

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/SCS/Senate Bill No. 157, Page 1, Section title, Lines 3-4,

2 by striking "collaborative practice arrangements with
3 nurses" and inserting in lieu thereof the following: "the
4 licensing of health care professionals"; and

5 Further amend said bill, page 9, section 334.104, line
6 267, by inserting after all of said line the following:

7 "334.1051. 1. As used in sections 334.1051 to
8 334.1071, the following terms shall mean:

9 (1) "Approved medical educational program", an
10 education program that the board has approved as meeting the
11 requirements of section 334.1059 and that prepares
12 naturopathic physicians for the practice of naturopathic
13 medicine;

14 (2) "Board", the state board of registration for the
15 healing arts;

16 (3) "Clinical laboratory procedure", the use of
17 venipuncture consistent with naturopathic medical practice;
18 commonly used diagnostic modalities consistent with
19 naturopathic practice; the recording of a patient's health
20 history; physical examination; and ordering and interpreting
21 radiographic diagnostics and other standard imaging and
22 examining body orifices, excluding endoscopy and colonoscopy;

23 (4) "Committee", the naturopathic physicians advisory
24 committee of the board established in section 334.1056;

25 (5) "Dangerous drugs", narcotics or controlled
26 substances described in chapter 195;

27 (6) "Homeopathic medicine", a system of medicine based
28 on the use of infinitesimal doses of substances capable of
29 producing symptoms similar to those of the disease treated,
30 as listed in the Homeopathic Pharmacopeia of the United
31 States;

32 (7) "Hygiene", the use of preventative techniques,
33 including, but not limited to, personal hygiene, asepsis,
34 public health, and safety;

35 (8) "Laboratory examination", phlebotomy, a clinical
36 laboratory procedure, an orifice examination, a
37 physiological function test, or a screening or test that is
38 consistent with naturopathic education and training;

39 (9) "Legend drug", the same meaning as in section
40 338.330;

41 (10) "Minor office procedure", minor surgical care and
42 procedures, including, but not limited to, the following:

43 (a) Surgical care incidental to superficial
44 laceration, lesion, or abrasion, excluding surgical care to
45 treat a lesion suspected of malignancy;

46 (b) The removal of foreign bodies located in
47 superficial structures, excluding the globe of the eye;

48 (c) Trigger point therapy;

49 (d) Dermal stimulation;

50 (e) Allergy testing and treatment; and

51 (f) The use of antiseptics and topical or local
52 anesthetics;

53 (11) "NABNE", the North American Board of Naturopathic
54 Examiners;

55 (12) "Naturopathic medicine", includes the following:

56 (a) A system of health care for the prevention,
57 diagnosis, and treatment of human health conditions, injury,
58 and disease;

59 (b) The promotion or restoration of health; and

60 (c) The support and stimulation of a patient's
61 inherent self-healing processes through patient education
62 and the use of naturopathic therapies and therapeutic
63 substances;

64 (13) "Naturopathic physical medicine", the use of one
65 or more of the following physical agents in a manner
66 consistent with naturopathic medical practice on a part or
67 the whole of the body, by hand or by mechanical means, in
68 the resolution of a human ailment or condition: air, water,
69 heat, cold, sound, light, electromagnetism, colon
70 hydrotherapy, soft tissue therapy, joint mobilization,
71 therapeutic exercise, or naturopathic manipulation. The
72 term shall not include the practice of physical therapy,
73 acupuncture, or application of chiropractic adjustments and
74 the principles or techniques of chiropractic science;

75 (14) "Naturopathic therapy", the use of naturopathic
76 physical medicine, suggestion, hygiene, a therapeutic
77 substance, a dangerous drug, nutrition and food science,
78 homeopathic medicine, a clinical laboratory procedure, or a
79 minor office procedure;

80 (15) "Nutrition and food science", the prevention and
81 treatment of disease or other human conditions through the
82 use of food, water, herbs, roots, bark, or natural food
83 elements;

84 (16) "Professional examination", a competency-based
85 national naturopathic physician licensing examination
86 administered by NABNE, or its successor agency, which board
87 has been nationally recognized to administer a naturopathic
88 examination that represents federal standards of education
89 and training;

90 (17) "Suggestion", a technique using biofeedback,
91 hypnosis, health education, or health counseling;

92 (18) "Therapeutic substance", any of the following
93 exemplified in a standard naturopathic medical text,
94 journal, or pharmacopeia: a vitamin, mineral,
95 nutraceutical, botanical medicine, oxygen, homeopathic
96 medicine, hormone, hormonal or pharmaceutical contraceptive
97 device, or other physiological substance.

98 334.1053. The board shall license an applicant who:

99 (1) Is of good moral character;

100 (2) Submits the following items to the board:

101 (a) An application for license;

102 (b) Evidence that the applicant has graduated from an
103 approved naturopathic medical educational program;

104 (c) Evidence that the applicant successfully completed
105 a competency-based national naturopathic medicine licensing
106 examination;

107 (d) Evidence that the applicant has passed a pharmacy
108 examination authorized by the board and administered by
109 NABNE;

110 (e) Evidence that the applicant has passed a state
111 jurisprudence examination that meets standards authorized by
112 the board;

113 (f) Evidence of professional liability insurance with
114 policy limits not less than prescribed by the board in rule;

115 (g) Be at least twenty-one years of age;

116 (h) Be a United States citizen or an alien lawfully
117 admitted for permanent residence in the United States; and

118 (i) Pay all application and examination fees required
119 by the board;

120 (3) Is determined by the board, upon recommendation by
121 the committee, to be physically and mentally capable of
122 safely practicing naturopathic medicine with or without
123 reasonable accommodation; and

124 (4) Has not had a license to practice naturopathic
125 medicine or other health care license, registration, or
126 certification refused, revoked, or suspended by any other
127 jurisdiction for reasons that related to the applicant's
128 ability to skillfully and safely practice naturopathic
129 medicine, unless that license, registration, or
130 certification has been restored to good standing by the
131 jurisdiction.

132 334.1056. 1. There is hereby established a
133 "Naturopathic Physicians Advisory Committee" for the purpose
134 of providing advice for the board regarding licensure of
135 naturopathic physicians and matters relating to the training
136 of naturopathic physicians.

137 2. The governor shall appoint, with the advice and
138 consent of the senate, an initial committee consisting of
139 one member for a term of four years and two members for
140 terms of three years each. As the terms of the initial
141 committee members expire, the board shall appoint successors
142 for terms of four years each. No more than two members
143 shall be affiliated with the same political party. All
144 members shall be citizens of the United States. The
145 committee shall consist of three voting members as follows:

146 (1) Two licensed naturopathic physicians, except that
147 the first such members shall become licensed within six
148 months of August 28, 2023; and

149 (2) One member who is a resident of the state who is
150 not, and never has been, a licensed health care practitioner
151 and who does not have an interest in naturopathic education,
152 naturopathic medicine, or naturopathic business or practice.

153 3. At the first meeting of the committee, the members
154 shall elect a chair. The committee shall meet at least once
155 during each calendar quarter. The committee may hold

156 additional meetings at the call of the chair or upon the
157 written request of any two members of the committee.

158 4. Each member shall receive compensation in an amount
159 set by the commission not to exceed seventy dollars for each
160 day devoted to the duties of the commission, and shall be
161 entitled to reimbursement for the member's expenses
162 necessarily incurred in the discharge of his or her official
163 duties.

164 5. The committee shall develop guidelines for the
165 board to consider for rulemaking, including, but not limited
166 to:

167 (1) Regulating the licensure of naturopathic
168 physicians and determining the hours of continuing education
169 units required for maintaining licensure as a naturopathic
170 physician;

171 (2) Prescribing the manner in which records of
172 examinations and treatments shall be kept and maintained;

173 (3) Establishing standards for professional
174 responsibility and conduct;

175 (4) Identifying disciplinary actions and circumstances
176 that require disciplinary action;

177 (5) Developing a means to provide information to all
178 licensees in the state;

179 (6) Providing for the investigation of complaints
180 against licensees or persons holding themselves out as
181 naturopathic physicians in the state;

182 (7) Providing for the publication of information for
183 the public about licensees and the practice of naturopathic
184 medicine in the state;

185 (8) Providing for an orderly process for reinstatement
186 of a license; and

187 (9) Establishing criteria for advertising or
188 promotional materials.

189 334.1059. 1. The board shall, in collaboration with
190 the committee, establish guidelines for an approved
191 naturopathic medical educational program and examination for
192 an applicant for licensure, which shall, at a minimum, meet
193 the following requirements:

194 (1) Graduation from:

195 (a) A naturopathic medical education program in the
196 United States providing the degree of doctor of naturopathy
197 or doctor of naturopathic medicine, which shall offer
198 graduate-level, full-time didactic and supervised clinical
199 training and shall be accredited or have achieved candidacy
200 status for accreditation by the Council on Naturopathic
201 Medical Education (CNME), or an equivalent federally-
202 recognized accrediting body for naturopathic medical
203 programs, and which shall be an institution of higher
204 education or part of an institution of higher education that
205 is either accredited or is a candidate for accreditation by
206 a regional or national institutional accrediting agency
207 recognized by the U.S. Secretary of Education;

208 (b) A degree-granting institution of higher education
209 in the United States that, prior to the existence of the
210 CNME, offered a full-time, structured curriculum in basic
211 science and supervised patient care comprising a doctoral
212 naturopathic medical education requiring not less than one
213 hundred thirty-two weeks of coursework to be completed
214 within a period of not less than thirty-five months, which
215 was reputable and in good standing in the judgment of the
216 board and which, if still in existence, has current
217 programmatic accreditation by the CNME or a federally-
218 recognized equivalent accrediting agency;

219 (c) A diploma-granting, degree-equivalent institution
220 of higher education located in Canada that, prior to the
221 existence of the CNME, had provincial approval for

222 participation in government-funded student aid programs,
223 offered a full-time, structured curriculum in basic science
224 and supervised patient care comprising a doctoral
225 naturopathic medical education requiring not less than one
226 hundred thirty-two weeks of coursework to be completed
227 within a period of not less than thirty months, which was
228 reputable and in good standing in the judgment of the board
229 and which, if still in existence, has current programmatic
230 accreditation by the CNME or a federally-recognized
231 equivalent accrediting agency, and has provincial approval
232 for participation in government-funded student aid programs;
233 or

234 (d) A diploma-granting, degree-equivalent institution
235 of higher education located in Canada that has provincial
236 approval for participation in government-funded student aid
237 programs, offers graduate-level, full-time didactic and
238 supervised clinical training and is accredited or has
239 achieved candidacy status for accreditation by the CNME, or
240 an equivalent federally-recognized accrediting body for
241 naturopathic medical programs; and

242 (2) Successful completion of a competency-based
243 national naturopathic medicine licensing examination
244 administered by the NABNE, or an equivalent agency
245 recognized by the board, or, for graduates of approved
246 naturopathic medical programs in the United States prior to
247 the existence of the CNME, a competency-based state
248 naturopathic medicine licensing examination for the practice
249 of naturopathic medicine approved by the board.

250 334.1062. 1. A licensee may practice naturopathic
251 medicine to provide primary care in alignment with
252 naturopathic medical education in the following ways:

253 (1) To perform physical examinations;

254 (2) To order laboratory examinations;

- 255 (3) To order diagnostic imaging studies;
256 (4) To interpret the results of laboratory
257 examinations for diagnostic purposes;
258 (5) To order and, based on a radiologist's report,
259 take action on diagnostic imaging studies in a manner
260 consistent with naturopathic training;
261 (6) To prescribe, administer, dispense, and order
262 food, extracts of food, nutraceuticals, vitamins, amino
263 acids, minerals, enzymes, botanicals and their extracts,
264 botanical medicine, homeopathic medicines, and dietary
265 supplements and nonprescription drugs;
266 (7) To prescribe, administer, dispense, and order all
267 legend drugs and all Schedule III, IV, and V controlled
268 substances described in section 195.017;
269 (8) To administer intramuscular, intravenous,
270 subcutaneous, intra-articular, and intradermal injections of
271 substances appropriate to naturopathic medicine;
272 (9) To use routes of administration that include oral,
273 nasal, auricular, ocular, rectal, vaginal, transdermal,
274 intradermal, subcutaneous, intravenous, intra-articular, and
275 intramuscular, consistent with the education and training of
276 a naturopathic physician;
277 (10) To perform naturopathic physical medicine;
278 (11) To employ the use of naturopathic therapy;
279 (12) To use therapeutic devices, barrier
280 contraception, intrauterine devices, hormonal and
281 pharmaceutical contraception and durable medical equipment;
282 and
283 (13) To perform minor office procedures.
284 2. A licensee shall refer to a physician licensed
285 under this chapter any patient whose medical condition
286 should, at the time of evaluation or treatment, be

287 determined to be beyond the scope of practice of the
288 licensee.

289 3. A licensee shall not:

290 (1) Perform surgery outside of the scope of minor
291 office procedures permitted in the employment of
292 naturopathic therapy;

293 (2) Use general or spinal anesthetics;

294 (3) Administer ionizing radioactive substances for
295 therapeutic purposes;

296 (4) Perform a surgical procedure using a laser device;

297 (5) Perform a surgical procedure involving any of the
298 following areas of the body that extend beyond superficial
299 tissue: eye, ear, tendon, nerves, veins, or artery;

300 (6) Perform an abortion, as such term is defined in
301 section 188.015;

302 (7) Treat any lesion suspected of malignancy or
303 requiring surgical removal; or

304 (8) Perform acupuncture.

305 4. A licensee shall display the licensee's license in
306 the licensee's place of business in a location clearly
307 visible to the licensee's patients and shall also display
308 evidence of the licensee having completed an approved
309 naturopathic medical education program.

310 5. A licensee has the exclusive right to use the
311 following terms in reference to the licensee's self:
312 "naturopathic physician", "naturopathic doctor", "doctor of
313 naturopathic medicine", "doctor of naturopathy", "N.D.", and
314 "ND". An individual shall not represent himself or herself
315 to the public as a naturopathic physician, naturopathic
316 doctor, a doctor of naturopathic medicine, or a doctor of
317 naturopathy, or as being otherwise authorized to practice
318 naturopathic medicine in the state, unless he or she is a
319 licensee.

320 334.1065. The provisions of sections 334.1051 to
321 334.1071 shall not apply to the following persons:

322 (1) A health care professional who is licensed,
323 certified, or registered under the laws of this state and
324 who is performing services within his or her authorized
325 scope of practice;

326 (2) A student enrolled in an approved naturopathic
327 medical educational program; provided, that the practice of
328 naturopathic medicine by the student is performed pursuant
329 to a course of instruction or an assignment from an
330 instructor and under the supervision of the instructor who
331 is a licensee or a duly-licensed professional in the
332 instructed field;

333 (3) Any person selling a vitamin or herb who provides
334 information about the vitamin or herb;

335 (4) A person licensed to practice naturopathic
336 medicine in any other state or district in the United States
337 and who entered this state to consult with a naturopathic
338 physician of this state; provided, that the consultation is
339 limited to examination, recommendation, or testimony in
340 litigation; or

341 (5) Any person or practitioner who is not licensed as
342 a naturopathic physician and who recommends the use of
343 ayurvedic medicine, herbal remedies, nutritional advice,
344 homeopathy, or other therapy that is within the scope of
345 practice of naturopathic medicine; provided, that the person
346 shall not recommend or provide a homeopathic medicine, a
347 hormone, a hormonal or pharmaceutical contraceptive device,
348 or any other physiologic substance.

349 334.1068. 1. A license issued or renewed under
350 sections 334.1051 to 334.1071 shall expire two years
351 following its issuance or renewal. The board may renew the

352 license of any licensee who, upon the expiration of his or
353 her license:

354 (1) Has submitted an application for renewal;

355 (2) Has paid the renewal fee established by rules of
356 the board;

357 (3) Meets the qualifications for licensure set forth
358 in the sections 334.1051 to 334.1071 and rules promulgated
359 thereunder; and

360 (4) Meets the continuing education requirements
361 established by the board.

362 2. The board may refuse to issue or renew a license
363 for failure to meet the requirements of sections 334.1051 to
364 334.1071, or the rules promulgated thereunder. The board
365 shall notify the applicant in writing of the reasons for
366 refusal and shall advise the applicant of his or her right
367 to file a complaint with the administrative hearing
368 commission as provided by chapter 621.

369 334.1071. The board shall promulgate rules and
370 regulations to implement the provisions of sections 334.1051
371 to 334.1071. Any rule or portion of a rule, as that term is
372 defined in section 536.010, that is created under the
373 authority delegated in sections 334.1051 to 334.1071 shall
374 become effective only if it complies with and is subject to
375 all of the provisions of chapter 536 and, if applicable,
376 section 536.028. This section and chapter 536 are
377 nonseverable and if any of the powers vested with the
378 general assembly pursuant to chapter 536 to review, to delay
379 the effective date, or to disapprove and annul a rule are
380 subsequently held unconstitutional, then the grant of
381 rulemaking authority and any rule proposed or adopted after
382 August 28, 2023, shall be invalid and void."; and

383 Further amend the title and enacting clause accordingly.