



# HOUSE COMMITTEE ON APPROPRIATIONS

## FISCAL NOTE

HOUSE BILL NO. 516

PRINTERS NO. 1053

PRIME SPONSOR: Mustio

### COST / (SAVINGS)

FUND	FY 2014/15	FY 2015/16
State Board of Medicine Restricted Account	\$0	\$0

**SUMMARY:** Establishes the Naturopathic Doctors Practice Act and requires the licensure of naturopathic doctors with the State Board of Medicine. The addition of Chapter 2 containing the provisions for the Board to enforce and administer the legislation, adopt regulations and approve naturopathic medical education programs shall take effect immediately. The remainder of the legislation shall take effect in two years.

**ANALYSIS:** This legislation establishes the Naturopathic Doctors Practice Act to require a license to practice naturopathic medicine. Naturopathic doctors diagnose, treat and help prevent diseases using a system of practice that is based on the natural healing capacity of individuals. Naturopathic medicine includes the use of biofeedback and relaxation training, naturally occurring substances derived from plants, homeopathic medicines, manipulations for muscles and bones, hydrotherapy, foods, vitamins, amino acids, dietary supplements and nonprescription drugs and medications.

The following are major provisions of the legislation:

- The State Board of Medicine (Board) shall administer and enforce the legislation, and has full authority to refuse, revoke or suspend licenses and discipline licensees.
- The Board shall approve doctorate-level naturopathic medical education programs that are accredited by the Council on Naturopathic Medical Education (CNME) and prepare students to sit for the North American Board of Naturopathic Examiners' national licensing examination.
- Beginning two years after enactment, no one may hold themselves out as a naturopathic doctor or practice naturopathic medicine unless licensed as a naturopathic doctor by the Board.
- Qualifications for licensure:
  1. Good moral character
  2. Completed a doctorate-level naturopathic medical education program that is approved by the Board.
  3. Passed the North American Board of Naturopathic Examiners' national licensing examination (NPLEX); if graduated prior to NPLEX implementation in 1986 has passed a state naturopathic licensing examination.
  4. Not addicted to alcohol, narcotics or other habit-forming drugs, and no felony or sexual offense convictions.

- Licensees must complete 50 hours of continuing education every two years and maintain current CPR certification in order to renew the license.
- Licensees are required to maintain a minimum of \$1 million professional liability insurance.
- Authorized scope of practice:
  1. Order and perform physical and laboratory examinations consistent with naturopathic training for diagnostic purposes.
  2. Dispense, administer order, prescribe, or perform: naturopathic therapies, naturopathic physical medicine, devices, durable medical equipment, barrier contraceptives not requiring surgical intervention, health education and counseling, behavioral medicine, botanical medicine, naturopathic musculoskeletal therapy and homeopathic medicine.
  3. Use all common routes of administration for medications except intravenous.
- Licensees shall not:
  1. Prescribe, dispense or administer any prescription drugs.
  2. Perform surgical procedures.
  3. Practice or claim to practice as any other licensed health care professional.
  4. Use general or spinal anesthetics.
  5. Administer ionizing radioactive substances for therapeutic purposes.
  6. Perform chiropractic adjustments unless licensed as a chiropractor.
  7. Perform acupuncture unless licensed as an acupuncturist.
  8. Perform physical therapy unless licensed as a physical therapist.
- Licensees have a specific duty to refer a patient to a physician when the patient is presenting a contraindication to the practice of naturopathic medicine.
- Other practitioners of complementary and alternative healing methods are exempted from this license requirement provided they do not hold themselves out as a naturopathic doctor, a provider of naturopathic medicine or any derivative of these terms.
- The Board is required to promulgate regulations to implement the legislation within 18 months of enactment.

**FISCAL IMPACT:** According to the Department of State, this legislation would cost the State Board of Medicine approximately \$730,000 over a 2-year period after the full implementation of the law or in FY 2016/17. The Department anticipates having to increase personnel for the Board and to the Department's Legal Office to manage the increased workload, including administrative staff, investigators, an attorney, and other legal staff. Any new costs to the Board would be offset with biennial registration fees from the new licensees as provided for in the legislation. The Department anticipates the registration of 100 naturopathic doctors at a biennial fee of approximately \$7,300. This legislation would have no adverse fiscal impact on the General Fund.

**PREPARED BY:** Tim Rodrigo  
House Appropriations Committee (R)

**DATE:** April 22, 2015

*Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*