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**SUBSTITUTE HOUSE BILL 2004**

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**State of Washington                      61st Legislature                      2009 Regular Session**

**By House Health Care & Wellness (originally sponsored by Representative Green)**

READ FIRST TIME 02/23/09.

1            AN ACT Relating to indirect supervision of certain health care  
2 services provided through naturopathic doctors; amending RCW  
3 18.36A.050; adding a new section to chapter 18.36A RCW; and prescribing  
4 penalties.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6            NEW SECTION.    **Sec. 1.** A new section is added to chapter 18.36A RCW  
7 to read as follows:

8            (1) An unlicensed practitioner may practice colon hydrotherapy  
9 under the following conditions:

10            (a) A naturopath licensed under this chapter must provide indirect  
11 supervision of the unlicensed practitioner. For the purposes of this  
12 section, "indirect supervision" means the naturopath is not on the  
13 premises, but has confirmed that the unlicensed practitioner is  
14 competent to perform the colon hydrotherapy procedure and is in  
15 compliance with the requirements of this section.

16            (b) The unlicensed practitioner must have a written consultation  
17 agreement with the supervising naturopath. The consultation agreement  
18 must require, at a minimum:

1 (i) Monthly review of client cases and files between the unlicensed  
2 practitioner and the naturopath;

3 (ii) Quarterly inspections by the naturopath of the facilities and  
4 equipment used by the unlicensed practitioner;

5 (iii) A written emergency protocol in the event a client is injured  
6 or experiences an adverse reaction to the procedure; and

7 (iv) A written protocol stating when a client must be referred to  
8 a licensed health care practitioner for treatment.

9 (c) The colon hydrotherapy procedure must consist only of the  
10 application of filtered and temperature-controlled water into the large  
11 intestine for the purpose of removing waste. No drugs, herbs,  
12 chemicals, or other substances may be added to the water.

13 (d) The unlicensed practitioner must use equipment approved by the  
14 United States food and drug administration that is maintained in  
15 original working order.

16 (e) The unlicensed practitioner must maintain, in a readily  
17 retrievable manner, documentation of all training received related to  
18 the performance of colon hydrotherapy.

19 (f) The unlicensed practitioner must use standard universal  
20 precautions for preventing the spread of disease at all times before,  
21 during, and after performing colon hydrotherapy.

22 (g) Each client must sign a client disclosure form approved by the  
23 secretary. A copy of the client disclosure form must be provided to  
24 the client. The original client disclosure form must be maintained in  
25 a readily retrievable manner by the unlicensed practitioner.

26 (2) A violation of this section by an unlicensed practitioner is a  
27 misdemeanor.

28 (3) Nothing in this section may be construed to require that a  
29 health carrier defined in RCW 48.43.005 contract with a person  
30 authorized to practice colon hydrotherapy under this section.

31 **Sec. 2.** RCW 18.36A.050 and 1991 c 3 s 90 are each amended to read  
32 as follows:

33 Nothing in this chapter shall be construed to prohibit or restrict:

34 (1) The practice of a profession by individuals who are licensed,  
35 certified, or registered under other laws of this state who are  
36 performing services within their authorized scope of practice;

1           (2) The practice of naturopathic medicine by an individual employed  
2 by the government of the United States while the individual is engaged  
3 in the performance of duties prescribed for him or her by the laws and  
4 regulations of the United States;

5           (3) The practice of naturopathic medicine by students enrolled in  
6 a school approved by the secretary. The performance of services shall  
7 be pursuant to a course of instruction or assignments from an  
8 instructor and under the supervision of the instructor. The instructor  
9 shall be a naturopath licensed pursuant to this chapter; ((or))

10           (4) The practice of oriental medicine or oriental herbology, or the  
11 rendering of other dietary or nutritional advice; or

12           (5) The practice of colon hydrotherapy under section 1 of this act.

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