

# SENATE BILL No. 262

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 25-0.5; IC 25-22.7; IC 35-52-25.

**Synopsis:** Licensure of naturopathic physicians. Provides for the licensure of naturopathic physicians. Specifies certain individuals who are not required to be licensed. Establishes the board of naturopathic medicine (board). Establishes license requirements. Requires licensed naturopathic physicians to obtain continuing education for license renewal. Establishes the naturopathic formulary council to establish a formulary for naturopathic physicians. Establishes the childbirth attendance advisory commission to provide recommendations concerning the practice of naturopathic childbirth attendance. Provides that an individual who is not licensed may not use certain descriptions, titles, or initials to indicate or imply that the individual is a licensed naturopathic physician. Establishes criminal penalties for certain violations.

**Effective:** July 1, 2024.

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## Goode, Niezgodski

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January 16, 2024, read first time and referred to Committee on Health and Provider Services.

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Second Regular Session of the 123rd General Assembly (2024)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2023 Regular Session of the General Assembly.

# SENATE BILL No. 262

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 25-0.5-1-24 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2024]: **Sec. 24. IC 25-1-1.1-4 applies to an individual licensed**  
4 **under IC 25-22.7 (naturopathic physicians).**

5 SECTION 2. IC 25-0.5-2-37 IS ADDED TO THE INDIANA CODE  
6 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
7 1, 2024]: **Sec. 37. IC 25-1-2-2.1 applies to licenses held by**  
8 **naturopathic physicians.**

9 SECTION 3. IC 25-0.5-3-43 IS ADDED TO THE INDIANA CODE  
10 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
11 1, 2024]: **Sec. 43. IC 25-1-2-6(b) applies to the board of**  
12 **naturopathic medicine.**

13 SECTION 4. IC 25-0.5-4-35 IS ADDED TO THE INDIANA CODE  
14 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
15 1, 2024]: **Sec. 35. The board of naturopathic medicine (IC**  
16 **25-22.7-3) is a board under IC 25-1-4.**

17 SECTION 5. IC 25-0.5-5-23 IS ADDED TO THE INDIANA CODE



1 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
2 1, 2024]: **Sec. 23. The Indiana professional licensing agency shall  
3 perform administrative functions, duties, and responsibilities for  
4 the board of naturopathic medicine (IC 25-22.7-3) under  
5 IC 25-1-5-3(a).**

6 SECTION 6. IC 25-0.5-6-22 IS ADDED TO THE INDIANA CODE  
7 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
8 1, 2024]: **Sec. 22. An individual licensed by the board of  
9 naturopathic medicine (IC 25-22.7-3) is a provider under  
10 IC 25-1-5-10.**

11 SECTION 7. IC 25-0.5-8-39 IS ADDED TO THE INDIANA CODE  
12 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
13 1, 2024]: **Sec. 39. An occupation for which a person is licensed by  
14 the board of naturopathic medicine (IC 25-22.7-3) is a regulated  
15 occupation under IC 25-1-7.**

16 SECTION 8. IC 25-0.5-10-36 IS ADDED TO THE INDIANA  
17 CODE AS A NEW SECTION TO READ AS FOLLOWS  
18 [EFFECTIVE JULY 1, 2024]: **Sec. 36. The board of naturopathic  
19 medicine (IC 25-22.7-3) is a board under IC 25-1-8-6.**

20 SECTION 9. IC 25-0.5-11-21 IS ADDED TO THE INDIANA  
21 CODE AS A NEW SECTION TO READ AS FOLLOWS  
22 [EFFECTIVE JULY 1, 2024]: **Sec. 21. The board of naturopathic  
23 medicine (IC 25-22.7-3) is a board under IC 25-1-9.**

24 SECTION 10. IC 25-22.7 IS ADDED TO THE INDIANA CODE  
25 AS A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY  
26 1, 2024]:

27 **ARTICLE 22.7. NATUROPATHIC PHYSICIANS**

28 **Chapter 1. Applicability**

29 **Sec. 1. This article does not apply to the following:**

30 **(1) An individual who is employed by the United States to  
31 practice naturopathic medicine while practicing within the  
32 scope of that employment.**

33 **(2) An individual whose:**

34 **(A) license to practice naturopathic medicine is issued in  
35 another state; and**

36 **(B) practice of naturopathic medicine is limited to  
37 examinations, recommendations, or expert testimony.**

38 **(3) An individual who is a student enrolled in an approved  
39 naturopathic medical program while studying under the  
40 supervision of a licensed:**

41 **(A) naturopathic physician; or**

42 **(B) professional in the field of study.**



1           **Sec. 2. Except as provided in IC 25-22.7-7-2, this article does not**  
 2 **apply to the following:**

3           **(1) An individual who practices a health occupation that the**  
 4 **individual is authorized to practice under this title or any**  
 5 **other law, including:**

6           **(A) wellness coaching; or**

7           **(B) counseling.**

8           **(2) An individual who treats the individual or individual's**  
 9 **family.**

10           **(3) A person that sells and provides information about**  
 11 **vitamins or herbs that the person offers for sale.**

12           **(4) A person that offers advice in the use of a therapy,**  
 13 **including herbal medicine, homeopathy, nutrition, or another**  
 14 **nondrug or nonsurgical therapy.**

15           **Chapter 2. Definitions**

16           **Sec. 0.5. The definitions in this chapter apply throughout this**  
 17 **article.**

18           **Sec. 1. "Advisory commission" refers to the naturopathic**  
 19 **childbirth attendance advisory commission established by**  
 20 **IC 25-22.7-6-1.**

21           **Sec. 2. "Approved naturopathic medical program" means a**  
 22 **naturopathic medical education program described in**  
 23 **IC 25-22.7-4-2.**

24           **Sec. 3. "Board" refers to the board of naturopathic medicine**  
 25 **established by IC 25-22.7-3-1.**

26           **Sec. 4. "Childbirth attendance" means the specialty practice of**  
 27 **natural childbirth by a naturopathic physician that includes the**  
 28 **management of normal pregnancy, normal labor and delivery, and**  
 29 **the normal postpartum period, including normal newborn care.**

30           **Sec. 5. "Council" refers to the naturopathic formulary council**  
 31 **established by IC 25-22.7-5-1.**

32           **Sec. 6. "Minor office procedures" means the methods for the**  
 33 **repair and care incidental to superficial lacerations and abrasions,**  
 34 **superficial lesions, and the removal of foreign bodies located in the**  
 35 **superficial tissues.**

36           **Sec. 7. "Naturopathic medicine" means a system of primary**  
 37 **care for:**

38           **(1) the prevention, diagnosis, and treatment of human health**  
 39 **conditions, injury, and disease;**

40           **(2) the promotion or restoration of health; and**

41           **(3) the support and stimulation of a patient's inherent**  
 42 **self-healing processes through patient education and the use**



1 of naturopathic therapies and therapeutic substances.

2 **Sec. 8. "Naturopathic physician" means an individual who is**  
3 **licensed to practice naturopathic medicine under this article.**

4 **Sec. 9. "Prescription drug" means any drug defined in the**  
5 **federal Food, Drug and Cosmetic Act (21 U.S.C. 301 et seq.) if the**  
6 **drug's label is required to bear the statement "Rx Only".**

7 **Chapter 3. Board of Naturopathic Medicine**

8 **Sec. 1. The board of naturopathic medicine is established under**  
9 **the executive branch of state government as a continuing board.**  
10 **The purpose of the board is to receive and review applications for**  
11 **licensure under this article.**

12 **Sec. 2. (a) The board consists of five (5) members, who are**  
13 **voting members. The board must include the following:**

14 **(1) Three (3) individuals who:**

15 **(A) are naturopathic physicians; and**

16 **(B) meet the requirements in section 3 of this chapter.**

17 **(2) Two (2) individuals who:**

18 **(A) do not have any association with the practice of**  
19 **naturopathic medicine, except as a consumer; and**

20 **(B) meet the requirements in section 4 of this chapter.**

21 **(b) The governor shall appoint the board members. However,**  
22 **the governor shall appoint the members under subsection (a)(1)**  
23 **with the advice of the Indiana Association of Naturopathic**  
24 **Physicians.**

25 **Sec. 3. Each naturopathic physician member of the board must**  
26 **be:**

27 **(1) in good standing with the board;**

28 **(2) an Indiana resident who:**

29 **(A) has practiced; or**

30 **(B) has taught;**

31 **naturopathic medicine in Indiana for at least five (5) years**  
32 **immediately before appointment; and**

33 **(3) beginning July 1, 2025, licensed under this article.**

34 **Sec. 4. Each consumer member of the board:**

35 **(1) must be a resident of Indiana;**

36 **(2) may not be or have been licensed to practice a health**  
37 **occupation under this title; and**

38 **(3) may be or have been immediately related to an individual**  
39 **who has a substantial connection with naturopathic education,**  
40 **business, or practice.**

41 **Sec. 5. (a) Except as otherwise provided in this section, a board**  
42 **member's term is four (4) years, with the term expiring on June 30.**



1       **However, the board member continues to serve until a successor is**  
2       **appointed and qualified.**

3       **(b) The governor shall make the board's initial appointments**  
4       **not later than July 1, 2024, and the term for an initial board**  
5       **member is three (3) years, with the term expiring on June 30, 2027.**

6       **Sec. 6. A member may not serve more than two (2) consecutive**  
7       **full terms.**

8       **Sec. 7. If a vacancy occurs on the board, the governor shall:**

9               **(1) appoint a new member who meets the qualifications of the**  
10              **vacancy to serve the remainder of the vacant term; and**

11              **(2) fill any vacancy on the board not later than sixty (60) days**  
12              **after the date of the vacancy.**

13       **Sec. 8. The governor may remove any member of the board for**  
14       **cause before the expiration of the member's term.**

15       **Sec. 9. The governor shall call the first meeting of the board, at**  
16       **which the board members shall elect a chairperson, who serves a**  
17       **term of one (1) year and may be reelected as chairperson.**

18       **Sec. 10. The following apply to the operation of the board:**

19              **(1) A quorum of the board consists of a majority of the board**  
20              **members.**

21              **(2) The chairperson shall determine the time and place for**  
22              **meetings.**

23              **(3) Members of the board are not entitled to a salary per diem**  
24              **or reimbursement for expenses.**

25              **(4) The board shall meet at least one (1) time each year and at**  
26              **the call of the chairperson or at the written request of two (2)**  
27              **members of the board.**

28              **(5) At least three (3) affirmative votes are required for the**  
29              **board to take any official action.**

30       **Sec. 11. The board may adopt rules under IC 4-22-2 to**  
31       **administer this article.**

32       **Sec. 12. The board shall:**

33              **(1) evaluate the content for any clinical, practical, or**  
34              **residency requirement for a license under this article;**

35              **(2) subject to IC 25-1-4, establish an approved program of**  
36              **continuing education in naturopathic medicine, including:**

37                      **(A) criteria;**

38                      **(B) categories; and**

39                      **(C) minimum hours required to be completed by licensed**  
40                      **persons in the license period preceding the date of license**  
41                      **renewal;**

42              **(3) enforce the standards of practice and conduct proceedings**



1 under IC 25-1-9;

2 (4) subject to IC 25-27.7-6, establish standards for childbirth  
3 attendance;

4 (5) establish examination standards for licensing and time  
5 frames for exam administration; and

6 (6) perform functions necessary to administer this article.

7 Sec. 13. The board shall establish fees under IC 25-1-8-2.

8 Sec. 14. The Indiana professional licensing agency shall staff the  
9 board. Expenses of the board shall be paid from appropriations to  
10 the Indiana professional licensing agency.

11 Chapter 4. License and Qualifications

12 Sec. 1. After December 31, 2025, except as otherwise provided  
13 in this article, an individual must be licensed by the board before  
14 the individual may practice naturopathic medicine.

15 Sec. 2. A naturopathic medical education program is approved  
16 if the program meets one (1) of the following criteria:

17 (1) The program is located in the United States and:

18 (A) provides a doctoral degree in naturopathy or  
19 naturopathic medicine;

20 (B) offers graduate level, full-time didactic, and supervised  
21 clinical training;

22 (C) is accredited by or is a candidate for accreditation  
23 before the Council on Naturopathic Medical Education or  
24 an equivalent accrediting body for naturopathic medical  
25 programs; and

26 (D) is part of an institution of higher education that is  
27 either accredited by or a candidate for accreditation before  
28 an accrediting agency that is recognized by the United  
29 States Secretary of Education.

30 (2) The program is located in a college or university in  
31 Canada and:

32 (A) grants a diploma for a degree equivalent to a degree  
33 described in subdivision (1);

34 (B) offers graduate level, full-time didactic, and supervised  
35 clinical training;

36 (C) is accredited by or is a candidate for accreditation  
37 before the Council on Naturopathic Medical Education or  
38 an equivalent federal and board recognized accrediting  
39 body for naturopathic medical programs; and

40 (D) has provincial approval for participation in  
41 government funded student aid programs.

42 (3) The program is from a degree granting college or



- 1           **university and:**  
2           **(A) before the existence of the Council on Naturopathic**  
3           **Medical Education:**  
4           **(i) offered a full-time structured curriculum in basic**  
5           **sciences and supervised patient care comprising a**  
6           **doctoral naturopathic medical education;**  
7           **(ii) required at least three (3) years of study as a**  
8           **prerequisite for graduation; and**  
9           **(iii) if in Canada, had provincial approval for**  
10           **participation in government funded student aid**  
11           **programs;**  
12           **(B) is approved by the board; and**  
13           **(C) if the program exists when the applicant applies for a**  
14           **license:**  
15           **(i) is accredited by the Council on Naturopathic Medical**  
16           **Education or an equivalent accrediting agency; and**  
17           **(ii) if in Canada, has provincial approval for**  
18           **participation in government funded student aid**  
19           **programs.**
- 20           **Sec. 3. An applicant for a license to practice naturopathic**  
21           **medicine must:**  
22           **(1) meet the requirements of this chapter;**  
23           **(2) submit an application with the board;**  
24           **(3) not have:**  
25           **(A) a criminal conviction or disciplinary action that has a**  
26           **direct bearing on the applicant's fitness to practice**  
27           **naturopathic medicine; or**  
28           **(B) committed an act that would be grounds for discipline**  
29           **under IC 25-1-9;**  
30           **(4) be physically and mentally capable of practicing**  
31           **naturopathic medicine; and**  
32           **(5) pay the application fee.**
- 33           **Sec. 4. Except as provided in this chapter, an applicant for a**  
34           **license to practice naturopathic medicine must:**  
35           **(1) have a doctorate in naturopathic medicine from an**  
36           **approved naturopathic medical program; and**  
37           **(2) either:**  
38           **(A) pass a competency based national naturopathic**  
39           **licensing examination administered by the North American**  
40           **Board of Naturopathic Examiners, or its successor agency,**  
41           **that has been nationally recognized to administer a**  
42           **naturopathic examination that represents federal**





1 standards of education and training; or

2 (B) for graduates of an approved naturopathic medical  
3 program, pass a board approved state competency  
4 examination or Canadian provincial examination.

5 Sec. 5. If an applicant for a license to practice naturopathic  
6 medicine is licensed, certified, or registered to practice  
7 naturopathic medicine or any other health care occupation in  
8 another state, the applicant must be in good standing with the  
9 applicable state licensing, certification, or registration authority.

10 Sec. 6. An applicant who seeks to be licensed under this article  
11 without passing an examination under section 4(2) of this chapter:

12 (1) must provide proof of licensure in good standing in each  
13 state in which the applicant is licensed; and

14 (2) if the applicant has been licensed, certified, or registered  
15 to practice naturopathic medicine in another state, shall  
16 submit all evidence relating to:

17 (A) disciplinary action or any administrative penalties  
18 against the applicant by another state; and

19 (B) any agreements the applicant entered into that limit  
20 the applicant's professional conduct and practice,  
21 including voluntary surrender of a license.

22 Sec. 7. The board shall issue a license to an applicant for a  
23 license to practice naturopathic medicine who meets the  
24 requirements of this chapter.

25 Sec. 8. A naturopathic physician may do the following:

26 (1) Order and perform physical and laboratory examinations  
27 for diagnostic purposes, including:

28 (A) phlebotomy;

29 (B) clinical laboratory tests;

30 (C) official examinations; and

31 (D) physiological function tests.

32 (2) Order diagnostic imaging studies, if consistent with the  
33 naturopathic physician's education and training.

34 (3) Dispense, order, prescribe, or administer:

35 (A) food and extracts of food;

36 (B) nutraceuticals;

37 (C) vitamins;

38 (D) amino acids;

39 (E) minerals;

40 (F) enzymes;

41 (G) botanicals, including botanical extracts;

42 (H) botanical medicines;



- 1           **(I) homeopathic medicines; and**  
 2           **(J) all dietary supplements and nonprescription drugs as**  
 3           **defined by the federal Food, Drug and Cosmetic Act (21**  
 4           **U.S.C. 301 et seq.);**  
 5           **using routes of administration that include oral, nasal,**  
 6           **auricular, ocular, rectal, vaginal, transdermal, intradermal,**  
 7           **subcutaneous, intravenous, and intramuscular that are**  
 8           **consistent with the naturopathic physician's education and**  
 9           **training.**  
 10          **(4) Order prescription drugs, devices, and natural medicines**  
 11          **under the formulary approved by the council and adopted by**  
 12          **rule of the board.**  
 13          **(5) Administer or perform:**  
 14               **(A) hot or cold hydrotherapy;**  
 15               **(B) naturopathic physical medicine;**  
 16               **(C) electromagnetic energy;**  
 17               **(D) colon hydrotherapy; and**  
 18               **(E) therapeutic exercise.**  
 19          **(6) Dispense, administer, or order devices, including:**  
 20               **(A) therapeutic devices;**  
 21               **(B) barrier contraception; and**  
 22               **(C) durable medical equipment.**  
 23          **(7) Provide health education and health counseling.**  
 24          **(8) Subject to section 10 of this chapter:**  
 25               **(A) provide repair and care incidental to superficial**  
 26               **lacerations and abrasions; and**  
 27               **(B) remove foreign bodies located in superficial tissues.**  
 28          **(9) Provide musculoskeletal manipulation that is consistent**  
 29          **with the naturopathic physician's education and training.**  
 30          **Sec. 9. A naturopathic physician may not do any of the**  
 31          **following:**  
 32               **(1) Prescribe or administer any controlled substance or device**  
 33               **identified in the federal Controlled Substances Act (21 U.S.C.**  
 34               **801 et seq.), except under the formulary approved by the**  
 35               **council and adopted by rule of the board.**  
 36               **(2) Except for minor office procedures, perform surgical**  
 37               **procedures, including procedures using a laser device or that**  
 38               **involve the eyes, ears, tendons, nerves, veins, or arteries**  
 39               **extending beyond superficial tissues.**  
 40               **(3) Practice or claim to practice as a health care provider who**  
 41               **is regulated under this title unless the naturopathic physician**  
 42               **is licensed, certified, registered, or regulated by an entity**



- 1 described in IC 25-0.5-11 that governs that type of health care
- 2 provider.
- 3 (4) Use general or spinal anesthetics.
- 4 (5) Administer ionizing radioactive substances for therapeutic
- 5 purposes.
- 6 (6) Perform acupuncture, unless the naturopathic physician
- 7 is approved by the board to perform acupuncture or is a
- 8 licensed acupuncturist.
- 9 Sec. 10. The board may approve a naturopathic physician to
- 10 perform minor office procedures only if the naturopathic
- 11 physician:
- 12 (1) graduated from an approved naturopathic medical
- 13 program that included minor office procedures as part of its
- 14 curriculum; or
- 15 (2) meets the training requirements regarding minor office
- 16 procedures adopted by the board.
- 17 Sec. 11. The board may approve a naturopathic physician to
- 18 perform acupuncture only if the naturopathic physician:
- 19 (1) graduated from an approved naturopathic medical
- 20 program that included acupuncture as part of its curriculum;
- 21 or
- 22 (2) meets the training requirements regarding acupuncture
- 23 adopted by the board.
- 24 Sec. 12. Subject to IC 25-1-2 and IC 25-1-5-4(b)(2), a license
- 25 issued under this article is valid for a period of two (2) years.
- 26 Sec. 13. License renewal must comply with IC 25-1-2-6.
- 27 Sec. 14. The board shall renew the license of a naturopathic
- 28 physician who:
- 29 (1) submits a renewal application on the form that the board
- 30 requires;
- 31 (2) pays a renewal fee set by the board;
- 32 (3) is otherwise entitled to be licensed; and
- 33 (4) meets the continuing education requirements adopted by
- 34 the board.
- 35 Sec. 15. (a) The board may classify the license of a naturopathic
- 36 physician as inactive if:
- 37 (1) the board receives written notification from the
- 38 naturopathic physician stating that the naturopathic
- 39 physician will not practice naturopathic medicine in Indiana;
- 40 and
- 41 (2) the naturopathic physician pays to the board the inactive
- 42 status fee set by the board.



1 (b) The holder of an inactive license issued under this section is  
2 not required to fulfill continuing education requirements set by the  
3 board.

4 Sec. 16. The board shall issue a license to a naturopathic  
5 physician who is on inactive status if the naturopathic physician is  
6 otherwise entitled to be licensed under this article and submits to  
7 the board:

8 (1) satisfactory evidence of compliance with the continuing  
9 education requirements the board adopts for this purpose;  
10 and

11 (2) a reinstatement fee set by the board.

12 Sec. 17. The board shall reinstate a delinquent or lapsed license  
13 of a naturopathic physician who complies with the requirements  
14 under IC 25-1-8-6.

15 Sec. 18. Subject to IC 25-1-9-14, a naturopathic physician who  
16 is subject to an investigation or hearing before the board may not  
17 surrender the naturopathic physician's license.

18 Chapter 5. Naturopathic Formulary Council

19 Sec. 1. The naturopathic formulary council is established under  
20 the executive branch of state government as a continuing council.  
21 The council's purpose is to establish a formulary for use by  
22 naturopathic physicians and to review and update the formulary  
23 as necessary.

24 Sec. 2. (a) The council consists of the following five (5) members,  
25 who are voting members:

26 (1) Two (2) naturopathic physicians licensed under this  
27 article, appointed by the board.

28 (2) Two (2) pharmacists licensed under IC 25-26, appointed  
29 by the board from a list of nominees provided by the Indiana  
30 board of pharmacy.

31 (3) One (1) physician licensed under IC 25-22.5, appointed by  
32 the board from a list of nominees provided by the medical  
33 licensing board of Indiana.

34 (b) Except as provided in subsection (c), a council member  
35 serves for a term of four (4) years with the term expiring on  
36 December 31 of an odd-numbered year. At the end of a term, a  
37 council member continues to serve until a successor is appointed  
38 and qualified.

39 (c) The initial council members appointed by the board serve a  
40 term that ends December 31 of the following odd-numbered year.  
41 However, the initial term does not constitute a full term for  
42 purposes of section 3 of this chapter.



1           **Sec. 3. A member may not serve more than two (2) consecutive**  
2 **full terms.**

3           **Sec. 4. If a vacancy occurs on the council, the board shall**  
4 **appoint a new member who meets the qualifications of the vacancy**  
5 **to serve the remainder of the vacant term.**

6           **Sec. 5. The board may remove any member of the council for**  
7 **cause before expiration of the member's term.**

8           **Sec. 6. The following apply to the operation of the council:**

9           **(1) A quorum of the council consists of a majority of the**  
10 **council members.**

11           **(2) The chairperson shall determine the time and place for**  
12 **meetings.**

13           **(3) Members of the council are not entitled to a salary per**  
14 **diem or reimbursement for expenses.**

15           **(4) The council shall meet at least one (1) time each year and**  
16 **at the call of the board.**

17           **(5) The board shall call the first meeting of the council, at**  
18 **which the council members shall elect a chairperson.**  
19 **Thereafter, council members shall annually elect a**  
20 **chairperson.**

21           **(6) At least three (3) affirmative votes are required for the**  
22 **council to take any official action.**

23           **Sec. 7. (a) The council shall establish a formulary for use by**  
24 **naturopathic physicians that is consistent with the training**  
25 **provided by approved naturopathic education programs. However,**  
26 **the formulary list may not go beyond the scope of natural**  
27 **medicines, prescription drugs, or devices covered by approved**  
28 **naturopathic education and training or board approved continuing**  
29 **education.**

30           **(b) After the adoption or revision of the formulary, the council**  
31 **shall transmit the approved formulary to the board.**

32           **(c) The board may adopt rules under IC 4-22-2 to implement the**  
33 **formulary.**

34           **Sec. 8. The council shall review the formulary annually or at the**  
35 **request of the board.**

36           **Sec. 9. The Indiana professional licensing agency shall staff the**  
37 **council. Expenses of the council shall be paid from appropriations**  
38 **to the Indiana professional licensing agency.**

39           **Chapter 6. Naturopathic Childbirth Attendance Advisory**  
40 **Commission**

41           **Sec. 1. The naturopathic childbirth attendance advisory**  
42 **commission is established under the executive branch of state**



1 government as a continuing commission. The purpose of the  
 2 advisory commission is to make recommendations to the board  
 3 concerning the practice of naturopathic childbirth attendance.

4 Sec. 2. (a) The advisory commission consists of the following  
 5 members, who serve as voting members, appointed by the  
 6 governor:

7 (1) One (1) physician with clinical specialty in obstetrics or  
 8 board certification in obstetrics from the American Board of  
 9 Obstetrics and Gynecology.

10 (2) One (1) certified nurse midwife (as described in  
 11 IC 25-23-1-13.1).

12 (3) One (1) certified direct entry midwife (as described in  
 13 IC 25-23.4-3-1).

14 (4) Two (2) naturopathic physicians with clinical experience  
 15 in natural childbirth.

16 (b) Except as provided in subsection (c), members of the  
 17 advisory commission serve for a term of four (4) years with the  
 18 term expiring on December 31. At the end of a term, a member  
 19 continues to serve until a successor is appointed and qualified.

20 (c) The initial advisory commission members appointed by the  
 21 governor must serve a term that ends December 31 of the following  
 22 odd-numbered year. However, the initial term does not constitute  
 23 a full term for purposes of section 3 of this chapter.

24 Sec. 3. A member may not serve more than two (2) consecutive  
 25 full terms.

26 Sec. 4. If a vacancy occurs on the advisory commission, the  
 27 governor shall appoint a new member who meets the qualifications  
 28 of the vacancy to serve the remainder of the vacant term.

29 Sec. 5. The governor may remove any member of the advisory  
 30 commission for cause before expiration of the member's term.

31 Sec. 6. The following apply to the operation of the advisory  
 32 commission:

33 (1) A quorum of the advisory commission consists of a  
 34 majority of the advisory commission members.

35 (2) The board shall call the first meeting of the advisory  
 36 commission, at which the advisory commission members shall  
 37 elect a chairperson. Thereafter, advisory commission  
 38 members shall annually elect a chairperson.

39 (3) Members of the advisory commission are not entitled to a  
 40 salary per diem or reimbursement for expenses.

41 (4) The advisory commission shall meet at least one (1) time  
 42 each year and at the call of the board.



1 (5) The chairperson shall determine the time and place for  
2 meetings.

3 (6) At least three (3) affirmative votes are required for the  
4 advisory commission to take any official action.

5 Sec. 7. The advisory commission shall review naturopathic  
6 education and training standards and make specific  
7 recommendations to the board regarding the qualifications to  
8 practice naturopathic childbirth attendance, including the  
9 following:

10 (1) Graduation from a naturopathic midwifery or  
11 naturopathic obstetrics program that is offered by an  
12 approved naturopathic medical program.

13 (2) Passage of:  
14 (A) the North American Registry of Midwives (NARM)  
15 examination;  
16 (B) the American College of Naturopathic Obstetrics  
17 (ACNO) examination; or  
18 (C) an examination that is determined by the advisory  
19 commission to be the equivalent of an examination  
20 described in clause (A) or (B).

21 Sec. 8. The advisory commission shall make recommendations  
22 to the board concerning the practice of naturopathic childbirth  
23 attendance.

24 Sec. 9. The board shall adopt a rule under IC 4-22-2  
25 incorporating the recommendations of the advisory commission to  
26 be used in reviewing all naturopathic physician applicants seeking  
27 privileges to perform natural childbirth attendance.

28 Sec. 10. The Indiana professional licensing agency shall staff the  
29 advisory commission. Expenses of the advisory commission shall  
30 be paid from appropriations to the Indiana professional licensing  
31 agency.

32 **Chapter 7. Standards of Practice and Discipline**

33 Sec. 1. An individual who is licensed under this article is subject  
34 to the standards of practice and discipline provisions under  
35 IC 25-1-9.

36 Sec. 2. Subject to IC 25-1-7, the board shall investigate a  
37 complaint that alleges a violation under this article.

38 **Chapter 8. Unlawful Practice and Discipline**

39 Sec. 1. Except as otherwise provided in this article, only a  
40 naturopathic physician may practice naturopathic medicine.

41 Sec. 2. (a) Unless the individual is licensed under this article, an  
42 individual may not:



1 (1) represent to the public by title, description of services,  
 2 methods, procedures, or otherwise that the individual is  
 3 licensed to practice naturopathic medicine;  
 4 (2) use the title "naturopathic physician", "doctor of  
 5 naturopathic medicine", "doctor of naturopathy",  
 6 "naturopathic doctor", or "naturopath"; or  
 7 (3) use the initials "N.D.", "ND", "N.M.D.", or "NMD" after  
 8 the name of the individual;  
 9 to indicate or imply that the individual is licensed under this  
 10 article.

11 (b) A person who knowingly and intentionally violates this  
 12 section commits a Class A misdemeanor.

13 **Sec. 3. Except for a person who is exempt from licensure under**  
 14 **this article, a person who knowingly and intentionally practices**  
 15 **naturopathic medicine without a license under this article commits**  
 16 **a Level 5 felony.**

17 SECTION 11. IC 35-52-25-25.5 IS ADDED TO THE INDIANA  
 18 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 19 [EFFECTIVE JULY 1, 2024]: **Sec. 25.5. IC 25-22.7-8-2 defines a**  
 20 **crime concerning naturopathic physicians.**

21 SECTION 12. IC 35-52-25-25.6 IS ADDED TO THE INDIANA  
 22 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 23 [EFFECTIVE JULY 1, 2024]: **Sec. 25.6. IC 25-22.7-8-3 defines a**  
 24 **crime concerning naturopathic physicians.**

