

HOUSE BILL NO. 147

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FOURTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE PRAX

Introduced: 3/21/25

Referred: Health and Social Services, Labor and Commerce, Finance

A BILL

FOR AN ACT ENTITLED

"An Act relating to the practice of naturopathy."

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

*** Section 1.** AS 08.45 is amended by adding new sections to read:

Sec. 08.45.033. Issuance of temporary endorsement. (a) The department shall issue a temporary endorsement to a naturopath licensed under this chapter if the licensee pays the application fee and furnishes evidence satisfactory to the department that the licensee

(1) passed the elective pharmacology examination portion of the Naturopathic Physicians Licensing Examination or another equivalent examination approved by the department; and

(2) meets other applicable requirements established by the department in regulation.

(b) A naturopath who holds a valid temporary endorsement issued under (a) of this section and is supervised as required under (c) of this section may prescribe and administer prescription drugs for preventive and therapeutic purposes, except as

provided in AS 08.45.050.

(c) A supervising physician shall review the prescription and administration of drugs performed under (b) of this section by a naturopath holding a temporary endorsement. The supervising physician shall evaluate and provide feedback to the naturopath on the naturopath's ability to prescribe and administer drugs under (b) of this section safely and in compliance with the law.

(d) A physician who holds a valid license under AS 08.64 may supervise a naturopath under (c) of this section if the physician

(1) has been prescribing and administering prescription drugs for five or more years; and

(2) documents the arrangement between the physician and the naturopath on a form established by the department in regulation.

(e) Unless additional supervision is required by the department, after a naturopath has been supervised under (c) of this section for one year, the supervising physician shall submit a report to the department recommending that the department issue an endorsement to the naturopath, require the naturopath to receive further supervision, or deny the naturopath an endorsement. A temporary endorsement terminates on the date the naturopath is issued or denied an endorsement under AS 08.45.034.

Sec. 08.45.034. Issuance of endorsement. (a) Upon receiving a recommendation that a naturopath be issued or denied an endorsement under AS 08.45.033(e), the department shall issue or deny an endorsement to a naturopath licensed under this chapter. Upon receiving a recommendation that a naturopath requires further supervision under AS 08.45.033(e), the department may issue or deny an endorsement to a naturopath licensed under this chapter or require the naturopath to receive further supervision.

(b) A naturopath licensed under this chapter who holds a valid endorsement issued under this section may prescribe and administer prescription drugs for preventive and therapeutic purposes, except as provided in AS 08.45.050.

* **Sec. 2.** AS 08.45 is amended by adding new sections to read:

Sec. 08.45.037. Continuing education requirements. (a) The department

1 shall promote a high degree of competence in the practice of naturopathy in the state
 2 by requiring every naturopath licensed under this chapter to fulfill continuing
 3 education requirements.

4 (b) Before a license may be renewed, a naturopath licensed under this chapter
 5 shall submit evidence to the department that continuing education requirements
 6 prescribed by regulations adopted by the department have been met. Continuing
 7 education requirements must be completed during the 24-month period immediately
 8 preceding the application for renewal and include 60 hours of continuing education
 9 approved by the department, at least 20 hours of which must be on the subject of
 10 pharmacotherapy.

11 (c) The department may exempt a naturopath licensed under this chapter from
 12 the requirements of (b) of this section upon an application by the naturopath giving
 13 evidence satisfactory to the department that the naturopath is unable to comply with
 14 the requirements because of extenuating circumstances. However, the department may
 15 not exempt a naturopath from more than 15 hours of continuing education in a four-
 16 year period.

17 **Sec. 08.45.038. Standards for license renewal.** The department shall renew a
 18 license issued under this chapter to a licensee who

19 (1) applies on a form provided by the department and pays the required
 20 fee;

21 (2) meets the continuing education requirements established under
 22 AS 08.45.037;

23 (3) has not been convicted of, or pled guilty or no contest to, a crime
 24 that adversely reflects on the licensee's ability or competency to practice as a
 25 naturopath or that jeopardizes the safety or well-being of a patient; and

26 (4) has a current cardiopulmonary resuscitation certification.

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

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

30 (1) give, prescribe, or recommend in the practice

31 (A) a prescription drug, except as authorized by an

endorsement issued under AS 08.45.033 or 08.45.034;

(B) a controlled substance;

(C) a poison;

(D) a cancer chemotherapeutic drug; or

(E) an antipsychotic drug;

(2) engage in surgery;

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

(4) administer therapeutic ionizing radiation or radioactive substances.

* **Sec. 4.** AS 08.45.060 is amended to read:

Sec. 08.45.060. Grounds for disciplinary sanctions [SUSPENSION, REVOCATION, OR REFUSAL TO ISSUE A LICENSE]. The department may, after a hearing, impose a disciplinary sanction on a person licensed under this chapter when the department finds that the licensee

(1) secured a license **or endorsement** through deceit, fraud, or intentional misrepresentation;

(2) engaged in deceit, fraud, or intentional misrepresentation in the course of providing professional services or engaging in professional activities;

(3) advertised professional services in a false or misleading manner;

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

(5) failed to comply with this chapter, with a regulation adopted under this chapter, or with an order of the department;

(6) continued to practice after becoming unfit due to

(A) professional incompetence;

(B) addiction or severe dependency on alcohol or a drug that impairs the licensee's ability to practice safely;

(C) physical or mental disability;

(7) engaged in lewd or immoral conduct in connection with the delivery of professional service to patients.

* **Sec. 5.** AS 08.45.070(a) is amended to read:

(a) When the department [IT] finds that a licensee under this chapter has violated AS 08.45.040 - 08.45.050 or is guilty of an offense under AS 08.45.060, the department may impose the following sanctions singly or in combination:

(1) permanently revoke the license to practice or endorsement held by the licensee;

(2) suspend the license to practice or endorsement held by the licensee for a determinate period of time;

(3) censure the licensee;

(4) issue a letter of reprimand to the licensee;

(5) place the licensee on probationary status and require the licensee to

(A) report regularly to the department on [UPON] matters involving the basis of probation;

(B) limit practice to those areas prescribed;

(C) continue professional education until a satisfactory degree of skill has been attained in areas determined by the department to need improvement;

(6) impose limitations or conditions on the practice of the licensee.

* **Sec. 6.** AS 08.45.070(c) is amended to read:

(c) The department may summarily suspend a license or endorsement before final hearing or during the appeals process if the department finds that the licensee poses a clear and immediate danger to the public health and safety if the licensee continues to practice. A licensee whose license or endorsement is suspended under this section is entitled to a hearing conducted by the office of administrative hearings (AS 44.64.010) not later than seven days after the effective date of the order. The licensee may appeal the suspension after a hearing to a court of competent jurisdiction.

* **Sec. 7.** AS 08.45.080 is amended to read:

Sec. 08.45.080. Unlicensed or unendorsed practice a misdemeanor. Except for a person licensed or authorized under another chapter of this title who engages in practices for which that person is licensed or authorized under that chapter, a [A] person who practices naturopathy in the state without a valid license or who prescribes or administers drugs without a valid endorsement under

1 **AS 08.45.033 or 08.45.034** [IN VIOLATION OF AS 08.45.010] is guilty of a **class A**
2 misdemeanor and upon conviction is punishable by a fine of not more than \$1,000, or
3 by imprisonment for not more than a year, or by both.

4 * **Sec. 8.** AS 08.45.090 is amended to read:

5 **Sec. 08.45.090. Fraudulent license or endorsement.** A person who obtains or
6 attempts to obtain a naturopathic license **or endorsement** by dishonest or fraudulent
7 means or who forges, counterfeits, or fraudulently alters a naturopathic license **or**
8 **endorsement** is punishable by a fine of not more than \$500, or by imprisonment for
9 not more than six months, or by both.