

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL**No. 516** Session of
2015

INTRODUCED BY MUSTIO, READSHAW, MAHER, KILLION, CHRISTIANA,
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COX, HARPER, KORTZ, RAVENSTAHL, SANTARSIERO, NEUMAN, GIBBONS,
KAUFFMAN AND JOZWIAK, FEBRUARY 23, 2015

SENATOR TOMLINSON, CONSUMER PROTECTION AND PROFESSIONAL
LICENSURE, IN SENATE, AS AMENDED, OCTOBER 18, 2016

AN ACT

1 ~~Relating to the practice of naturopathic medicine; providing for <--~~
2 ~~the issuance of licenses and the suspension and revocation of~~
3 ~~licenses; and providing for penalties.~~

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14 RELATING TO THE PRACTICE OF NATUROPATHIC MEDICINE; PROVIDING FOR <--
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31 The General Assembly of the Commonwealth of Pennsylvania

1 hereby enacts as follows:

2 CHAPTER 1

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3 PRELIMINARY PROVISIONS

4 ~~Section 101. Short title.~~

5 ~~This act shall be known and may be cited as the Naturopathic~~
6 ~~Doctor Practice Act.~~

7 ~~Section 102. Declaration of policy.~~

8 ~~The General Assembly finds and declares as follows:~~

9 ~~(1) The practice of naturopathic medicine in this~~
10 ~~Commonwealth is declared to affect the public health, safety~~
11 ~~and welfare and to be subject to regulation and control in~~
12 ~~the public interest.~~

13 ~~(2) It is a matter of public interest that naturopathic~~
14 ~~doctors and the practice of naturopathic medicine merit the~~
15 ~~confidence of the public, that only qualified persons be~~
16 ~~authorized to practice naturopathic medicine in this~~
17 ~~Commonwealth and that no person may practice as a~~
18 ~~naturopathic doctor without a valid existing license to do~~
19 ~~so.~~

20 ~~(3) The General Assembly recognizes that naturopathic~~
21 ~~doctors comprise a distinct health care profession that~~
22 ~~affects the public health, safety and welfare and increases~~
23 ~~freedom of choice in health care.~~

24 ~~(4) This act shall be liberally construed to best carry~~
25 ~~out these subjects and purposes.~~

26 ~~Section 103. Definitions.~~

27 ~~The following words and phrases when used in this act shall~~
28 ~~have the meanings given to them in this section unless the~~
29 ~~context clearly indicates otherwise:~~

30 ~~"Behavioral medicine." Techniques including biofeedback,~~

1 ~~relaxation training, hypnosis, mindfulness based stress-~~
2 ~~reduction and cognitive therapy.~~

3 ~~"Board." The State Board of Medicine.~~

4 ~~"Botanical medicine." A system of medicine employing-~~
5 ~~naturally occurring substances derived from plants in the-~~
6 ~~prevention and treatment of disease.~~

7 ~~"Bureau." The Bureau of Professional and Occupational-~~
8 ~~Affairs of the Commonwealth.~~

9 ~~"Commissioner." The Commissioner of Professional and-~~
10 ~~Occupational Affairs of the Commonwealth.~~

11 ~~"Common diagnostic procedures." The use of venipuncture,~~
12 ~~health history taking, physical examination, laboratory medicine-~~
13 ~~and examination of body orifices excluding endoscopy.~~

14 ~~"Department." The Department of State of the Commonwealth.~~

15 ~~"Homeopathic medicine." A system of medicine employing-~~
16 ~~substances of animal, vegetable or mineral origin which are-~~
17 ~~given in microdosage in the prevention and treatment of disease.~~

18 ~~"Legend drug." A drug:~~

19 ~~(1) limited by the Federal Food, Drug, and Cosmetic Act-~~
20 ~~(52 Stat. 1040, 21 U.S.C. § 301 et seq.) to being dispensed-~~
21 ~~by prescription; and~~

22 ~~(2) the product label of which is required to contain-~~
23 ~~the following statement: "CAUTION: FEDERAL LAW PROHIBITS-~~
24 ~~DISPENSING WITHOUT A PRESCRIPTION."~~

25 ~~"Naturopathic doctor." An individual who holds an active-~~
26 ~~license issued under this act.~~

27 ~~"Naturopathic medicine." A system of primary health care-~~
28 ~~practiced by doctors of naturopathic medicine for the-~~
29 ~~prevention, diagnosis and treatment of human health conditions,-~~
30 ~~injuries and diseases and that uses education, natural medicines-~~

1 ~~and therapies to support and stimulate the individual's~~
2 ~~intrinsic self-healing processes.~~

3 ~~"Naturopathic musculoskeletal therapy." The treatment by~~
4 ~~manual and other mechanical means of all body tissues and~~
5 ~~structures, including, but not limited to, bones, fascia,~~
6 ~~muscles, tendons, ligaments, entheses, joint capsules, bursae,~~
7 ~~tendon sheaths, scar tissue and visceral organs by naturopathic~~
8 ~~doctors. These may be located anywhere in the human body,~~
9 ~~including, but not limited to, the spine, cranium,~~
10 ~~thoracoabdominal cavity and extremities. These manual and~~
11 ~~mechanical techniques involve the use of oscillation, pressure~~
12 ~~and sustained tension, including traction, mobilization through~~
13 ~~physiologic and extra-physiologic ranges of motion, including~~
14 ~~passive intrinsic mobility of all body joints, and repositioning~~
15 ~~of displaced body tissues and organs.~~

16 ~~"Naturopathic physical medicine." The methods of treating~~
17 ~~the body by means of electromagnetic energy, colon hydrotherapy,~~
18 ~~therapeutic exercise and therapeutic use by naturopathic doctors~~
19 ~~of the physical agents of air, water, heat, cold, sound, light~~
20 ~~and the physical modalities and procedures, including, but not~~
21 ~~limited to, hydrotherapy, electrotherapy, magnetic therapy,~~
22 ~~diathermy, ultrasound, ultraviolet, infrared and low level laser~~
23 ~~light, therapeutic exercise, neural therapy and myofascial~~
24 ~~trigger point therapy.~~

25 ~~"Naturopathic therapies." Methods used in the treatment of~~
26 ~~an individual which include, but are not limited to,~~
27 ~~hydrotherapy, topical medicines, foods, food extracts, vitamins,~~
28 ~~amino acids, minerals, enzymes, dietary supplements, over the~~
29 ~~counter medications and nonprescription drugs as defined by the~~
30 ~~Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, 21 U.S.C. §~~

1 ~~301 et seq.), homeopathic remedies and plant substances that are~~
2 ~~not designated as prescription drugs or controlled substances.~~

3 ~~"Topical medicines." Topical analgesics, anesthetics,~~
4 ~~antiseptics, scabicides, antifungals and antibacterials.~~

5 CHAPTER 2

6 STATE BOARD OF MEDICINE

7 Section 201. ~~Declaration of purpose.~~

8 ~~The board shall enforce and administer the provisions of this~~
9 ~~act and shall adopt rules that are consistent with the intent of~~
10 ~~this act.~~

11 Section 202. ~~Naturopathic medical education.~~

12 ~~The board shall approve a naturopathic medical education~~
13 ~~program accredited by the Council on Naturopathic Medical~~
14 ~~Education or an equivalent federally recognized accrediting body~~
15 ~~for the naturopathic medical profession that has the following~~
16 ~~minimum requirements:~~

17 ~~(1) Admission requirements that include a minimum of~~
18 ~~three quarters of the credits required for a bachelor's~~
19 ~~degree from a regionally accredited or preaccredited college~~
20 ~~or university or the equivalency, as determined by the~~
21 ~~council.~~

22 ~~(2) Program requirements for its degree or diploma of a~~
23 ~~minimum of 4,100 total hours in basic and clinical sciences,~~
24 ~~naturopathic philosophy, naturopathic modalities and~~
25 ~~naturopathic medicine. Of the total requisite hours, not less~~
26 ~~than 2,500 hours shall consist of academic instruction, and~~
27 ~~not less than 1,200 hours shall consist of supervised~~
28 ~~clinical training approved by the naturopathic medical~~
29 ~~school.~~

30 ~~(3) A naturopathic medical education program in the~~

1 ~~United States shall offer graduate level, full time studies~~
2 ~~and training leading to the degree of Doctor of Naturopathy~~
3 ~~or Doctor of Naturopathic Medicine. The program shall be an~~
4 ~~institution or part of an institution of higher education~~
5 ~~that is either accredited or is a candidate for accreditation~~
6 ~~by a regional institutional accrediting agency recognized by~~
7 ~~the United States Secretary of Education and the Council on~~
8 ~~Naturopathic Medical Education, or an equivalent federally~~
9 ~~recognized accrediting body for naturopathic doctor~~
10 ~~education.~~

11 ~~(4) To qualify as an approved naturopathic medical~~
12 ~~school, a naturopathic medical program located in Canada or~~
13 ~~the United States shall offer a full time, doctoral level,~~
14 ~~naturopathic medical education program with its graduates~~
15 ~~being eligible to apply to the board for licensure and to the~~
16 ~~North American Board of Naturopathic Examiners that~~
17 ~~administers the national naturopathic licensing examination.~~

18 ~~CHAPTER 3~~

19 ~~LICENSURE~~

20 ~~Section 301. Qualifications for licensure.~~

21 ~~(a) Applicants. An applicant shall be considered to be~~
22 ~~qualified for a license if the applicant submits proof~~
23 ~~satisfactory to the board of all of the following:~~

24 ~~(1) The applicant is of good moral character.~~

25 ~~(2) The applicant has completed a doctorate level~~
26 ~~naturopathic medical program approved by the board.~~

27 ~~(3) The applicant has passed a competency based national~~
28 ~~naturopathic licensing examination administered by the North~~
29 ~~American Board of Naturopathic Examiners or successor agency~~
30 ~~that has been nationally recognized to administer a~~

1 ~~naturopathic examination that represents Federal standards of~~
2 ~~education and training, or has graduated prior to 1986 and~~
3 ~~has passed a state naturopathic licensing examination.~~

4 ~~(4) The application is accompanied by the application~~
5 ~~fee as established by the board by regulation.~~

6 ~~(5) The applicant is not addicted to the habitual use of~~
7 ~~alcohol, narcotics or other habit forming drugs.~~

8 ~~(6) (i) The applicant has not been convicted of a~~
9 ~~felony under the act of April 14, 1972 (P.L.233, No.64),~~
10 ~~known as The Controlled Substance, Drug, Device and~~
11 ~~Cosmetic Act, or of an offense under the laws of another~~
12 ~~jurisdiction which, if committed in this Commonwealth,~~
13 ~~would be a felony under The Controlled Substance, Drug,~~
14 ~~Device and Cosmetic Act, unless the following apply:~~

15 ~~(A) At least 10 years have elapsed from the date~~
16 ~~of conviction.~~

17 ~~(B) The applicant satisfactorily demonstrates to~~
18 ~~the board that the applicant has made significant~~
19 ~~progress in personal rehabilitation since the~~
20 ~~conviction and that licensure of the applicant should~~
21 ~~not be expected to create a substantial risk of harm~~
22 ~~to the public or a substantial risk of further~~
23 ~~criminal violations.~~

24 ~~(C) The applicant otherwise satisfies the~~
25 ~~qualifications required under this act.~~

26 ~~(ii) As used in this paragraph, the term "convicted"~~
27 ~~includes a judgment, admission of guilt or a plea of nolo~~
28 ~~contendere or receiving probation without verdict,~~
29 ~~disposition in lieu of trial or an accelerated~~
30 ~~rehabilitative disposition of the disposition of felony~~

1 charges.

2 ~~(7) The applicant has not been convicted of an offense~~
3 ~~under the laws of this Commonwealth or any other state or~~
4 ~~foreign jurisdiction which, if committed in this~~
5 ~~Commonwealth, would constitute a sexual offense or a felony.~~
6 ~~Compliance with this paragraph must be documented by a report~~
7 ~~of criminal history record information from the Pennsylvania~~
8 ~~State Police or by a statement from the Pennsylvania State~~
9 ~~Police that its central repository contains no information~~
10 ~~relating to the applicant. The costs associated with the~~
11 ~~report or statement shall be paid by the applicant.~~

12 ~~(b) Transferability. A license and a temporary practice~~
13 ~~permit are not transferable.~~

14 ~~Section 302. License status and continuing education.~~

15 ~~(a) Duration of license. A license shall be renewable on a~~
16 ~~biennial basis. The biennial expiration date shall be~~
17 ~~established by regulation of the board. Application for renewal~~
18 ~~of a license shall biennially be forwarded to an individual~~
19 ~~holding a current license prior to the expiration date of the~~
20 ~~current renewal biennium.~~

21 ~~(b) Procedure. To renew a license, a licensee must do all~~
22 ~~of the following:~~

23 ~~(1) File a renewal application with the board.~~

24 ~~(2) Maintain current certification to administer~~
25 ~~cardiopulmonary resuscitation.~~

26 ~~(3) Successfully complete a minimum of 50 hours of~~
27 ~~continuing education biennially. The continuing education~~
28 ~~shall meet the following requirements:~~

29 ~~(i) At least 10 hours shall be in pharmacology.~~

30 ~~(ii) The program shall consist of study covering~~

1 ~~new, review, experimental, research and specialty~~
2 ~~subjects within the scope of practice of naturopathic~~
3 ~~medicine in this Commonwealth.~~

4 ~~(iii) Continuing education must be provided by one~~
5 ~~of the following:~~

6 ~~(A) A professional health care licensing agency,~~
7 ~~hospital or institution accredited by the~~
8 ~~Accreditation Council of Continuing Medical Education~~
9 ~~(ACCME).~~

10 ~~(B) A program sponsored by the American Council~~
11 ~~of Pharmaceutical Education (ACPE).~~

12 ~~(C) An accredited college or university.~~

13 ~~(D) A professional association or organization~~
14 ~~representing a licensed profession whose program~~
15 ~~objectives are related to naturopathic training.~~

16 ~~(E) Any other provider providing a program~~
17 ~~related to naturopathic education, if the provider~~
18 ~~has submitted an application to and received approval~~
19 ~~from the Pennsylvania Association of Naturopathic~~
20 ~~Physicians or American Association of Naturopathic~~
21 ~~Physicians.~~

22 ~~(4) Pay a fee established by regulation of the board.~~

23 ~~(c) Inactive status. A licensee may request an application~~
24 ~~for inactive status. The application form must be completed and~~
25 ~~returned to the board. Upon receipt of an application, the~~
26 ~~individual shall be maintained on inactive status without fee~~
27 ~~and shall be entitled to apply for licensure renewal at any~~
28 ~~time. An individual who requests the board to activate the~~
29 ~~individual's license and who has been on inactive status for a~~
30 ~~period of five consecutive years must, prior to receiving an~~

1 ~~active license, satisfy the requirements of the board's~~
2 ~~regulations for ensuring continued education, including holding~~
3 ~~current certification to administer cardiopulmonary~~
4 ~~resuscitation and remitting the required fee. The board shall~~
5 ~~promulgate regulations to carry into effect the provisions of~~
6 ~~this subsection.~~

7 ~~(d) Reporting of multiple licensure. A licensee who is also~~
8 ~~licensed to practice naturopathic medicine in another~~
9 ~~jurisdiction shall report this information to the board on the~~
10 ~~biennial registration application. Any disciplinary action taken~~
11 ~~in another jurisdiction shall be reported to the board on the~~
12 ~~biennial registration application or within 90 days of final~~
13 ~~disposition, whichever is sooner. Multiple licensures shall be~~
14 ~~noted by the board on the licensee's record, and the other~~
15 ~~licensing jurisdiction shall be notified by the board of any~~
16 ~~disciplinary actions taken against the licensee in this~~
17 ~~Commonwealth.~~

18 ~~Section 303. Liability insurance.~~

19 ~~(a) General rule. A licensed naturopathic doctor practicing~~
20 ~~in this Commonwealth shall maintain a level of medical~~
21 ~~professional liability insurance coverage in the minimum amount~~
22 ~~of \$1,000,000 per occurrence or claim made. Failure to maintain~~
23 ~~insurance coverage as required shall subject the licensee to~~
24 ~~disciplinary proceedings. The board shall accept as satisfactory~~
25 ~~evidence of insurance coverage any of the following:~~

26 ~~(1) Self insurance.~~

27 ~~(2) Personally purchased medical professional liability~~
28 ~~insurance.~~

29 ~~(3) Medical professional liability insurance coverage~~
30 ~~provided by the naturopathic doctor's employer or similar~~

1 ~~insurance coverage acceptable to the board.~~

2 ~~(b) Proof. A license applicant shall provide proof that the~~
3 ~~applicant has obtained medical professional liability insurance~~
4 ~~in accordance with subsection (a). It is sufficient if the~~
5 ~~applicant files with the application a copy of a letter from the~~
6 ~~applicant's professional liability insurance carrier indicating~~
7 ~~that the applicant will be covered against professional~~
8 ~~liability in the required amounts effective upon the issuance of~~
9 ~~the applicant's license to practice in this Commonwealth. Upon~~
10 ~~issuance of the license, the licensee has 30 days to submit to~~
11 ~~the board the certificate of insurance or a copy of the policy~~
12 ~~declaration page.~~

13 ~~Section 304. Reciprocity.~~

14 ~~The board has the power to grant a reciprocal license to an~~
15 ~~applicant who is licensed or certified as a naturopathic doctor~~
16 ~~or similar practice in another state and has demonstrated~~
17 ~~qualifications which equal or exceed those required under this~~
18 ~~act in the determination of the board. No license may be granted~~
19 ~~under this section to an applicant unless the state in which the~~
20 ~~applicant is licensed affords reciprocal treatment to~~
21 ~~individuals who are residents of this Commonwealth and who are~~
22 ~~licensed under this act.~~

23 ~~CHAPTER 4~~

24 ~~PRACTICE OF NATUROPATHIC MEDICINE~~

25 ~~Section 401. Scope of practice.~~

26 ~~(a) Scope. The following are deemed to be within the scope~~
27 ~~of practice for a naturopathic doctor:~~

28 ~~(1) Order and perform physical and laboratory~~
29 ~~examinations consistent with naturopathic education and~~
30 ~~training, for diagnostic purposes, utilizing common~~

1 ~~diagnostic procedures.~~

2 ~~(2) Dispense, administer, order, prescribe or perform~~
3 ~~consistent with naturopathic education and training the~~
4 ~~following:~~

5 ~~(i) Naturopathic therapies.~~

6 ~~(ii) Naturopathic physical medicine.~~

7 ~~(iii) Devices, including therapeutic devices,~~
8 ~~durable medical equipment and barrier contraception,~~
9 ~~except those that require surgical intervention.~~

10 ~~(iv) Health education and health counseling.~~

11 ~~(v) Behavioral medicine.~~

12 ~~(vi) Botanical medicine.~~

13 ~~(vii) Naturopathic musculoskeletal therapy.~~

14 ~~(viii) Homeopathic medicine.~~

15 ~~(3) Utilize routes of administration that include oral,~~
16 ~~nasal, auricular, ocular, rectal, vaginal, transdermal,~~
17 ~~intradermal, subcutaneous and intramuscular.~~

18 ~~(b) Prescriptions. All prescriptions must be hand printed,~~
19 ~~typewritten or generated electronically.~~

20 ~~(c) Prohibitions. A naturopathic doctor licensed under this~~
21 ~~act shall not:~~

22 ~~(1) Prescribe, dispense or administer any legend drug.~~

23 ~~(2) Perform surgical procedures.~~

24 ~~(3) Practice or claim to practice as any other licensed~~
25 ~~health care professional not authorized in this act unless~~
26 ~~licensed as such.~~

27 ~~(4) Use general or spinal anesthetics.~~

28 ~~(5) Administer ionizing radioactive substances for~~
29 ~~therapeutic purposes.~~

30 ~~(6) Perform chiropractic adjustments, including grade~~

1 ~~five mobilization and manipulation, unless licensed as a~~
2 ~~chiropractor by the Commonwealth.~~

3 ~~(7) Perform acupuncture, unless licensed as an~~
4 ~~acupuncturist by the Commonwealth.~~

5 ~~(8) Perform physical therapy, as defined in the act of~~
6 ~~October 10, 1975 (P.L.383, No.110), known as the Physical~~
7 ~~Therapy Practice Act, unless licensed as a physical therapist~~
8 ~~by the Commonwealth.~~

9 CHAPTER 5

10 ADMINISTRATION AND ENFORCEMENT

11 Section 501. ~~Refusal, suspension and revocation of licenses.~~

12 ~~(a) Grounds. The board may refuse, suspend, revoke, limit~~
13 ~~or restrict a license or reprimand a licensee for any of the~~
14 ~~following:~~

15 ~~(1) Being convicted under Federal law, under the law of~~
16 ~~any state or under the law of any foreign jurisdiction of an~~
17 ~~offense of moral turpitude or of an offense which, if~~
18 ~~committed in this Commonwealth, would constitute a sexual~~
19 ~~offense or a felony. As used in this paragraph, the term~~
20 ~~"convicted" includes a finding or verdict of guilt, an~~
21 ~~admission of guilt or a plea of nolo contendere or receiving~~
22 ~~probation without verdict, disposition in lieu of trial or an~~
23 ~~accelerated rehabilitative disposition in the disposition of~~
24 ~~felony charges.~~

25 ~~(2) Being found to have engaged in immoral or~~
26 ~~unprofessional conduct. In proceedings based on this~~
27 ~~paragraph, actual injury to the patient need not be~~
28 ~~established. As used in this paragraph, the term~~
29 ~~"unprofessional conduct" includes:~~

30 ~~(i) a departure from or failure to conform to the~~

1 ~~standards of acceptable and prevailing practice; and~~

2 ~~(ii) sexual exploitation of a patient.~~

3 ~~(3) Violating standards of professional practice or~~
4 ~~conduct adopted by the board.~~

5 ~~(4) Presenting false credentials or documents or making~~
6 ~~a false statement of fact in support of the applicant's~~
7 ~~application for a license.~~

8 ~~(5) Submitting a false or deceptive biennial renewal to~~
9 ~~the board.~~

10 ~~(6) Having a license suspended, revoked or refused or~~
11 ~~receiving other disciplinary action by the proper licensing~~
12 ~~authority of any other jurisdiction.~~

13 ~~(7) Violating a regulation promulgated by the board,~~
14 ~~including standards of professional practice and conduct or~~
15 ~~violating an order of the board previously entered in a~~
16 ~~disciplinary proceeding.~~

17 ~~(8) Failing to refer a patient to a physician when the~~
18 ~~patient is presenting a contradiction to naturopathic~~
19 ~~medicine.~~

20 ~~(9) Incompetence, negligence or misconduct in carrying~~
21 ~~out the practice of naturopathic medicine.~~

22 ~~(10) Practicing beyond the licensee's defined scope of~~
23 ~~practice.~~

24 ~~(11) Knowingly aiding, assisting, hiring or advising~~
25 ~~someone in the unlawful practice of naturopathic medicine.~~

26 ~~(12) Being unable to practice with reasonable skill and~~
27 ~~safety by reason of illness, drunkenness, excessive use of~~
28 ~~drugs, narcotics, chemicals or any other type of material, or~~
29 ~~as a result of any mental or physical condition. In enforcing~~
30 ~~this paragraph, the board, upon probable cause, has authority~~

~~to compel a licensee to submit to a mental or physical examination by a physician approved by the board. Failure of a licensee to submit to an examination when directed by the board, unless the failure is due to circumstances beyond the licensee's control, shall constitute an admission of the allegations against the licensee, consequent upon which a default and final order may be entered without the taking of testimony or presentation of evidence. A licensee affected under this paragraph shall, at reasonable intervals as determined by the board, be afforded an opportunity to demonstrate that the licensee can resume competent practice with reasonable skill and safety.~~

~~(b) Board action. If the board finds that the license or application for license may be refused, revoked, restricted or suspended under the terms of subsection (a), the board may do any of the following:~~

- ~~(1) Deny the application for license.~~
- ~~(2) Administer a public reprimand.~~
- ~~(3) Revoke, suspend, limit or otherwise restrict a license.~~
- ~~(4) Require a licensee to submit to the care, counseling or treatment of a physician designated by the board.~~
- ~~(5) Restore a suspended license and impose any disciplinary or corrective measure which it might originally have imposed.~~

~~(c) Administrative Agency Law. Actions of the board under subsections (a) and (b) are subject to 2 Pa.C.S. Chs. 5 Subch. A (relating to practice and procedure of Commonwealth agencies) and 7 Subch. A (relating to judicial review of Commonwealth agency action).~~

1 ~~(d) Temporary suspension. The board shall temporarily~~
2 ~~suspend a license under circumstances as determined by the board~~
3 ~~to be an immediate and clear danger to the public health and~~
4 ~~safety. The board shall issue an order to that effect without a~~
5 ~~hearing, but upon notice to the licensee concerned at the~~
6 ~~licensee's last known address, which must include a written~~
7 ~~statement of all allegations against the licensee. Subsection~~
8 ~~(c) shall not apply to temporary suspension. Upon issuance of an~~
9 ~~order under this subsection, the board shall commence formal~~
10 ~~action to suspend, revoke or restrict the license as otherwise~~
11 ~~provided for in this act. All actions shall be taken promptly.~~
12 ~~Within 30 days following the issuance of an order temporarily~~
13 ~~suspending a license, the board shall conduct a preliminary~~
14 ~~hearing to determine that there is a prima facie case supporting~~
15 ~~the suspension. The licensee whose license has been temporarily~~
16 ~~suspended may be present at the preliminary hearing and may be~~
17 ~~represented by counsel, cross examine witnesses, inspect~~
18 ~~physical evidence, call witnesses, offer evidence and testimony~~
19 ~~and make a record of the proceedings. If it is determined that~~
20 ~~there is not a prima facie case, the suspended license shall be~~
21 ~~immediately restored. The temporary suspension shall remain in~~
22 ~~effect until vacated by the board, but in no event longer than~~
23 ~~180 days.~~

24 ~~(e) Automatic suspension.~~

25 ~~(1) A license shall automatically be suspended upon the~~
26 ~~legal commitment of a licensee to an institution because of~~
27 ~~mental incompetence from any cause upon filing with the board~~
28 ~~a certified copy of the commitment.~~

29 ~~(2) A license shall automatically be suspended upon~~
30 ~~conviction of a felony under the act of April 14, 1972 (P.L.~~

1 ~~233, No. 64), known as The Controlled Substance, Drug, Device~~
2 ~~and Cosmetic Act, or conviction of an offense under the laws~~
3 ~~of another jurisdiction, which, if committed in this~~
4 ~~Commonwealth, would be a felony under The Controlled~~
5 ~~Substance, Drug, Device and Cosmetic Act. As used in this~~
6 ~~paragraph, the term "conviction" includes a judgment, an~~
7 ~~admission of guilt or a plea of nolo contendere.~~

8 ~~(3) Automatic suspension under this section shall not be~~
9 ~~stayed pending an appeal.~~

10 ~~(4) Reinstatement of a license shall be made under~~
11 ~~section 502.~~

12 ~~(5) Subsection (c) shall not apply to automatic~~
13 ~~suspension.~~

14 ~~Section 502. Reinstatement of license.~~

15 ~~Unless ordered to do so by a court of competent jurisdiction,~~
16 ~~the board shall not reinstate the license of an individual which~~
17 ~~has been revoked. An individual whose license has been revoked~~
18 ~~may reapply for a license after a period of at least five years~~
19 ~~but must meet all of the licensing requirements of this act.~~

20 ~~Section 503. License renewal, records and fees.~~

21 ~~(a) Records. A record of all licensees shall be kept in the~~
22 ~~office of the board and shall be open to public inspection and~~
23 ~~copying upon payment of a reasonable fee for copying the record.~~

24 ~~(b) Fees.—~~

25 ~~(1) All fees required under this act shall be fixed by~~
26 ~~the board by regulation. If the revenue raised by fees, fines~~
27 ~~and civil penalties imposed under this act are not sufficient~~
28 ~~to meet expenditures over a two year period, the board shall~~
29 ~~increase those fees by regulation so that the projected~~
30 ~~revenues will meet or exceed projected expenditures.~~

1 ~~(2) If the bureau determines that the fees established~~
2 ~~by the board under paragraph (1) are inadequate to meet the~~
3 ~~minimum enforcement efforts required by this act, the bureau,~~
4 ~~after consultation with the board, shall increase the fees by~~
5 ~~regulation in an amount so that adequate revenues are raised~~
6 ~~to meet the required enforcement effort.~~

7 ~~Section 504. Duty of licensee.~~

8 ~~A licensee shall refer a patient to a physician when the~~
9 ~~patient is presenting a contraindication to the practice of~~
10 ~~naturopathic medicine.~~

11 ~~Section 505. Other professions.~~

12 ~~Nothing in this act shall be construed as preventing,~~
13 ~~restricting or requiring licensure of any of the following~~
14 ~~activities:~~

15 ~~(1) The practice of a profession by an individual who is~~
16 ~~licensed, certified or registered by a Commonwealth agency~~
17 ~~under other law and who is performing services or advertising~~
18 ~~within the authorized scope of practice.~~

19 ~~(2) The practice of naturopathic medicine by an~~
20 ~~individual employed by the Federal Government while the~~
21 ~~individual is engaged in the performance of duties under~~
22 ~~Federal law.~~

23 ~~(3) The practice of naturopathic medicine by an~~
24 ~~individual licensed, registered or certified in another~~
25 ~~jurisdiction when incidentally called into this Commonwealth~~
26 ~~to teach a course related to the practice of naturopathic~~
27 ~~medicine or to consult with a licensee.~~

28 ~~(4) The use, recommendation or practice by an individual~~
29 ~~not licensed by the board as a naturopathic doctor, of~~
30 ~~traditional naturopathy, naturopathic therapies, naturopathic~~

1 ~~health care, naturopathic services, natural remedies,~~
2 ~~ayurvedic medicine, herbal remedies, food and dietary~~
3 ~~supplements, nutritional advice, homeopathy and homeopathic~~
4 ~~remedies, hydrotherapy and therapeutic exercises or any other~~
5 ~~complementary and alternative healing methods and treatments~~
6 ~~that may be components of naturopathic medicine, provided the~~
7 ~~individual does not hold himself out as a naturopathic doctor~~
8 ~~or as a provider of naturopathic medicine.~~

9 ~~Section 506. Unlawful practice.~~

10 ~~(a) General rule. An individual may not practice~~
11 ~~naturopathic medicine or hold himself out as a naturopathic~~
12 ~~doctor unless licensed by the board. An individual represents~~
13 ~~himself as a naturopathic doctor when that person adopts or uses~~
14 ~~any title or any description of services that incorporates one~~
15 ~~or more of the following terms or designations:~~

16 ~~(1) naturopathic doctor or N.D.; or~~

17 ~~(2) doctor of naturopathic medicine, naturopathic~~
18 ~~medical doctor or N.M.D.~~

19 ~~(b) Title. An individual who holds a license or is~~
20 ~~maintained on inactive status may use the title "Naturopathic~~
21 ~~Doctor" and the abbreviation "N.D." or "N.M.D." No other~~
22 ~~individual may use the title "Naturopathic Doctor" or hold~~
23 ~~himself out to others as a naturopathic doctor. This subsection~~
24 ~~includes advertising as a naturopathic doctor and adopting or~~
25 ~~using any title or description, including naturopathic doctor,~~
26 ~~doctor of naturopathic medicine, naturopathic medicine or a~~
27 ~~derivative of those terms and their related abbreviations.~~

28 ~~(c) Employment. An individual, corporation, partnership,~~
29 ~~firm or other entity may not employ an individual as a~~
30 ~~naturopathic doctor unless the individual is licensed by the~~

1 board.

2 ~~(d) Terminology. A business entity may not utilize in~~
3 ~~connection with a business name or activity the words~~
4 ~~naturopathic doctor, doctor of naturopathic medicine,~~
5 ~~naturopathic medicine or a derivative of those terms and their~~
6 ~~related abbreviations unless the services of the business are~~
7 ~~provided by licensees.~~

8 ~~(e) Injunction. Unlawful practice may be enjoined by the~~
9 ~~courts upon petition of the commissioner or the board. In a~~
10 ~~proceeding under this section, it shall not be necessary to show~~
11 ~~that an individual has been injured. If the court finds that the~~
12 ~~respondent has violated this section, it shall enjoin the~~
13 ~~respondent from practicing until the respondent has been~~
14 ~~licensed. Procedure in such cases shall be the same as in any~~
15 ~~other injunction suit.~~

16 ~~(f) Remedy cumulative. The injunctive remedy provided in~~
17 ~~this section shall be in addition to any other civil or criminal~~
18 ~~prosecution and punishment.~~

19 ~~Section 507. Violation of act.~~

20 ~~(a) General rule. A person that violates a provision of~~
21 ~~this act or a regulation of the board commits a misdemeanor of~~
22 ~~the third degree and shall, upon conviction, be sentenced to pay~~
23 ~~a fine of not more than \$1,000 or to imprisonment for not more~~
24 ~~than six months for the first violation and to pay a fine of not~~
25 ~~more than \$2,000 or to imprisonment for not less than six months~~
26 ~~or more than one year, or both, for each subsequent violation.~~

27 ~~(b) Civil penalty. In addition to any other civil remedy or~~
28 ~~criminal penalty provided for in this act, the board, by a vote~~
29 ~~of the majority of the maximum number of the authorized~~
30 ~~membership of the board or by a vote of the majority of the~~

1 ~~qualified and confirmed membership or a minimum of five members,~~
2 ~~whichever is greater, may levy a civil penalty of up to \$1,000~~
3 ~~on any of the following:~~

4 ~~(1) A naturopathic doctor who violates a provision of~~
5 ~~this act.~~

6 ~~(2) A person who employs a naturopathic doctor in~~
7 ~~violation of this act.~~

8 ~~(3) An individual who holds himself out as a licensee~~
9 ~~without being properly licensed as provided in this act.~~

10 ~~(4) The responsible officers or employees of a~~
11 ~~corporation, partnership, firm or other entity that violates~~
12 ~~a provision of this act.~~

13 ~~(c) Administrative Agency Law. Action of the board under~~
14 ~~subsection (b) is subject to 2 Pa.C.S. Chs. 5 Subch. A (relating~~
15 ~~to practice and procedure of Commonwealth agencies) and 7 Subch.~~
16 ~~A (relating to judicial review of Commonwealth agency action).~~

17 ~~CHAPTER 6~~

18 ~~MISCELLANEOUS PROVISIONS~~

19 ~~Section 601. Regulations.~~

20 ~~The board shall promulgate regulations to carry out this act.~~
21 ~~Publication of the final form regulations under this section~~
22 ~~shall take place within 18 months of the effective date of this~~
23 ~~section. The board shall report, within 60 days of the effective~~
24 ~~date of this section, and every 30 days thereafter, on the~~
25 ~~status of the regulations to the Consumer Protection and~~
26 ~~Professional Licensure Committee of the Senate and the~~
27 ~~Professional Licensure Committee of the House of~~
28 ~~Representatives.~~

29 ~~Section 602. Effective date.~~

30 ~~This act shall take effect as follows:~~

1 EQUIVALENT.

2 (2) COMPLETE A MINIMUM OF 4,100 TOTAL CREDIT HOURS IN
3 BASIC AND CLINICAL SCIENCES, NATUROPATHIC PHILOSOPHY,
4 NATUROPATHIC MODALITIES AND NATUROPATHIC MEDICINE. OF THE
5 TOTAL REQUISITE HOURS, NOT LESS THAN 2,500 HOURS SHALL
6 CONSIST OF ACADEMIC INSTRUCTION AND NOT LESS THAN 1,200 HOURS
7 SHALL CONSIST OF SUPERVISED CLINICAL TRAINING APPROVED BY A
8 NATUROPATHIC MEDICAL SCHOOL.

9 (3) PASS A COMPETENCY-BASED NATIONAL NATUROPATHIC
10 LICENSING EXAMINATION ADMINISTERED BY THE NORTH AMERICAN
11 BOARD OF NATUROPATHIC EXAMINERS OR A SUCCESSOR AGENCY THAT
12 HAS BEEN NATIONALLY RECOGNIZED TO ADMINISTER A NATUROPATHIC
13 EXAMINATION THAT REPRESENTS FEDERAL STANDARDS OF EDUCATION
14 AND TRAINING, OR HAS GRADUATED PRIOR TO 1986 AND HAS PASSED A
15 STATE NATUROPATHIC LICENSING EXAMINATION.

16 (4) BE CERTIFIED TO ADMINISTER CARDIOPULMONARY
17 RESUSCITATION.

18 (5) BE OF GOOD MORAL CHARACTER.

19 (6) COMPLETES AN APPLICATION FORM PROVIDED BY THE BOARD
20 AND PAYS THE APPLICATION FEE AS ESTABLISHED BY THE BOARD.

21 SECTION 203. REGISTRATION AND RENEWAL.

22 (A) ISSUANCE OF REGISTRATION.--AN APPLICANT WHO MEETS THE
23 REQUIREMENTS UNDER SECTION 202 SHALL RECEIVE FROM THE
24 COMMISSIONER, OR WHOMEVER EXERCISES EQUIVALENT AUTHORITY ACTING
25 FOR THE BOARD, A REGISTRATION ENTITLING THE APPLICANT TO
26 PRACTICE NATUROPATHIC MEDICINE IN THIS COMMONWEALTH. EACH
27 REGISTRATION SHALL BE RECORDED IN THE OFFICE OF THE BOARD.

28 (B) RENEWALS.--A PERSON REGISTERED UNDER THIS ACT SHALL
29 RENEW THE REGISTRATION IN A MANNER AND AT SUCH INTERVALS AS THE
30 BOARD SHALL DETERMINE BY REGULATION, BUT IN NO CASE MAY THE

1 RENEWAL PERIOD BE LONGER THAN TWO YEARS.

2 (C) FEES.--A PERSON REGISTERING WITH THE BOARD SHALL PAY,
3 FOR EACH REGISTRATION AND RENEWAL, A REASONABLE FEE AS SET BY
4 THE BOARD.

5 (D) EVIDENCE OF REGISTRATION.--THE BOARD SHALL ISSUE A
6 CERTIFICATE OF REGISTRATION TO THE APPLICANT WHICH SHALL BE
7 EVIDENCE OF REGISTRATION UNDER THIS ACT.

8 SECTION 204. DISCIPLINARY OR CORRECTIVE ACTION.

9 THE BOARD MAY IMPOSE DISCIPLINARY OR CORRECTIVE ACTION ON A
10 NATUROPATHIC DOCTOR FOR ANY OF THE FOLLOWING REASONS:

11 (1) FAILING TO DEMONSTRATE THE QUALIFICATIONS OR
12 STANDARDS FOR A REGISTRATION CONTAINED IN THIS ACT.

13 (2) MAKING MISLEADING, DECEPTIVE, UNTRUE OR FRAUDULENT
14 REPRESENTATIONS IN THE PRACTICE OF NATUROPATHIC MEDICINE OR
15 PRACTICING FRAUD OR DECEIT, EITHER ALONE OR AS A CONSPIRATOR,
16 IN OBTAINING A REGISTRATION OR IN OBTAINING ADMISSION TO A
17 MEDICAL COLLEGE.

18 (3) BEING CONVICTED OF A FELONY OR BEING CONVICTED OF A
19 MISDEMEANOR RELATING TO NATUROPATHIC MEDICINE OR RECEIVING
20 PROBATION WITHOUT VERDICT, DISPOSITION IN LIEU OF TRIAL OR AN
21 ACCELERATED REHABILITATIVE DISPOSITION IN THE DISPOSITION OF
22 FELONY CHARGES, IN THE COURTS OF THIS COMMONWEALTH, A FEDERAL
23 COURT OR A COURT OF ANY OTHER STATE, TERRITORY OR COUNTRY.

24 (4) HAVING A REGISTRATION OR OTHER AUTHORIZATION TO
25 PRACTICE NATUROPATHIC MEDICINE REVOKED OR SUSPENDED OR HAVING
26 OTHER DISCIPLINARY ACTION TAKEN OR AN APPLICATION FOR A
27 REGISTRATION OR OTHER AUTHORIZATION REFUSED, REVOKED OR
28 SUSPENDED BY A PROPER LICENSING AUTHORITY OF ANOTHER STATE,
29 TERRITORY, POSSESSION OR COUNTRY, OR A BRANCH OF THE FEDERAL
30 GOVERNMENT.

1 (5) BEING UNABLE TO PRACTICE NATUROPATHIC MEDICINE WITH
2 REASONABLE SKILL AND SAFETY TO PATIENTS BY REASON OF ANY OF
3 THE FOLLOWING:

4 (I) ILLNESS.

5 (II) ADDICTION TO DRUGS OR ALCOHOL.

6 (III) HAVING BEEN CONVICTED OF A FELONIOUS ACT
7 PROHIBITED BY THE ACT OF APRIL 14, 1972 (P.L.233, NO.64),
8 KNOWN AS THE CONTROLLED SUBSTANCE, DRUG, DEVICE AND
9 COSMETIC ACT, OR CONVICTED OF A FELONY RELATING TO A
10 CONTROLLED SUBSTANCE IN A COURT OF LAW OF THE UNITED
11 STATES OR ANY OTHER STATE, TERRITORY, POSSESSION OR
12 COUNTRY.

13 (IV) BECOMING MENTALLY INCAPACITATED.

14 AN APPLICANT'S STATEMENT ON THE APPLICATION DECLARING THE
15 ABSENCE OF A CONVICTION SHALL BE DEEMED SATISFACTORY EVIDENCE
16 OF THE ABSENCE OF A CONVICTION UNLESS THE BOARD HAS SOME
17 EVIDENCE TO THE CONTRARY. IN ENFORCING THIS PARAGRAPH, THE
18 BOARD SHALL, UPON PROBABLE CAUSE, HAVE AUTHORITY TO COMPEL A
19 PRACTITIONER TO SUBMIT TO A MENTAL OR PHYSICAL EXAMINATION BY
20 A PHYSICIAN OR A PSYCHOLOGIST APPROVED BY THE BOARD. FAILURE
21 OF A PRACTITIONER TO SUBMIT TO AN EXAMINATION WHEN DIRECTED
22 BY THE BOARD, UNLESS THE FAILURE IS DUE TO CIRCUMSTANCES
23 BEYOND THE CONTROL OF THE NATUROPATHIC DOCTOR, SHALL
24 CONSTITUTE AN ADMISSION OF THE ALLEGATIONS AGAINST THE
25 NATUROPATHIC DOCTOR, CONSEQUENT UPON WHICH A DEFAULT AND
26 FINAL ORDER MAY BE ENTERED WITHOUT THE TAKING OF TESTIMONY OR
27 PRESENTATION OF EVIDENCE. A NATUROPATHIC DOCTOR AFFECTED
28 UNDER THIS PARAGRAPH SHALL AT REASONABLE INTERVALS BE
29 AFFORDED AN OPPORTUNITY TO DEMONSTRATE THAT HE CAN RESUME A
30 COMPETENT PRACTICE OF HIS PROFESSION WITH REASONABLE SKILL

1 AND SAFETY TO PATIENTS.

2 (6) VIOLATING A LAWFUL REGULATION PROMULGATED BY THE
3 BOARD OR VIOLATING A LAWFUL ORDER OF THE BOARD PREVIOUSLY
4 ENTERED BY THE BOARD IN A DISCIPLINARY PROCEEDING.

5 (7) KNOWINGLY MAINTAINING A PROFESSIONAL CONNECTION OR
6 ASSOCIATION WITH A PERSON WHO IS IN VIOLATION OF THIS ACT OR
7 REGULATIONS OF THE BOARD OR KNOWINGLY AIDING, ASSISTING,
8 PROCURING OR ADVISING ANY UNREGISTERED PERSON TO PRACTICE
9 NATUROPATHIC MEDICINE CONTRARY TO THIS ACT OR REGULATIONS OF
10 THE BOARD.

11 (8) BEING GUILTY OF IMMORAL OR UNPROFESSIONAL CONDUCT.
12 UNPROFESSIONAL CONDUCT SHALL INCLUDE DEPARTURE FROM OR
13 FAILING TO CONFORM TO AN ETHICAL OR QUALITY STANDARD OF THE
14 PROFESSION. IN PROCEEDINGS UNDER THIS PARAGRAPH, ACTUAL
15 INJURY TO A PATIENT NEED NOT BE ESTABLISHED.

16 (I) THE ETHICAL STANDARDS OF A PROFESSION ARE THOSE
17 ETHICAL TENETS THAT ARE EMBRACED BY THE PROFESSIONAL
18 NATUROPATHIC MEDICINE COMMUNITY IN THIS COMMONWEALTH.

19 (II) A NATUROPATHIC DOCTOR DEPARTS FROM, OR FAILS TO
20 CONFORM TO, A QUALITY STANDARD OF THE PROFESSION WHEN THE
21 NATUROPATHIC DOCTOR PROVIDES A MEDICAL SERVICE AT A LEVEL
22 BENEATH THE ACCEPTED STANDARD OF CARE. THE BOARD MAY
23 PROMULGATE REGULATIONS THAT DEFINE THE ACCEPTED STANDARD
24 OF CARE. IN THE EVENT THE BOARD HAS NOT PROMULGATED AN
25 APPLICABLE REGULATION, THE ACCEPTED STANDARD OF CARE FOR
26 A NATUROPATHIC DOCTOR IS THAT WHICH WOULD BE NORMALLY
27 EXERCISED BY THE AVERAGE PROFESSIONAL OF THE SAME KIND IN
28 THIS COMMONWEALTH UNDER THE CIRCUMSTANCES, INCLUDING
29 LOCALITY AND WHETHER THE NATUROPATHIC DOCTOR IS OR
30 PURPORTS TO BE A SPECIALIST IN THE AREA.

1 (9) ACTING IN SUCH MANNER AS TO PRESENT AN IMMEDIATE AND
2 CLEAR DANGER TO PUBLIC HEALTH OR SAFETY.

3 (10) ACTING OUTSIDE THE SCOPE OF A REGISTRATION.

4 (11) MAKING A FALSE OR DECEPTIVE REGISTRATION WITH THE
5 BOARD.

6 SECTION 205. REINSTATEMENT OF REGISTRATION.

7 (A) GENERAL RULE.--EXCEPT AS PROVIDED UNDER SUBSECTIONS (B)
8 AND (C), THE BOARD SHALL NOT REINSTATE A REGISTRATION THAT HAS
9 BEEN REVOKED.

10 (B) REINSTATEMENT AFTER FIVE YEARS.--A PERSON WHOSE
11 REGISTRATION HAS BEEN REVOKED MAY APPLY FOR REINSTATEMENT, AFTER
12 A PERIOD OF AT LEAST FIVE YEARS, BUT MUST MEET ALL OF THE
13 QUALIFICATIONS UNDER SECTION 202, INCLUDING THE EXAMINATION
14 REQUIREMENT.

15 (C) REINSTATEMENT AFTER FELONY CONVICTION.--A PERSON WHOSE
16 REGISTRATION HAS BEEN REVOKED BECAUSE OF A FELONY CONVICTION
17 UNDER THE ACT OF APRIL 14, 1972 (P.L.233, NO.64), KNOWN AS THE
18 CONTROLLED SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT, OR SIMILAR
19 LAW OF ANOTHER JURISDICTION, MAY APPLY FOR REINSTATEMENT AFTER A
20 PERIOD OF AT LEAST 10 YEARS HAS ELAPSED FROM THE DATE OF
21 CONVICTION. THE BOARD MAY REINSTATE THE REGISTRATION IF THE
22 BOARD IS SATISFIED THAT:

23 (1) THE PERSON HAS MADE SIGNIFICANT PROGRESS IN PERSONAL
24 REHABILITATION SINCE THE CONVICTION SUCH THAT HIS
25 REINSTATEMENT SHOULD NOT BE EXPECTED TO CREATE A SUBSTANTIAL
26 RISK OF HARM TO THE HEALTH AND SAFETY OF HIS PATIENTS OR THE
27 PUBLIC OR A SUBSTANTIAL RISK OF FURTHER CRIMINAL VIOLATIONS;
28 AND

29 (2) THE PERSON MEETS ALL OTHER QUALIFICATIONS UNDER
30 SECTION 202, INCLUDING THE EXAMINATION REQUIREMENT.

1 SECTION 206. VIOLATION OF ACT.

2 (A) CIVIL PENALTY.--IN ADDITION TO ANY OTHER CIVIL REMEDY OR
3 CRIMINAL PENALTY PROVIDED FOR IN THIS ACT, THE BOARD, MAY LEVY A
4 CIVIL PENALTY OF UP TO \$1,000 ON ANY OF THE FOLLOWING:

5 (1) A NATUROPATHIC DOCTOR WHO VIOLATES A PROVISION OF
6 THIS ACT.

7 (2) A PERSON WHO EMPLOYS A NATUROPATHIC DOCTOR IN
8 VIOLATION OF THIS ACT.

9 (3) AN INDIVIDUAL WHO HOLDS HIMSELF OUT AS A REGISTRANT
10 WITHOUT BEING PROPERLY REGISTERED AS PROVIDED IN THIS ACT.

11 (4) THE RESPONSIBLE OFFICERS OR EMPLOYEES OF A
12 CORPORATION, PARTNERSHIP, FIRM OR OTHER ENTITY THAT VIOLATES
13 A PROVISION OF THIS ACT.

14 (B) ADMINISTRATIVE AGENCY LAW.--ACTION OF THE BOARD UNDER
15 THIS SUBSECTION IS SUBJECT TO 2 PA.C.S. CH. 5 SUBCH. A (RELATING
16 TO PRACTICE AND PROCEDURE OF COMMONWEALTH AGENCIES) AND CH. 7
17 SUBCH. A (RELATING TO JUDICIAL REVIEW OF COMMONWEALTH AGENCY
18 ACTION).

19 SECTION 207. POWERS AND DUTIES OF STATE BOARD OF MEDICINE.

20 THE BOARD SHALL ENFORCE AND ADMINISTER THE PROVISIONS OF THIS
21 ACT AND SHALL PROMULGATE REGULATIONS THAT ARE CONSISTENT WITH
22 THE INTENT OF THIS ACT.

23 CHAPTER 3

24 MISCELLANEOUS PROVISIONS

25 SECTION 301. EFFECTIVE DATE.

26 THIS ACT SHALL TAKE EFFECT JANUARY 1, 2018.