

**HOUSE BILL NO. 7**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVE OLSON**

**Introduced: 1/7/13**  
**Referred: Prefiled**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the practice of naturopathy; and providing for an effective date."**

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

3 **\* Section 1.** AS 08.45.050 is amended to read:

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

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

7 (A) a prescription drug, **except as provided in (b) of this**  
8 **section;**

9 (B) a controlled substance;

10 (C) a poison;

11 (2) engage in surgery;

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

13 **\* Sec. 2.** AS 08.45.050 is amended by adding new subsections to read:

14 (b) Notwithstanding (a)(1)(A) of this section, a person who practices  
15 naturopathy may give, prescribe, or recommend in the practice a device or a

1 homeopathic remedy.

2 (c) The status of a drug or remedy that a naturopath may give, prescribe, or  
3 recommend under this chapter or may not give, prescribe, or recommend under this  
4 chapter is not changed by compounding the drug or remedy.

5 (d) Nothing in this section authorizes a naturopath to give or prescribe a drug  
6 or remedy if the gift or purchase of the prescription would be eligible for Medicaid  
7 reimbursement under AS 47.07.

8 \* **Sec. 3.** AS 08.45.060 is amended to read:

9 **Sec. 08.45.060. Grounds for suspension, revocation, or refusal to issue a**  
10 **license.** The department may, after a hearing, impose a disciplinary sanction on a  
11 person licensed under this chapter when the department finds that the licensee

12 (1) secured a license through deceit, fraud, or intentional  
13 misrepresentation;

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

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

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

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

21 (6) continued to practice after becoming unfit due to

22 (A) professional incompetence;

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

25 (C) physical or mental disability;

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

28 **(8) has procured, sold, prescribed, or dispensed drugs in violation**  
29 **of a law regardless of whether there has been a criminal action.**

30 \* **Sec. 4.** AS 08.45.200(3) is amended to read:

31 (3) "naturopathy" means the use of hydrotherapy, **a dietetic remedy,**

1        **an herbal remedy, a homeopathic remedy** [DIETETICS], electrotherapy, sanitation,  
2        suggestion, **or** mechanical and manual manipulation for the stimulation of  
3        physiological and psychological action to establish a normal condition of mind and  
4        body [; IN THIS PARAGRAPH, "DIETETICS" INCLUDES HERBAL AND  
5        HOMEOPATHIC REMEDIES].

6        \* **Sec. 5.** AS 08.45.200 is amended by adding new paragraphs to read:

7                    (4) "dietetic remedy" means nutritional therapy, nutritional counseling,  
8        a nutritional substance, vitamins, or minerals used to promote health and to diagnose,  
9        treat, or prevent disease, illness, or conditions;

10                   (5) "herbal remedy" means a substance derived from or a concentrate  
11        or extract of a plant, tree, root, moss, or fungus;

12                   (6) "homeopathic remedy" means a remedy defined in the current  
13        version of Homeopathic Pharmacopoeia of the United States;

14                   (7) "hydrotherapy" means the application of water to the external body  
15        in all forms and temperatures to promote health and to diagnose, treat, and prevent  
16        disease, illness, and conditions.

17        \* **Sec. 6.** AS 47.07.030 is amended by adding a new subsection to read:

18                   (g) Notwithstanding (b) of this section, the department may not offer services  
19        for prescribed drugs given or prescribed by a naturopath.

20        \* **Sec. 7.** This Act takes effect immediately under AS 01.10.070(c).