCH PERSON
20 WAS LICENSED TO PRACTICE AS A NATUROPATHIC PHYSICIAN.

21 3. TO SELL OR FRAUDULENTLY OBTAIN OR FURNISH ANY NATUROPATHIC
22 DEGREE OR DIPLOMA.

23 4. TO OPERATE A SCHOOL, COLLEGE OR EDUCATIONAL INSTITUTION GRANTING
24 A DEGREE, DIPLOMA OR CERTIFICATE IN NATUROPATHY UNLESS IT HAS BEEN APPROVED
25 BY THE BOARD.

26 5. TO REPRESENT THAT A SCHOOL, COLLEGE OR EDUCATIONAL INSTITUTION
27 GRANTING A DEGREE, DIPLOMA OR CERTIFICATE IN NATUROPATHY IS APPROVED BY THE
28 BOARD IF THE SCHOOL, COLLEGE OR EDUCATIONAL INSTITUTION HAS NOT BEEN
29 APPROVED BY THE BOARD.

30 6. TO SECURE OR ATTEMPT TO SECURE A LICENSE TO PRACTICE NATUROPATHY
31 UNDER THIS CHAPTER BY FRAUD OR DECEIT.

32 32-1556. Prosecution for violations

33 THE COUNTY ATTORNEY OF EACH COUNTY OR THE ATTORNEY GENERAL SHALL
34 PROSECUTE ALL PERSONS CHARGED WITH VIOLATING THIS CHAPTER, BUT THE BOARD

1 MAY RETAIN ITS OWN ATTORNEY OR INVESTIGATORS TO AID IN PROSECUTING A
2 VIOLATOR. IF THE BOARD OBTAINS INVESTIGATORS OR LEGAL ASSISTANCE TO
3 PROSECUTE OR AID IN THE PROSECUTION FOR A VIOLATION OF THIS CHAPTER,
4 PAYMENT FOR THESE SERVICES SHALL BE MADE FROM THE NATUROPATHIC PHYSICIANS
5 BOARD FUND.

6 32-1557. Violation; classification

7 A PERSON WHO VIOLATES ANY PROVISION OF THIS CHAPTER IS GUILTY OF A
8 CLASS 5 FELONY.

9 32-1558. Injunction

10 A. AN INJUNCTION MAY BE ISSUED TO ENJOIN THE PRACTICE OF
11 NATUROPATHY BY EITHER OF THE FOLLOWING CLASSES OF PERSONS:

12 1. ONE NOT LICENSED TO PRACTICE NATUROPATHY NOR EXEMPT FROM THE
13 LICENSING REQUIREMENT UNDER THIS CHAPTER.

14 2. A NATUROPATH WHOSE CONTINUED PRACTICE WILL OR MAY CAUSE
15 IRREPARABLE DAMAGE TO THE PUBLIC HEALTH AND SAFETY.

16 B. IN A PETITION FOR INJUNCTION UNDER SUBSECTION A, PARAGRAPH 1 IT
17 IS SUFFICIENT TO CHARGE THAT THE RESPONDENT ON A DAY CERTAIN IN A NAMED
18 COUNTY ENGAGED IN THE PRACTICE OF NATUROPATHY WITHOUT A LICENSE AND WITHOUT
19 BEING EXEMPT FROM THE LICENSING REQUIREMENT UNDER THIS CHAPTER. FOR THE
20 PURPOSE OF THIS SUBSECTION DAMAGE OR INJURY AS A RESULT OF SUCH PRACTICE IS
21 PRESUMED.

22 C. A PETITION FOR INJUNCTION SHALL BE FILED IN THE NAME OF THIS
23 STATE BY THE BOARD OR AT THE REQUEST OF THE ATTORNEY GENERAL IN THE COUNTY
24 WHERE THE RESPONDENT RESIDES OR MAY BE FOUND.

25 D. ISSUANCE OF AN INJUNCTION DOES NOT RELIEVE THE RESPONDENT FROM
26 BEING SUBJECT TO ANY OTHER PROCEEDINGS UNDER LAW PROVIDED FOR IN THIS
27 CHAPTER OR OTHERWISE. VIOLATION OF AN INJUNCTION SHALL BE PUNISHED AS FOR
28 CONTEMPT OF COURT.

29 E. IN ALL OTHER RESPECTS INJUNCTION PROCEEDINGS UNDER THIS SECTION
30 SHALL BE CONDUCTED IN THE SAME MANNER AS OTHER INJUNCTIONS.

31 Sec. 4. Section 41-2362, Arizona Revised Statutes, is amended to
32 read:

33 41-2362. Schedule for termination July 1, 1982

34 The following agencies shall terminate on July 1, 1982:

Schedule IA.

(a) A substance shall be placed in schedule IA if it is found under AS 11.71.120(c) to have the highest degree of danger or probable danger to a person or the public.

(b) Schedule IA includes, unless specifically excepted or listed in another schedule, any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate, excluding apomorphine, dextrophan, nalbuphine, naloxone, and naltrexone, and their respective salts, but including the following:

- (A) raw opium;
- (B) opium extracts;
- (C) opium fluid extracts;
- (D) powdered opium;
- (E) granulated opium;
- (F) tincture of opium;

- (G) codeine;
- (H) ethylmorphine;
- (I) etorphine hydrochloride;
- (J) hydrocodone;
- (K) hydromorphone;
- (L) metopon;
- (M) morphine;
- (N) oxycodone;
- (O) oxymorphone;
- (P) thebaine;

(2) any salt, compound, derivative, or preparation of a substance included in (b)(1) of this section which is chemically equivalent or identical to any of the substances referred to in (b)(1) of this section; however, these substances do not include the isoquinoline alkaloids of opium;

(3) opium poppy and poppy straw;

(4) concentrate of poppy straw which is the crude extract of poppy straw in either liquid, solid, or powder form which contains the phenanthrene alkaloids of the opium poppy.

(c) Schedule IA includes, unless specifically excepted or unless listed in another schedule, any of the following opiates,

including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation, dextrorphan excepted:

- (1) acetylmethadol;
- (2) allylprodine;
- (3) alphacetylmethadol;
- (4) alphameprodine;
- (5) alphasmethadol;
- (6) alphaprodine;
- (7) anileridine;
- (8) benzethidine;
- (9) betacetylmethadol;
- (10) betameprodine;
- (11) betamethadol;
- (12) betaprodine;
- (13) bezitramide;
- (14) clonitazene;
- (15) dextromoramide;
- (16) diampromide;

- (17) diethylthiambutene;
- (18) difenoxin;
- (19) dihydrocodeine;
- (20) dimenoxadol;
- (21) dimepheptanol;
- (22) dimethylthiambutene;
- (23) dioxaphetyl butyrate;
- (24) diphenoxylate;
- (25) dipipanone;
- (26) ethylmethythiamutene;
- (27) etonitazene;
- (28) etoxeridine;
- (29) fentanyl;
- (30) furethidine;
- (31) hydroxpethidine;
- (32) isomethadone;
- (33) ketobemidone;
- (34) levomethorphan;
- (35) levomoramide;

- (36) levorphanol;
- (37) levophenacetylmorphan;
- (38) meperidine, also known as pethidine;
- (39) metazocine;
- (40) methadone;
- (41) methadone-intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane;
- (42) moramide-intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane-carboxylic acid;
- (43) morpheridine;
- (44) noracymethadol;
- (45) norlevorphanol;
- (46) normethadone;
- (47) norpipanone;
- (48) pethidine, also known as merperidine;
- (49) pethidine-intermediate-A, 4-cyano-1-methyl-4-phenyl piperidine;
- (50) pethidine-intermediate-B, ethyl-4-phenylpiperidine-4-carbox-ylate;

- (51) pethidine-intermediate-C, 1-methyl-4-phenylpiperidine- 4-carboxylic acid;
- (52) phenadoxone;
- (53) phenampromide;
- (54) phenazocine;
- (55) phenomorphan;
- (56) phenoperidine;
- (57) piminodine;
- (58) piritramide;
- (59) propheptazine;
- (60) properidine;
- (61) propiram;
- (62) racemethorphan;
- (63) racemoramide;
- (64) racemorphan;
- (65) trimeperidine.

(d) Schedule IA includes, unless specifically excepted or unless listed in another schedule, any of the following opium derivatives, their salts, isomers, and salts of isomers whenever

the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (1) acetorphine;
- (2) acetyldihydrocodeine;
- (3) benzylmorphine;
- (4) codeine methylbromide;
- (5) codeine-n-oxide;
- (6) cyprenorphine;
- (7) desomorphine;
- (8) dihydromorphine;
- (9) drötebanol;
- (10) etorphine, except hydrochloride salt;
- (11) heroin;
- (12) hydromorphanol;
- (13) methyldesorphine;
- (14) methyldihydromorphine;
- (15) morphine methylbromide;
- (16) morphine methylsulfonate;
- (17) morphine-n-oxide;

- (18) myrophine;
- (19) nicocodeine;
- (20) nicomorphine;
- (21) normorphine;
- (22) pholcodine;
- (23) thebacon.

Sec. 11.71.150. SCHEDULE IIA.

(a) A substance shall be placed in schedule IIA if it is found under AS 11.71.120(c) to have a degree of danger or probable danger to a person or the public which is less than substances listed in schedule IA, but higher than substances listed in schedule IIIA.

(b) Schedule IIA includes, unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following hallucinogenic substances, or which contains any of its salts, isomers, whether optical, position, or geometric, or salts of isomers whenever the existence of these salts, isomers, or salts of isomers is possible within the specific chemical designation:

- (1) 4-bromo-2, 5-d ethoxy-amphetamine, also known as 4-bromo-2, 5-dimethoxy-a-methylphenethylamine and 4-bromo-2, DMA;

- (2) 2,5-dimethoxyamphetamine, also known as 2,5-dimethoxy-alpha-methylphenethylamine and 2,5-DMA;
- (3) 4-methoxyamphetamine, also known as 4-methoxy-alpha-methylphenethylamine and paramethoxyamphetamine, PMA;
- (4) 5-methoxy-3,4-methylenedioxy-amphetamine;
- (5) 4-methyl-2,5-dimethoxy-amphetamine, also known as 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine;
- (6) 3,4-methylenedioxy amphetamine;
- (7) 3,4,5-trimethoxy amphetamine;
- (8) bufotenine, also known as 3-(N-dimethylaminoethyl)-5-hydroxyindole, 3-(2-dimethylaminoethyl)-5-indolol, N, N-dimethylserotonin; 5-hydroxy-N, N-dimethyltryptamine, and mappine;
- (9) diethyltryptamine, also known as N, N-diethyltryptamine and DET;
- (10) dimethyltryptamine, also known as DMT;
- (11) ibogaine, also known as 7-ethyl-6, 6B, 7, 8, 9, 10, 12, 13-octahydro-2-methoxy-6, 9-methano-5H-pyrid[16,26:1,2] ~~414,24:1,28~~ azepino ^(5,4.6) ~~45,44~~ indole and tabernanthe iboga;
- (12) lysergic acid diethylamide, also known as LSD;
- (13) mescaline;
- (14) n-ethyl-3-piperidyl benzilate;

(15) n-methyl-3-piperidyl benzilate;

(16) peyote;

(17) analogs of phencyclidine (PCP), including:

(A) ethylamine analog, also known by some trade or other names as follows: N-ethyl-1-phenylcyclohexylamine (1-phenylcyclohexyl)ethylamine, N-(1-phenylcyclohexyl)ethylamine, cyclohexamine, PCE;

(B) pyrrolidine analog, also known by some trade or other names as follows: 1-(1-phenylcyclohexyl)-pyrrolidine, PCPY, PHP;

(C) thiophene analog, also known as 1-[1-(2-thienyl) cyclohexyl] piperidine and 2-thienylanalog of phencyclidine, TPCP, and TCP;

(18) psilocybine;

(19) psilocyn.

(c) Schedule IIA includes cocaine or coca leaves, and any salt, compound, derivative, mixture, isomer, ester, ether, or preparation of cocaine or coca leaves produced directly or indirectly by extraction from coca leaves, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, including the isomers, salts, and salts of isomers of cocaine and other derivatives of coca leaves whenever the existence of these esters, ethers, isomers or salts is possible, but does not include decocainized coca leaves or extractions of coca leaves which do not contain cocaine or ecgonine.

(d) Schedule IIA includes, unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including their salts, isomers, and salts of isomers whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (1) amobarbital;
- (2) mandrix or mandrax;
- (3) mecloqualone;
- (4) methaqualone;
- (5) pentobarbital;
- (6) phencyclidine, also known as PCP;
- (7) secobarbital.

(e) Schedule IIA includes, unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the nervous system:

- (1) amphetamine, its salts, optical isomers, and salts of its optical isomers;
- (2) methamphetamine, its salts, isomers, and salts of its isomers;

(3) methylphenidate;

(4) phenmetrazine and its salts.

(f) Schedule IIA includes, unless specifically excepted or unless listed in another schedule, any material, mixture, or preparation which contains any quantity of the following substances:

(1) immediate precursor to amphetamine and methamphetamine: phenylacetone also known as phenyl-2-propanone; P2P; benzyl methyl ketone; methyl benzyl ketone;

(2) immediate precursors to phencyclidine, also known as PCP:

(A) 1-phencyclohexylamine;

(B) 1-piperidinocyclohexanecarbonitrile, also known as PCC.

Sec. 11.71.160. SCHEDULE IIIA.

(a) A substance shall be placed in schedule IIIA if it is found under AS 11.71.120(c) to have a degree of danger or probable danger to a person or the public less than the substances listed in schedule IIA but higher than substances listed in schedule IVA.

(b) Schedule IIIA includes, unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including their salts, isomers whether optical,

position, or geometric, and salts of these isomers whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) benzphetamine;

(2) chlorphentermine;

(3) clortermine;

(4) mazindol;

(5) phendimetrazine;

(6) any compound, mixture, or preparation in dosage unit form containing any stimulant substance listed in schedule IIA, which compound, mixture, or preparation was listed on August 25, 1971, as an excepted compound under 21 C.F.R. sec. 1308.32, and any other drug of the quantitative composition shown in that list for those substances, or which is the same except that it contains a lesser quantity of any controlled substance.

(c) Schedule IIIA includes, unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system:

(1) amobarbital, secobarbital, or pentobarbital or any salt of these substances, combined with one or more other active medicinal ingredients which are not listed in any other schedule;

- (2) amobarbital, secobarbital, or pentobarbital or any salt of these substances, approved by the federal Food and Drug Administration for marketing only as a suppository;
 - (3) any substance which contains any quantity of a derivative of barbituric acid or any salt of barbituric acid;
 - (4) chlorhexadol;
 - (5) glutethimide;
 - (6) lysergic acid;
 - (7) lysergic acid amide;
 - (8) methyprylon;
 - (9) sulfondiethylmethane;
 - (10) sulfonethylmethane;
 - (11) sulfonmethane.
- (d) Schedule IIIA includes nalorphine.
- (e) Schedule IIIA includes, unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any of the following narcotic drugs or their salts calculated as the free anhydrous base or alkaloid, in the following quantities:
- (1) not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;

(2) not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(3) not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium;

(4) not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active nonnarcotic ingredients in recognized therapeutic amounts;

(5) not more than 1.8 grams of dihydrocodeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active nonnarcotic ingredients in recognized therapeutic amounts;

(6) not more than 300 milligrams of ethylmorphine per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(7) not more than 500 milligrams of opium per 100 milliliters or per 100 grams or not more than 25 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(8) not more than 50 milligrams of morphine per 100 milliliters or per 100 grams, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(f) Schedule IIIA includes

- (1) hashish;
- (2) hash oil or hashish oil; and
- (3) tetrahydrocannabinols.

Sec. 11.71.170. SCHEDULE IVA.

(a) A substance shall be placed in schedule IVA if it is found under AS 11.71.120(c) to have a degree of danger or probable danger to a person or the public which is less than the substances listed in schedule IIIA, but higher than the substances listed in schedule VA.

(b) Schedule IVA includes, unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including their salts, isomers and salts of isomers whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (1) barbital;
- (2) chloral betaine;
- (3) chloral hydrate;

- (4) chlordiazepoxide;
- (5) clonazepam;
- (6) clorazepate;
- (7) diazepam;
- (8) ethchlorvynol;
- (9) ethinamate;
- (10) flurazepam;
- (11) lorazepam;
- (12) mebutamate;
- (13) meprobamate;
- (14) methohexital;
- (15) methylphenobarbital, also known as mephobarbital;
- (16) oxazepam;
- (17) paraldehyde;
- (18) petrichloral;
- (19) phenobarbital;
- (20) prazepam.

(c) Schedule IVA includes any material, compound, mixture or preparation which contains any quantity of the following

substance, including its salts, isomers whether optical, position, or geometric, and salts of these isomers, whenever the existence of these salts, isomers, and salts of isomers is possible: fenfluramine.

(d) Schedule IVA includes, unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including their salts, isomers whether optical, position, or geometric, and salts of these isomers whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) diethylpropion;

(2) phentermine;

(3) pemoline, including organometallic complexes and chelates of this substance.

(e) Schedule IVA includes, unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing not more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit, or their salts calculated as the free anhydrous base or alkaloid.

(f) Schedule IVA includes, unless specifically excepted or unless listed in another schedule, any material, compound,

mixture or preparation which contains any quantity of the following substances, including their salts:

- (1) dextropropoxyphene (alpha-(+)-4-dimethylamino-1,2-diphenyl-3-methyl-2-propionoxybutane);
- (2) pentazocine;
- (3) propoxyphene.

Sec. 11.71.180. SCHEDULE VA.

(a) A substance shall be placed in schedule VA if it is found under AS 11.71.120(c) to have a degree of danger or probable danger to a person or the public which is less than substances listed in schedule IVA, but higher than substances listed in schedule VIA.

(b) Schedule VA includes any compound, mixture, or preparation containing any of the following limited quantities of narcotic drugs or their salts, calculated as the free anhydrous base or alkaloid, in limited quantities as specified in (1) - (6) of this subsection, which includes one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation valuable medicinal qualities other than those possessed by schedule IA substances alone:

- (1) not more than 200 milligrams of codeine per 100 milliliters or per 100 grams;

- (2) not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams;
 - (3) not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams;
 - (4) not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit;
 - (5) not more than 100 milligrams of opium per 100 milliliters or per 100 grams;
 - (6) not more than 0.5 milligrams of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.
- (c) Schedule VA includes loperamide.

Sec. 11.71.190. SCHEDULE VIA.

- (a) A substance shall be placed in schedule VIA if it is found under AS 11.71.120(c) to have the lowest degree of danger or probable danger to a person or the public.
- (b) Marijuana is a schedule VIA controlled substance.

2900 Spinnaker Dr.
Anchorage, AK 99516
22 January 1984

Rep. Mae Tischer
Pouch V
Juneau, AK 99811



RE: House Bill 347

Dear Mrs. Tischer:

I had looked forward to meeting you again yesterday--we first met at the U of AK-Anchorage campus in the fall of '82 and talked for some time. I remember being impressed by your large family and the fact that you homesteaded in Alaska. We now have three children and have been here almost three years.

It was a new experience for me to testify before your committee yesterday--I've never been involved in a teleconference before. In fact, I've never been interested so deeply in an issue as I am in HB 347.

Before taking my family to a Naturopath, I did much research on the subject. In doing this, I discovered many things, among them the fact that Naturopathy has been around for nearly 200 years, that the Queen of England's personal physician is a Homeopath (one of the things Naturopaths practice), and that around the turn of the century there were 22 Naturopathic medical schools in the U.S. Today there are three. The reason for Naturopathy's decline? Apparently, there is not enough money in its practice. The "drugs" (called "remedies") prescribed by Naturopaths are readily available by simple means, although they must be prepared under rigid conditions in Homeopathic pharmacies. One can see why the drug companies which find allopathic medicine (the way most medicine is practiced today) so lucrative, cannot support Naturopathy.

Naturopaths practice a kind of medicine outside the experience or understanding of most M.D.s. In the first place, Naturopaths attempt to prevent disease by diet and exercise. Secondly, they treat the whole person by encouraging the body to heal itself, not by suppressive or allopathic drugs which cause the body to become dependent on, often addicted to, those very drugs.

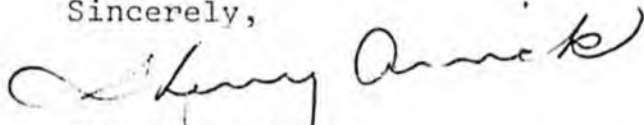
If Naturopaths are not provided with separate licensing from M.D.s in Alaska, they will be faced with a Catch 22 situation. Without licensing they cannot practice medicine as they were trained, but there will be no provision for licensing them. Aside from my personal bias towards Naturopathy, I feel the issue of choice is or should be the priority here. Whether one feels Naturopathy is "right" or "wrong" for them, it does exist and (evidently) needs to be legislated.

UNTRUE!

As brought out by Dr. Jasper, even Nurse Practitioners and Certified Nurse Midwives are allowed to prescribe and do minor surgery. Therefore, I feel the physicians who testified are speaking from ignorance of the training and ideals of Naturopathy and are trying to relegate Naturopaths to second-class citizens. The bill should be passed as it is and give Naturopaths the right to practice as they were trained--to be conscientious, caring physicians in the prevention and treatment disease.

I used Dr. Pettijohn as backup for the home delivery of my youngest, Megan, one year ago by a lay midwife. Dr. Jasper is our family doctor and has seen us through ear infections, impetigo and Megan's pneumonia--all without antibiotics or suppressive drug therapy. I feel very strongly that both doctors should be allowed to continue helping people like us who want true "traditional medicine."

Sincerely,


Sherry Arrick

/sa

Alaska State Legislature

District 11
3305 Oregon Drive
Anchorage, Alaska 99503



While In Juneau
Pouch V
Juneau, Alaska 99811
(907) 465-3759

Representative Mae Tischer

April 28, 1983

Mr. Randy Action
P.O. Box 1057
Willow, Alaska 99688

Dear Mr. Action:

Thank you for your comment on HB 347 (Naturopath Licensing). I do support this bill and agree that persons should have a choice in seeking health care. I will include your message in the hearings on this bill.

Sincerely,

A handwritten signature in cursive script that reads "Mae Tischer".

Representative Mae Tischer
District 11

MT/cw

MEMBER: Rules
CO-CHAIR: Health, Education & Social Services
VICE-CHAIR: Community & Regional Affairs
FINANCE SUBCOMMITTEES: Health & Social Services • Rural Education Budget Oversight • Corrections

MSG 83-00011048 PRTY 1 04/21/83 16:37:39 ORIG: LMC1 .IN= 0011 OUT= 0188
FROM: MAT SU LIO TO: JUNEAU INFORMATION
TARGET: LJHL-SUBJ: POM

TO: REPRESENTATIVES FRITZ, TISCHER, M. MILLER, CATO, GOLL, KOPONEN, DAVIS

FROM: RANDY ACTON
PO BOX 1057
WILLOW 99688

APR 22 1983

RE: HB 347

REGARDING THE LICENSING OF NATUROPATHS--I AM FOR IT. OUR DOCTOR IS A
NATUROPATH AND HE IS VERY GOOD.

FEB 2 1983

Box 101807,
Anchorage, Alaska 99510
January 26, 1983

Reference: Conversation Leading to Medicaid Paying for Spondylosis

To: Governor, Legislators, Congresspersons, and Others Concerned

Dear Governor Bill Sheffield:

Congratulations of your being our new Alaskan Governor!

I remember when you could not continue to campaign a term ago because your late wife was not well, and you so loyally stayed with her until her transition to "beyond." Each time I saw this episode on T-V, my emotional tears came forth, but today I simply pray she is in the arms of the Lord Jesus Christ.

I remember more recently your passing out campaign buttons, cards, and balloons at the Anchorage Bus Accomodation Center. A little grubby Alaskan native boy of about 3½ or 4 years of age, wanted a yellow inflated one, rolled his eyes toward his mother but she was also too bashful to venture forth to get one for him. I led the youngster forward to get one from you and as he twirled his finger in his mouth, you looked at him, knelt down, looked into his brown eyes and gave him his heart's desire.

Most recently, I remember sitting on a table on the edge of the T-V cameras in the Captain Cook ballroom, and after hours of political fellowship, you emerged victorious as our Governor Sheffield.

The first time I remember your paying for New Year's novelties for your parties, a few years ago or rather many years ago, and you were a busy busy man then.

I listened to your addressing the legislators and the Alaskans. The address was typically Sheffield, very well researched and to the point. My only comment is that at the beginning or at the end a Bob Hope sort of pun could have been effective, like "Old Alaskans never die, because they have to divi up their ends." Another one close to this is, "Strange Alaskans never die, they just divi up the closed ends of Old Alaska." Or the worst, "Divi, Divi, Divi up my end, before I get to heaven, because strange things are being done, in the Land of the Midnight Sun."

Going back to the time before the boy with the balloon incident, I buttonholed you with the concern regarding Medicaid helping us victimized with spinal problems, foot problems, etc., and you put a notation on a little note pad. You also mentioned that your brother went to a chiropractor for his spinal adjustments.

I hate to enclose all the following reports on my spondylosis, because it seems so hopeless, and it was until I saw a video educational program at Dr. Kenneth Ketz's office, and with adjustments, prescribed exercises, and care I could be 50% better in 2½ years. This was early last summer. Now, in mid-winter I am better, stronger and whatever it takes, I still care about others, and take care of myself. That is the purpose of this letter, so others, like unwed mothers who have help in raising their children on Medicaid, so too, we who have been victimized by injuries upon injuries through no fault of our own can have badly needed adjustments for our spine.

Believe it or not, due to extreme pain, I became a Born-Again Christian one year ago in April. I had rebelled during my teens toward formal ritualistic religion, and then returned after thirty-some years to the foot of the cross of the Lord Jesus Christ. Finding this new way has not been my cure-all for pain, but my spiritual world began, and a new charisma of living began also. I am going to send forth each day a prayer for your strenght, for your peace of mind, and for making the right decisions along the way through our Lord Jesus Christ.

Theologically and Teleologically yours,

deAnn Brezina

(Ms) deAnn Brezina

Synopsis of Spondylosis (deAnn Brezina) for Medicaid payments

1. Was abused as child plus had malnutrition. Foster home at age 11.
2. Had severe rheumatic fever at age 12 with weakness in muscles of body.
3. Had a form of rheumatoid arthritis, and treated with gold-sodium-thiosulfate shots during late teens. Also removal of tonsils, appendix, and medication for infections, reoccurring infections, allergies, anemia.
4. Was an abused wife from an alcoholic husband during the 50's. Had two children, divorced.
5. Was an abused wife again during the early 60's. One miscarriage. Divorced.
6. Remarried in 1965. Had one child in 1967.
In 1965 a chair was pulled out by a fisherman in Kodiak, and thus started a lifelong injury and pain. Had three changes of attorneys because of their one heart attack, and the others died.
7. 1973-Back injury occurred over marital argument of a package of cigarettes and I had not provoked argument. Divorce preparation and trial until conclusion in 1977, or 1978.
8. 1974-A double whiplash injury caused by Robert Rice, a then real estate salesman who was drinking during the day.
9. 1975-Dec. Accident caused by Gary Sloan, who was driving a vehicle whose trailer unsnapped, headed for my engine, threw me into a spin on the icy road, and injured my spinal vertebrae, head and neck. If Medicaid would have covered chiropractic adjustments I would have been on the road to recovery instead of in constant pain for years to come. Also, on two crutches for several years before being on one crutch.
10. From about 1969, was also under the psychiatrist's care, and was given pain pills from time to time. *ASKED FOR FEDERAL DISABILITY DETERMINATION 2 APPEALS TO DATE. NO DISABILITY PAYMENTS FORTHCOMING AT THIS TIME.*
11. Also under care of Dr. Wickman from 1974 until 1981.
12. Changed to Dr. George Gates because there was no progress, no information, and more pain in my spine than I could bear.
13. Under Dr. Gates treatment, I discovered that the word SPONDYLOSIS was my cause of pain. Dr. Aaron Wolf then told me it was a DEGENERATIVE DISK DISEASE, and Dr. Wickman should have shared this information with me.
14. I did as much research as possible, and decided that I had to get help-NOW!
15. On Medicaid forms I was refused the neck and lower back traction units that Dr. Gates prescribed. Also, orthopedic shoes. *ADVISED.* Clininol (spelling ?) medication made me gain weight with extra milk or protein prescribed with it. *DR. WOLF REFUSED PRESCRIPTIONS FOR ANY MORE PAIN PILL.*
16. I then went to Dr. Scott V. Linder, M. D., explained my problems to him, and enclosed is the recommended letter. However, Medicaid payments are not forthcoming for my chiropractic adjustments.
17. Have been to Dr. Kenneth Ketz's Chiropractic Clinic since last summer and have found more relief than before. Can become better by 50% in 2 1/2 years with adjustments, exercises and sleeping on rolled towels.
18. Asking your help, Legislators, and others concerned, to allow chiropractors and podiatrists (also have bunions) to be paid under Medicaid. *MY DISABILITY PAYMENTS HAVE NOT BEEN FORTHCOMING.*

KENNETH O. KETZ, D.C.

and ASSOCIATES

Anchorage Center for Chiropractic, Inc.

3330 C Street
Anchorage, Alaska 99503

Hours by Appointment
274-7621

Thank you,

ell
Ms deAnn Brezina
Box 1807, Anchorage Ak 99510
1/27/83

Hello Representative Tischer -

My Family and I attended the Arch. tele conference on HB 347. We appreciated your sense of concern, humor and truth. We are in strong support of the bill and are extremely concerned about the passage. I've written every Representative and Senator and would like to understand what else can be done - a letter to editor of local papers? What can be done to influence senator Don Bennett (if he is the one who is holding the strong opposition position?) to accept HB 347.

I honestly believe that we should have the ^{constitutional} right to choose the treatment we want and Naturo paths should have the right to provide that treatment. By licensing the field of Naturo pathy, you protect everyone involved both provider & providee. Other states have originated appropriate forms of accrediting Naturo paths - these people are highly trained in a very different discipline than A.M.A. based medical care, no less better because of their preventive approach. The A.M.A. types provide back round well versed in surgery and pharmaceuticals.

An example I read somewhere compared A.M.A. types as having less than 1% of their total schooling devoted to nutrition. Whereas Naturopaths ^{2-3% of their total life} believe in building the body's systems up via vitamins, diet, exercise and herb or natural extracts. These approaches are so very different, they are opposite sides of the same coin. The people who favor the Natural approach aren't necessarily opposed to using both kinds of care as the situation dictates. In fact, the Arch. Naturopaths frequently refer people to local M.D.'s for treatment. There seems to be an openness on their part to cooperate but not on the A.M.A. Society's part. What can be done to set up the necessary board to appease the A.M.A. Society? You know - I could tell you were interested in natural childbirth. I would like to share my experience with you. My daughter, Yarrow Dawn, was born at Dr. Hansens birthing Center in the Providence Professional Bldg. He was not there at all, but his licensed nurse midwife, Veronica Gentry, was in charge along with

nurse practitioner Owen Wolverton. They had a relaxed home type setting, complete with rocking chairs and kitchen, bathtub ect. This was my first birth and I had wanted to do it at home, but not knowing what it would be like, I opted for the "safety" of being very close to the hospital. As it went, I birthed with a labour of 6 hrs. and needed no intervention, i.e., medication^{NE} to stop pain, routine cutting of vaginal opening to prevent tears (episiotomy), pitocin to help speed labour and expel placenta. We prepared ourselves for this birth with exercise, reading every thing we could get our hands on, and talking to midwives. An organization called B.A.B.E (Better Alaskan Birth Experiences) has very good information on what local OB-GYN's will and will not do for patients. They sent out a 30-40 questionnaire and got very negative responses. These OB's are so in demand, that they don't have to do anything your way. An example is that I thought that I wouldn't want to lie down and be cut open, but would rather squat down and be rubbed with Vitamin E oil to help stretch the vaginal tissue naturally and in rhythm with my body.

Most OBs just weren't interested in this type of non-interventional approach. They want to "do" the birthing procedure and take it away from the mother.

Our Midwife Verona, asked David how involved he wanted to be in the birthing and he said, "as much as I can". So she gowned and gloved him and he caught the baby and she suctioned out mucus. Then we did not cut cord until it stopped pulsing, thereby allowing baby maximum storage of blood & nutrients & oxygen before cutting cord. David did that also, and put safety clip on baby. We were, in this setting, given choices and control within safety of situation.

Abul - It's a law that a pediatrician must sign baby out of birthing center, and our choice was the Children's Clinic. They have five Doctors and they rotate, so we did not get the Dr. we had liked. This particular Dr. (Dr. Roberts) was anti-midwife birthing even under the auspices of a highly trained O.B. like Dr. Hanson. Dr. R. read us the ant act, wanted me in Providence Hosp

immediately and just totally ignored our wishes in the situation and laid his hostility on a otherwise, fantastic experience. I was so in love with my baby, husband, birth attendants, that I could not relate to this ugly, ugly scene. Dr. Roberts, in punishment, made me come into the office on a Sunday (his day off) and be checked there even though he knew that both Owen & Veronica would be coming to check on my home visit Sunday Morn & Eve. They also called to check and know I had 2 L.P.A. friends at home with me. When your own developed jaundice, which is common, Dr. Roberts wanted her in hospital immediately and no nursing. He would not give orders for us to feed baby so nurses didn't want me bothering them. I was crushed - how could this man do this to a innocent couple. Well, I have since learned that (and this is really the whole point of this story) Dr. Tower has done extensive research into bilirubin jaundice in newborns and he says that my treatment was totally in error and that Dr. Roberts acted extremely conservatively - to the point

of denying me that bonding time with my newborn.
Now - just look at the difference of attitude and
treatment within the field of pediatrics in Anchorage!!
During Teleconference, the endocrinologist Dr Bronner, ^{MD?}
was very biased, showing a double standard, between
Naturopath "misdiagnosing and physical misdiagnosing. How
do we know the patients in question had waited so long
after Nat. treatment before seeing Dr. Bronner, that it might
not, in fact, be a whole new situation/problem? Certainly the
Doctors I have seen in Anch. have tremendous differences
in opinion of treatment: One or two that man did one
treatment on me and another totally something else - and
was head over first M.D.'s course of action. So really,
M.D.'s ^{not} East states on Naturopath's misdiagnosing when
they are so unclear themselves. Please let me know
how I can help the 347 pass.

Thank for your time.
Blessings Kathleen Wilkins
7727 Lumbis Ln
Anch. AK 99502



2/8/84 - requested second CS

Cook
2/2/84
Version #2 ✓

Original sponsors: Martin and Tischer

DRAFT

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 347 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

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

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

10 * Section 1. AS 08.01.010 is amended by adding a new paragraph to read:
11 (24) regulation of naturopathy or naturopathic medicine
12 under AS 08.45.

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

14 CHAPTER 45. NATUROPATHS.

15 ARTICLE 1. REGULATION OF NATUROPATHY.

16 Sec. 08.45.010. DUTIES AND POWERS. The department shall

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

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

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

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

27 ARTICLE 2. LICENSING OF NATUROPATHS.

28 Sec. 08.45.100. LICENSING REQUIREMENT. A person may not engage
29 in the practice of naturopathy or naturopathic medicine unless that

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

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

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

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

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

- 13 (A) anatomy, physiology, histology, and embryology;
- 14 (B) microbiology;
- 15 (C) pathology;
- 16 (D) immunology;
- 17 (E) public health;
- 18 (F) physical, clinical, and x-ray diagnosis;
- 19 (G) first aid and emergency medicine;
- 20 (H) obstetrics and gynecology;
- 21 (I) orthopedics;
- 22 (J) minor surgery and proctology;
- 23 (K) otolaryngology;
- 24 (L) physiotherapy and manipulative techniques;
- 25 (M) dietetics and clinical nutrition;
- 26 (N) botanical medicine;
- 27 (O) naturopathic theory, therapeutics and clinical
28 practice;
- 29 (P) jurisprudence;

*1500 hours
of clinical
experience to be
included in the
4000 hours*

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

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

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

8 (7) be of good moral character.

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

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

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

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

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

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

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

- 4 (1) has obtained or attempted to obtain a license under
- 5 this chapter by fraud or deceit;
- 6 (2) wilfully violates a provision of this chapter or a
- 7 regulation adopted under this chapter;
- 8 (3) habitually overuses alcoholic beverages;
- 9 (4) unlawfully uses a controlled substance as defined in
- 10 AS 11.81.900(b)(6);
- 11 (5) impersonates another physician;
- 12 (6) practices under an assumed name; or
- 13 (7) is convicted of a crime involving moral turpitude,
- 14 including murder, sexual assault, robbery, kidnapping, incest, arson,
- 15 burglary, theft, and forgery.

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

18 (1) application for examination	\$ 50
19 (2) application for reexamination	10
20 (3) license issuance or biennial renewal	200
21 (4) issuance of temporary permit	<u>50</u>

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

- 24 (1) perform physical examinations, write prescriptions for
- 25 substances authorized in this chapter, and sign birth and death cer-
- 26 tificates;
- 27 (2) use systems of diagnosis for which the naturopathic
- 28 physician has been trained under AS 08.45.110(3); |
- 29 (3) treat patients by physiological, nutritional,

1 psychological, mechanical, electrical, manual, hydrotherapeutic,
2 phytotherapeutic, mineral and organic substances and agencies, includ-
3 ing acupuncture, that are effective in stimulating normal function of
4 tissues and organs sensitized by disease;

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

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

11 (b) A naturopath may not

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

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

16 (3) use radiation therapy; or

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

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

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

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

1 year period.

2 ARTICLE 3. GENERAL PROVISIONS.

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

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

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

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

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

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

20 Sec. 08.45.220. DEFINITIONS. In this chapter

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

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

28 * Sec. 3. AS 08.01.010(24) is repealed and reenacted to read:

29 (24) Naturopathic Medicine Board (AS 08.45.020)

1 * Sec. 4. AS 08.03.010(c) is amended by adding a new paragraph to read:
 2 (21) Naturopathic Medicine Board (AS 08.45.020) -- June 30,
 3 1990.

4 * Sec. 5. AS 08.45 is amended by adding new sections to read:
 5 Sec. 08.45.020. CREATION AND MEMBERSHIP OF THE BOARD. There is
 6 established the Naturopathic Medicine Board consisting of

- 7 (1) two naturopaths licensed under this chapter;
 8 *11/2/88* — [(2) two doctors licensed under AS 08.64; and] —
 9 (3) one public member.

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

13 Sec. 08.45.040. POWERS AND DUTIES. (a) The board shall

- 14 (1) evaluate the qualifications of applicants for licenses
 15 under this chapter;
 16 (2) conduct hearings and keep records necessary to carry
 17 out the purposes of this chapter;
 18 (3) direct the department to license naturopaths and renew
 19 licenses in accordance with AS 08.45.100 - 08.45.170; and
 20 (4) provide for temporary permits to engage in the practice
 21 of naturopathic medicine for persons who are apparently qualified that
 22 are valid until certification of the results of the next examination
 23 given under AS 08.45.120.

24 (b) The board may adopt regulations to carry out the provisions
 25 of this chapter.

26 * Sec. 6. AS 08.45.120(a) is amended to read:

27 (a) An examination for licensing as a naturopath shall be held
 28 at a time and place and shall be conducted as determined by the board
 29 [DEPARTMENT]. The examination shall be limited to the subjects listed

1 in AS 08.45.110(3), each of which shall constitute a separate examina-
2 tion section. The examination shall be objective and in writing, but
3 may be supplemented by oral examinations, and by demonstrations or
4 other practical tests as the board [DEPARTMENT] may require.

5 * Sec. 7. AS 08.45.130 is amended to read:

6 Sec. 08.45.130. ENDORSEMENT. The board [DEPARTMENT] may provide
7 for the licensure of [LICENSE] a person as a naturopath if the person
8 is currently licensed as a naturopath in another state or in a
9 province of Canada and

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

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

14 (3) the person demonstrates to the satisfaction of the
15 board [DEPARTMENT] qualifications at least equal to those required of
16 persons licensed under this chapter.

17 * Sec. 8. AS 08.45.140 is amended to read:

18 Sec. 08.45.140. DENIAL, SUSPENSION OR REVOCATION OF LICENSE.
19 The board [DEPARTMENT] may deny, suspend, or revoke the license of a
20 person or applicant who

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

23 (2) wilfully violates a provision of this chapter or a
24 regulation adopted under this chapter;

25 (3) habitually overuses alcoholic beverages;

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

28 (5) impersonates another physician;

29 (6) practices under an assumed name; or

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

4 * Sec. 9. AS 08.45.140 is amended by adding a new subsection to read:

5 (b) The board shall notify the department of any action taken
6 under (a) of this section.

7 * Sec. 10. AS 08.45.170 is amended to read:

8 Sec. 08.45.170. CONTINUING EDUCATION. (a) The board [DEPAR-
9 TMENT] may prescribe by regulation continuing education requirements
10 for persons licensed under this chapter.

11 (b) Before a license issued under this chapter may be renewed,
12 the licensee shall submit to the board [DEPARTMENT] evidence of com-
13 pletion of continuing education requirements.

14 (c) The board [DEPARTMENT] may exempt a licensee from the con-
15 tinuing education requirement under (b) of this section upon an appli-
16 cation of the licensee setting out extenuating circumstances. A
17 licensee may not receive more than one exemption under this subsection
18 in a five-year period.

19 * Sec. 11. AS 08.45.220 is amended by adding a new paragraph to read:

20 (3) "board" means the Naturopathic Medicine Board.

21 * Sec. 12. AS 44.62.330(a) is amended by adding a new paragraph to
22 read:

23 (53) Naturopathic Medicine Board (AS 08.45.020).

24 * Sec. 13. AS 08.45.010 is repealed.

25 * Sec. 14. LICENSING OF PRACTITIONERS OF NATUROPATHY OR NATUROPATHIC
26 MEDICINE WITHOUT EXAMINATION. The commissioner of commerce and economic
27 development shall license all persons who, on the effective date of sec. 2
28 of this Act, meet the qualifications of AS 08.45.110(1) - (3) and (5) - (7)
29 and who apply for licensure under AS 08.45 not later than June 30, 1985.

1 * Sec. 15. Notwithstanding AS 08.45.030 as enacted in sec. 5 of this
2 Act, the first members of the Naturopathic Medicine Board shall be appoint-
3 ed for the following terms: one member shall serve a one-year term; two
4 members shall serve two-year terms; and two members shall serve three-year
5 terms.

6 * Sec. 16. Sections 1, 2, and 14 of this Act take effect July 1, 1984.

7 * Sec. 17. Sections 3 - 13 and 15 of this Act take effect July 1, 1986.
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

DAVID A. CREWSON
7927 LUMBIES
ANCH. AK. 99502

1/22/84

I WOULD LIKE TO EXPRESS MY SUPPORT FOR H.B. 347 INTRODUCED BY REPRESENTATIVES ABOOD, MARTIN AND TISCHER. IT IS AN IMPORTANT PIECE OF LEGISLATION WHICH CAN DIRECTLY AFFECT THE HEALTH AND WELL-BEING OF MANY PEOPLE THROUGHOUT ALASKA. I URGE PASSAGE OF THIS BILL FOR THE FOLLOWING REASONS:

1. ALONG WITH MANY OTHERS, I AM VERY DISSATISFIED WITH THE MEDICAL COMMUNITY. STANDARD MEDICAL TREATMENT IS CHARACTERIZED BY AN INSENSITIVITY TO THE PATIENT'S HUMANITY AND REAL NEEDS, AN ORIENTATION TOWARDS DRUGS AND SURGERY AND THE TREATMENT OF SYMPTOMS RATHER THAN THE CURE OF THE UNDERLYING CONDITIONS, AND A GENERAL ELITIST ATTITUDE TOWARDS HEALTH CARE. NATUROPATHS, HOWEVER, ATTEMPT TO UNDERSTAND THE LIVES OF THEIR PATIENTS SO THEY MIGHT CURE THEM IN THE GENTLEST, MOST NON-INVASIVE MANNER POSSIBLE AND TO THEN TEACH THEM HOW TO REMAIN HEALTHY.

2. THERE IS GROWING EVIDENCE THAT ~~THESE~~ ^{MANY} METHODS AND TREATMENTS USED BY M.D.'S HAVE NEVER BEEN HONESTLY EFFECTIVE AND THAT THERE IS A GROWING, AND ALREADY HIGH, RATE OF CONDITIONS CAUSED BY INAPPROPRIATE OR IMPROPERLY HANDLED TREATMENTS. AT THE SAME TIME THERE IS GROWING EVIDENCE OF THE EFFICACY AND SUPERIORITY OF NATUROPATHY IN MANY ~~NUMEROUS~~ ILLNESSES AND CONDITIONS.

3. IT IS THE RIGHT AND DUTY OF ALL PEOPLE TO CHOOSE THE BEST POSSIBLE HEALTH CARE FOR THEMSELVES AND THEIR FAMILIES. IF NATUROPATHS ARE NOT ALLOWED TO PRACTICE IN ALASKA, MANY PEOPLE WILL BE DENIED THIS OPPORTUNITY.

~~THESE~~ 4. THE PUBLIC ALONG WITH CHIROPRACTERS AND MANY OTHER ALTERNATIVE HEALTH CARE PRACTITIONERS WANT NATUROPATHY MADE LEGAL. ONLY M.D.'S, NATUROPATHS' DIRECT COMPETITORS, OPPOSE THIS. PLEASE HELP PASS H.B. 347.

SINCERELY
David A. Crewson



Dear Rep. Tischer and
Committee Members of HESS,

I attended the teleconference
on The House Bill 347, Jan. 21, 1984,
in Anchorage. I did not choose to testify
at that time. Instead I am writing now
in behalf of my family, friends and myself.
I also wish to thank Rep. Tischer for
her open ear and her concerned, relevant
questions. My family and I wish this to
be our written testimony to support
House Bill 347.

My entire family for nearly 3 years
has used the services of a Natropath;
Dr. Pitty John. We have been more than
satisfied. I think the appropriate word
would be healed. My mother's healing of
uterine cancer, My grandmother's healing
of breast cancer. I shudder to think of
the horrors these two women may now
have been experiencing had there been
no alternative route to the radical
surgery, radiation and chemotherapy treat-
ments. The side affects which many
of us are painfully aware of.

There have been many other cases
of persons in our family being healed
of illnesses and disorders through the
means of Natropathy. I guess the main
point is Natropathy has opened a door
for all of us to experience that
we have the power to be healthy,

happy human beings.

That the Attorney General can so easily deny us of these services is a direct deprivation of our God-given and constitutional rights. Any tampering with or 'watering down' of House Bill 347 is also a denial of our rights. And the fact that a bill licensing Naturopaths has not been given proper and adequate consideration in the past and is still being further delayed is an insult and affront to our rights, causing one to wonder as to the true nature of the citizens representation in our Government. We ask the legislature to please listen to the public, the consumer in this matter and, not the fear promoting medical community.

Thank you,

*Rebekah C. Collins, 1600 Otter St., Anchorage, AK. 99504

Mary Z. Collins 1600 Otter St. Anchorage, AK. 99504

Norma Carter 1600 Otter St. Anchorage, AK. 99504

Rolando E. Rivers 2505 Glenway Sp 27
Anch. AK 99504

Shirley A. Collins 1600 Otter, Anch, AK 99504

OREGON LAW

Relating to Naturopathic Medicine

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

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

Chapter 685

Naturopaths

GENERAL PROVISIONS

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

LICENSING

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

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

STATE BOARD

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

ENFORCEMENT

- 685.210 Enforcement; employing attorney; jurisdiction

PENALTIES

- 685.990 Penalties

CROSS REFERENCES

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

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

685.020

Professional designation of licensed naturopath, 676.110

Use of professional designation by unlicensed person prohibited, 676.120

685.050

Falsification of health certificate prohibited, 106.990

685.060

Waiver of educational requirement for admission to examination, 670.010

685.110

Denial, suspension or revocation of license prohibited solely because of criminal conviction, 670.280

Injunction against practicing after suspension or revocation of license, 676.220

685.160

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

685.190

Subsistence and mileage allowance for travel, 292.210 to 292.250

685.201

Expenditures without allotment prohibited in certain cases, 291.238

685.210

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

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

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

GENERAL PROVISIONS

685.010 Definitions. As used in this chapter.

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

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

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

(4) "Naturopathy," which includes physiotherapy and minor surgery, is defined as a system of treating the human body by use of drugless methods, which has for its object the maintaining of the body in, or of restoring it to, a state of normal health.
[Amended by 1953 c.557 §4]

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

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

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

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

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

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

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

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

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

[Amended by 1953 c.557 §4]

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

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

LICENSING

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

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

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

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

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

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

[Amended by 1953 c.557 §4, 1969 c.301 §5]

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

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

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

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

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

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

[1973 c. 469 §2]

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

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

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

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

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

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

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

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

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

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

[1969 c.381 §2; 1973 c.829 §67]

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

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

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

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

[1969 c.381 §3; 1973 c.182 §6]

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

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

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

[1969 c.381 §4]

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

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

(2) The impersonation of another physician.

(3) Practicing naturopathy under an assumed name.

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

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

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

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

685.120 [Repealed by 1971 c 734 §21]

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

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

[1971 c 734 §134]

STATE BOARD

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

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

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

[Amended by 1971 c 650 §34, 1973 c 792 §40]

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

[Amended by 1973 c 829 §68]

685.180 [Repealed by 1973 c 829 §71]

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

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

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

685.200 [Amended by 1967 c 647 §32, repealed by 1973 c 427 §28 (685.201 enacted in lieu of 685.200)]

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

[1973 c 427 §29 (enacted in lieu of 685.200)]

ENFORCEMENT

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

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

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

PENALTIES

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



December 28, 1983

Dear Legislator:

As a long term Alaska resident and a third year student at Naturopathic Medical School I wish to encourage you to support Hb 347 in any way possible to facilitate its prompt passage.

Naturopathy is a distinct branch of medical practice in which doctors learn all current medical theory and technique and vary only in the emphasis and interpretation of the causes of susceptibility to disease and the best methods of treating it. A primary emphasis is placed on maintaining health and proper immunocompetency rather than waiting until drastic measures are required.

The bill as written provides for the right of Naturopaths to practice fully within the scope of our training, which is essential if the patient is to be guaranteed their right to choose their mode of health care. One shortcoming of the bill as written is that injection of vitamins and other natural substances is not listed under the scope of practice. Such injections are extremely useful in a naturopathic practice.

In closing I would like to say that I fully support the passage of this bill and hope that you will as well. I further hope that you will not permit the bill to be watered down or restricted due to pressure from groups who would hope to limit the freedom of choice in medical care for Alaskan residents.

Thank you for your time and attention to this matter.

Sincerely

Paul E Reilly
Box 6
Ester Alaska 99725

temp address at school
5039 19th Ave NE
Seattle Wa. 98105

Tischer

NORTHLAND CLINIC
1500 AIRPORT WAY
FAIRBANKS, ALASKA 99701

Telephone 452-2041

D. E. HAMPTON, DC APC
Clinic Director

February 5, 1984

Representative Niilo Kopenen
Pouch V
Juneau, Alaska 99811

Re: Your letter January 30th
HB 347

Dear Niilo:

Thank you for informing me on the above bill relating to licensure of Naturopathic Physicians. I am presently licensed in the states of Oregon, Washington and Utah as a Naturopathic Physician and in the states of Oregon and Washington a Naturopathic Physician is licensed to practice Obstetrics and Minor Surgery.

To answer your questions:

1. The patients of a physician of an unlicensed Healing Art would not be reimbursed for medical services that they have paid and consequently they would suffer a hardship. The unlicensed doctor would also have more difficulty seeking financing to build or enlarge a clinic for the practice of Naturopathic medicine and his patients would not be covered under Medicare.
2. I feel this is in conflict in the basic bill presented by the Department of Commerce and the bill by Martin, et al. I feel that minor surgery, which is taught in Naturopathic schools of Medicine, should be a part of the bill.
3. Besides the doctors that you mentioned in your letter I know of three other Naturopathic Physicians in Alaska. They are: Frank G. Spaulding of Fairbanks, Dr. Donald L. Hammond of Juneau and myself. The three of us have also been members of the faculty of the National College of Naturopathic Medicine which is located in Portland, Oregon.
4. The fees in Sec. 08.45.150 are not realistic and I feel that the application for examination fee should be \$250 and the annual renewal fee \$400. I remember when other professional groups were licensed their fees did not cover the total

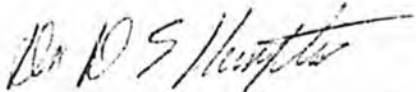
February 5, 1984

cost of Board administration and that it appears that the cost of \$50,000 a year is excessive.

5. Naturopathic Medicine is a distinct and separate profession and like the other professions there is an overlapping of skills and areas of practice. A Dentist may use a local anesthetic in his practice and an Osteopath, Medical Doctor and a Naturopathic Physician may also use a local anesthetic in their practice of Obstetrics. Similarly all three may prescribe exercise and diets.

I appreciate the opportunity to be of assistance and if I can be of any further assistance please let me know.

Sincerely,



Dr. D. E. Hampton, D.C., N.D.

mj

STATE OF ALASKA
THE LEGISLATURE

POUCHY - STATE CAPITOL
JUNEAU ALASKA 99811
907/465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

February 16, 1984

SUBJECT: Regulation of Naturopaths
(CSHB 347 (HESS))

TO: Representative Niilo Koponen

FROM: Tamara Brandt Cook
Deputy Director
Division of Legal Services

TBC

Here is a draft of CSHB 347 (HESS) incorporating the changes that you requested, with one exception. Under Section 08.45.160(b)(2) you asked me to add "drugs" to the prohibition against the use of controlled substances and this I was not able to do in a way that would lead to a sensible or desirable result.

Under this draft that paragraph prohibits a naturopath from prescribing or using ". . . controlled substances as defined in AS 11.81.900(b)(6). . . ." The referenced section in turn refers to another section, AS 11.71.900(4) that includes drugs within the definition of controlled substances:

"controlled substance" means a drug, substance, or immediate precursor included in the schedules set out in AS 11.71.140 - 11.71.190;" (Emphasis added)

By using the term "controlled substance" in this draft, drugs of a type that are regulated under state law have been included, from those deemed most dangerous (schedule IA drugs) to those deemed least dangerous (schedule VIA drugs). In view of the very comprehensive definition of controlled substance, I fear that adding the word "drugs" to the prohibition would have the result of precluding the use by a naturopath of many items available to every other person without a prescription, like aspirin or common over-the-counter cold remedies.

Representative Niilo Koponen
Page 2
February 16, 1984

For you information I am including a copy of all of the types of drugs that are controlled substances and, consequently, already covered by this draft. If I can be of further assistance, please let me know.

TBC:ojb
J3/103 Enclosure

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 5, 1984

SUBJECT: Naturopaths
(CSHB 347(HESS) and CSHB 347 (L&C))

TO: Representative John Cowdery
Chairman, House Labor and Commerce

FROM: Tamara Brandt Cook *TBC*
Deputy Director
Division of Legal Services

You have asked for a comparison between CSHB 347(HESS) and a draft CSHB 347(L&C) dated 2/29/84, both dealing with the licensing of naturopaths. A major difference between the two versions is that the draft provides for the creation of a Board of Naturopathic Examiners. After the first eight licenses are issued, the board will take over the duties of the Department of Commerce and Economic Development relating to the regulation of naturopaths. (See Sec. 08.45.040 of the draft.) Provision is made for appointment of members of the board and term of office under Sec. 08.45.010 and 08.45.030. Under *Sec. 4, some of the first members are appointed for shorter terms than generally provided for, so that the offices will become vacant at staggered intervals. Under the HESS CS the department regulates naturopathy and that version contains none of the provisions mentioned above relating to a regulatory board for that occupation.

Additional differences between the two versions follow by underlined section numbers that refer to CSHB 347(HESS). The appropriate section number from the draft version is supplied in parenthesis for your convenience if it differs from the underlined section number.

* Sec. 1. Regulation of naturopathy is added to the list of occupations subject to the general provisions of AS 08.01. Essentially the same provision is contained in the draft.
(* Sec. 1)

Sec. 08.45.010. General duties of the department relating to the regulation of naturopathy are set out. The draft does not contain (4) dealing with temporary permits, however, that subject is dealt with elsewhere in the draft. The draft contains additional material in (b) authorizing the department to establish educational requirements that are additional to the requirements set out by statute and to identify schools that provide courses of study that satisfy the requirements. (Sec. 08.45.090.)

Sec. 08.45.100 Similar in both versions.

Sec. 08.45.110 The education requirements under the HESS CS are completion of high school, two years of postsecondary education, and graduation from a legally chartered school of naturopathic medicine with a course of instruction that includes particular itemized subjects. The draft requires a bachelor's degree, and graduation from a school of naturopathy approved by the department, with no itemized subjects set out. Both versions require 4,000 hours of study and certain clinical experience. A requirement for licensure that is in the HESS CS but not in the draft is that the person be of good moral character. A requirement that is in the draft but not in the HESS CS is that the person complete a one-year internship.

Sec. 08.45.120 The HESS CS limits the examination to the subjects of study previously itemized in the bill. The draft authorizes an applicant who fails the examination to be re-examined. With the exception of these items, the provision is similar in both versions.

Sec. 08.45.130 The HESS CS allows the department to license a person who is currently licensed in another state or in Canada if the jurisdiction maintains licensing standards equivalent or higher than those in this bill and extends the same licensing privilege to Alaskans. The person must demonstrate qualifications at least equal to those required of persons licensed under this bill. The draft authorized the department to issue a temporary permit to a person under the same circumstances. The permit is valid until the next examination is given. The draft also authorizes the department to issue a temporary permit to an intern that is valid for one year.

Sec. 08.45.140 The HESS CS provides reasons for the denial, suspension or revocation of a license. The draft provides

reasons for disciplinary sanctions that are modeled on similar provisions applicable to other medical occupations.
(Sec. 08.45.210)

Sec. 08.45.150 Similar in both versions.

Sec. 08.45.160 Material contained on (a)(1), (4), and (5) of the HESS CS does not appear in the draft. There are some additional minor differences between the two versions.

Sec. 08.45.170 The HESS CS authorizes the department to prescribe continuing education requirements and the draft requires the department to do so.

Sec. 08.45.200 Similar in both versions.

Sec. 08.45.205 Similar in both versions, although fraudulently obtaining or furnishing a license or record is specifically dealt with in the HESS CS and not in the draft.
(Sec. 08.45.220)

Sec. 08.45.220 Minor differences in the definition of "naturopathy". (Sec. 08.45.900)

* Sec. 3 The HESS CS requires the commissioner of commerce and economic development to license persons who have not been examined, but meet the other requirements for licensure on the effective date of this Act and who apply for a license by June 30, 1985. The draft requires the commissioner to issue a temporary permit under similar circumstances and the permit is valid only until the first examination is offered.

* Sec. 4 The HESS CS takes effect July 1, 1984. The draft takes effect January 1, 1985.

TBC:ojb
J4/039

Alaska State Legislature



REP. MAE TISCHER
CHAIRMAN

POUCH V
STATE CAPITAL
JUNEAU, ALASKA 99811
(907) 465-3777

House of Representatives
HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

MEMORANDUM

TO: Representative Mae Tischer
FROM: Bill Lovell, HESS Committee Staff *Lovell*
DATE: February 10, 1984

RE: Comparison of proposed CSHB 347 (HESS) and HB 347

For your information, I have compared the proposed HESS Committee Substitute for House Bill 347, "[a]n Act relating to the licensing of practitioners of naturopathic medicine; and providing for an effective date," to the bill as originally introduced.

Section 1 of the proposed HESS Committee Substitute is unchanged from the original bill.

Section 2 of the proposed HESS Committee Substitute changes three provisions of the original bill:

Page 2, line 12, inserted "of which at least 1,500 hours is clinical experience." The effect of this amendment is the addition of a requirement that, of the 4,000 hours of approved training required to be a licensed naturopath, at least 1,500 hours must be clinical training.

Page 4, lines 19 - 22, deleted fee schedule amounts contained in original bill (indicated in brackets below) and inserted new amounts (underscored below):

- | | | |
|--|--------------|-------|
| (1) application for examination..... | \$ <u>50</u> | [25] |
| (2) application for reexamination..... | <u>10</u> | [10] |
| (3) license issuance or biennial renewal.. | <u>200</u> | [100] |
| (4) issuance of temporary permit..... | <u>50</u> | [25] |

The effect of this amendment is the provision of additional means to cope with any anticipated fiscal impact. This amendment would also ostensibly reduce misuse of the licensing system by requiring greater financial investment.

Page 4, line 29, inserted "under AS 08.45.110 (3)" after the words "physician has been trained." The effect of this amendment is to add further clarification of the authorization to use diagnostic

CSSB 347 (HESS)
February 10, 1984
Page 2

methods as it relates to appropriate preparatory training. AS
08.45.110 (3) is the new section created in CSHB 347 (HESS) outlin-
ing training requirements.

Section 3 of the proposed HESS Committee Substitute is unchanged from
the original bill.

Section 4 of the proposed HESS Committee Substitute changes the effec-
tive date of the bill from July 1, 1983, to July 1, 1984.

/wtl

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: March 28, 1984

REQUEST

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

FISCAL DETAIL

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

EXPENDITURES/REVENUES: (Thousands of Dollars)

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

CAPITAL	0	0	0	0	0	0
---------	---	---	---	---	---	---

REVENUE	0	1.2	1/5	1.7	2.0	2.2
---------	---	-----	-----	-----	-----	-----

FUNDING: (Thousands of Dollars)

GENERAL FUND	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
FEDERAL FUNDS						
OTHER						
TOTAL	0	54.2	52.3	55.0	57.8	60.6

POSITIONS:

FULL-TIME	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

NOT IDENTIFIED BY THE SPONSOR

ANALYSIS: Attach a separate page for analysis SEE ATTACHED

Prepared By: Darrell Miller
Division: Occupational Licensing

Phone: 465-2535
Date: 3/28/84

Approved by Commissioner: Richard A. Lyon
Agency: Commerce & Economic Development

Date: 2/31/84

Distribution (by Agency preparing fiscal note):

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

12/1/83

FISCAL ANALYSIS

CS HB 347

Assumptions:

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

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

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

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

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

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

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

CS HOUSE BILL NO. 347

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

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

200 TRAVEL: (Estimated Costs)

2 Support Staff to Board:

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

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

5 Board members:

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

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

Total Travel Costs: \$7,840.00

300 CONTRACTUAL: (Estimated Costs)

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

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

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

Total Contractual Costs: \$5,725.00

400 COMMODITIES: (Estimated costs)

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

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

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

600 LAND & STRUCTURES: (Estimated Costs)

Office Space:

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

TOTAL OPERATING COSTS:	\$54,194.67
------------------------	-------------

1.	POSITION TITLE License Examiner I				RANGE/STEP 12A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPRDV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION AWA	ELECTION DISTRICT ALL	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE				AMOUNT					
	1		2		3					
	PERSONAL SERVICES									
5.	Salary		23.6							
6.	Benefits		3.9							
7.	Supplemental Benefits		1.5							
8.	Fixed Benefits		2.7							
9.	TOTAL PERSONAL SERVICES		01		31.7					
10.	Travel		02		7.8					
11.	Contractual		03		5.7					
12.	Commodities		04		.5					
13.	Equipment		05		4.4					
14.	Other - Land & Structures				4.1					
15.	TOTAL COST				54.2					

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

	RECEIPT CODE	FUNDING SOURCE	
16.		Federal Receipts 1002	
17.		G.F. Match 1003	
18.		General Funds 1004	54.2
19.		I-A Receipts 1005	
20.		Program Receipts 1028	
21.		Other	

FOR B2M USE ONLY
4A KEY NUMBER _____

13 REQUEST FOR
NEW POSITION

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

Page 1 of 1
 Revised Date 3/28/84

FY 84

Clinic of Natural Medicine

Patton D. Pettijohn, N.D.
Naturopathic Physician

Oct. 8, 1982

Dear Candidate:

I am polling all the legislative candidates regarding their personal views towards licensing practitioners of naturopathic healing.

Licensing procedures for naturopathic physicians would insure the rights of many Alaskans to choose for themselves, because of preference, what type of health care service they use. This legislation would also serve to protect the public interest by making sure that those who practice as naturopaths in Alaska are qualified to do so.

Enclosed, are both a pamphlet concerning our education and a copy of sample legislation that was introduced last legislative session.

I would appreciate a response to the following questions:

- 1.) Would you support legislation similar to Senate Bill 274 which would insure Alaskans the right to use naturopathic services if it is their desire to do so?
- 2.) Would you be willing to co-sponsor legislation similar to Senate Bill 274?

Many of my patients and other interested Alaskans are interested in knowing which of the candidates would support such legislation. I feel using nutrition against disease is gaining substantial scientific and public support and the many possible side effects of drugs has oriented many people to a more natural health care approach.

Please feel free to contact me if you have any questions regarding naturopathic medicine.

Sincerely,


Patton D. Pettijohn N.D.

File
HB 347

HB 347 (as introduced)

HB 347 (HESS)

HB 347 (L&C)

HB 347 (Proposed Compromise)

HB 347 (Naturopath Proposal)

Title:
relating to licensing
practitioners of naturopathic
medicine.

Title:
Same.

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

Same as L&C CS.

Same as L&C CS.

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

Section 1:
Same.

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

Same as L&C CS.

Same as L&C CS.

Section 2:

Creates a new Chapter 45,
"Naturopaths".

Section 2:
Chapter title remains the same.

Section 2: Chapter title
remains unchanged.

Section 2: Chapter title
remains unchanged.

Section 2: Chapter title
remains unchanged.

Article 1:
"Regulation of Naturopathy"

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

Article 1:
Remains the same.

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

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

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

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

Article 1: Same as L&C CS.

Article 1: Unchanged except for:

08.45.010: same as L&C CS, except that reference is made to three "naturopathic physicians", instead of three naturopaths.

Balance of Article 1 is the same as L&C CS.

Article 2:
Licensing of Naturopaths

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

Article 2:
Same.

08.45.100: same.

Article 2:

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

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

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

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

Article 2

Same as L&C CS.

New Article 2 (previous Article 2 is now Article 3, see below).

Article 2: Council of Naturopathic Advisors.

Sec. 08.45.050 Creation and Membership of Council: establishes a council of three naturopathic physicians licensed to and actively practicing in the state, to serve without pay.

08.45.060 Term of Office: members will serve staggered 3 year terms. A member may be appointed to no more than 2 consecutive full year terms.

08.45.070 Duties and Purpose: the council will advise the department, and help develop educational standards and criteria, examinations, and other regulations. Council will serve as a peer review board to hear and make recommendations to the department in cases involving naturopaths subject to or considered for disciplinary sanctions.

New Article 3 corresponds to former Article 2:
 08.45.090 is same as L&C CS, except for a new subsection (a)(4), Temporary Permits: persons who meet the requirements for licensure shall be eligible for temporary permits until the results of the next examination given; or persons working as interns supervised by a naturopath who holds a license or permit, shall be given permits until the completion of their 1 year internship if they meet all other requirements for licensure.

(b) remains the same as the L&C CS.

08.45.100: Same as L&C CS.

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

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

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

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

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

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

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

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

08.45.110: Same as L&C CS.

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

08.45.120:
Same.

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

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

Same as L&C CS.

08.45.120: Same as L&C CS.