

# SENATE AMENDMENT NO. \_\_\_\_\_

Offered by \_\_\_\_\_ of \_\_\_\_\_

Amend SS/SCS/Senate Bill No. 88, Page 4, Section 324.004, Line 87,

2 by inserting after all of said line the following:

3 "334.1051. 1. As used in sections 334.1051 to  
4 334.1071, the following terms shall mean:

5 (1) "Approved medical educational program", an  
6 education program that the board has approved as meeting the  
7 requirements of section 334.1059 and that prepares  
8 naturopathic physicians for the practice of naturopathic  
9 medicine;

10 (2) "Board", the state board of registration for the  
11 healing arts;

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

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

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

23 (6) "Homeopathic medicine", a system of medicine based  
24 on the use of infinitesimal doses of substances capable of  
25 producing symptoms similar to those of the disease treated,

26 as listed in the Homeopathic Pharmacopeia of the United  
27 States;

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

31 (8) "Laboratory examination", phlebotomy, a clinical  
32 laboratory procedure, an orifice examination, a  
33 physiological function test, or a screening or test that is  
34 consistent with naturopathic education and training;

35 (9) "Legend drug", the same meaning as in section  
36 338.330;

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

39 (a) Surgical care incidental to superficial  
40 laceration, lesion, or abrasion, excluding surgical care to  
41 treat a lesion suspected of malignancy;

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

44 (c) Trigger point therapy;

45 (d) Dermal stimulation;

46 (e) Allergy testing and treatment; and

47 (f) The use of antiseptics and topical or local  
48 anesthetics;

49 (11) "NABNE", the North American Board of Naturopathic  
50 Examiners;

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

52 (a) A system of health care for the prevention,  
53 diagnosis, and treatment of human health conditions, injury,  
54 and disease;

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

56 (c) The support and stimulation of a patient's  
57 inherent self-healing processes through patient education

58 and the use of naturopathic therapies and therapeutic  
59 substances;

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

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

76 (15) "Nutrition and food science", the prevention and  
77 treatment of disease or other human conditions through the  
78 use of food, water, herbs, roots, bark, or natural food  
79 elements;

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

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

88 (18) "Therapeutic substance", any of the following  
89 exemplified in a standard naturopathic medical text,  
90 journal, or pharmacopeia: a vitamin, mineral,

91 nutraceutical, botanical medicine, oxygen, homeopathic  
92 medicine, hormone, hormonal or pharmaceutical contraceptive  
93 device, or other physiological substance.

94 334.1053. The board shall license an applicant who:

95 (1) Is of good moral character;

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

97 (a) An application for license;

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

100 (c) Evidence that the applicant successfully completed  
101 a competency-based national naturopathic medicine licensing  
102 examination;

103 (d) Evidence that the applicant has passed a pharmacy  
104 examination authorized by the board and administered by  
105 NABNE;

106 (e) Evidence that the applicant has passed a state  
107 jurisprudence examination that meets standards authorized by  
108 the board;

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

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

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

114 (i) Pay all application and examination fees required  
115 by the board;

116 (3) Is determined by the board, upon recommendation by  
117 the committee, to be physically and mentally capable of  
118 safely practicing naturopathic medicine with or without  
119 reasonable accommodation; and

120 (4) Has not had a license to practice naturopathic  
121 medicine or other health care license, registration, or  
122 certification refused, revoked, or suspended by any other  
123 jurisdiction for reasons that related to the applicant's

124 ability to skillfully and safely practice naturopathic  
125 medicine, unless that license, registration, or  
126 certification has been restored to good standing by the  
127 jurisdiction.

128 334.1056. 1. There is hereby established a  
129 "Naturopathic Physicians Advisory Committee" for the purpose  
130 of providing advice for the board regarding licensure of  
131 naturopathic physicians and matters relating to the training  
132 of naturopathic physicians.

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

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

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

149 3. At the first meeting of the committee, the members  
150 shall elect a chair. The committee shall meet at least once  
151 during each calendar quarter. The committee may hold  
152 additional meetings at the call of the chair or upon the  
153 written request of any two members of the committee.

154 4. Each member shall receive compensation in an amount  
155 set by the commission not to exceed seventy dollars for each  
156 day devoted to the duties of the commission, and shall be

157 entitled to reimbursement for the member's expenses  
158 necessarily incurred in the discharge of his or her official  
159 duties.

160 5. The committee shall develop guidelines for the  
161 board to consider for rulemaking, including, but not limited  
162 to:

163 (1) Regulating the licensure of naturopathic  
164 physicians and determining the hours of continuing education  
165 units required for maintaining licensure as a naturopathic  
166 physician;

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

169 (3) Establishing standards for professional  
170 responsibility and conduct;

171 (4) Identifying disciplinary actions and circumstances  
172 that require disciplinary action;

173 (5) Developing a means to provide information to all  
174 licensees in the state;

175 (6) Providing for the investigation of complaints  
176 against licensees or persons holding themselves out as  
177 naturopathic physicians in the state;

178 (7) Providing for the publication of information for  
179 the public about licensees and the practice of naturopathic  
180 medicine in the state;

181 (8) Providing for an orderly process for reinstatement  
182 of a license; and

183 (9) Establishing criteria for advertising or  
184 promotional materials.

185 334.1059. 1. The board shall, in collaboration with  
186 the committee, establish guidelines for an approved  
187 naturopathic medical educational program and examination for  
188 an applicant for licensure, which shall, at a minimum, meet  
189 the following requirements:

190 (1) Graduation from:

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

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

215 (c) A diploma-granting, degree-equivalent institution  
216 of higher education located in Canada that, prior to the  
217 existence of the CNME, had provincial approval for  
218 participation in government-funded student aid programs,  
219 offered a full-time, structured curriculum in basic science  
220 and supervised patient care comprising a doctoral  
221 naturopathic medical education requiring not less than one  
222 hundred thirty-two weeks of coursework to be completed

223 within a period of not less than thirty months, which was  
224 reputable and in good standing in the judgment of the board  
225 and which, if still in existence, has current programmatic  
226 accreditation by the CNME or a federally-recognized  
227 equivalent accrediting agency, and has provincial approval  
228 for participation in government-funded student aid programs;  
229 or

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

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

246 334.1062. 1. A licensee may practice naturopathic  
247 medicine to provide primary care in alignment with  
248 naturopathic medical education in the following ways:

- 249 (1) To perform physical examinations;  
250 (2) To order laboratory examinations;  
251 (3) To order diagnostic imaging studies;  
252 (4) To interpret the results of laboratory  
253 examinations for diagnostic purposes;



254 (5) To order and, based on a radiologist's report,  
255 take action on diagnostic imaging studies in a manner  
256 consistent with naturopathic training;

257 (6) To prescribe, administer, dispense, and order  
258 food, extracts of food, nutraceuticals, vitamins, amino  
259 acids, minerals, enzymes, botanicals and their extracts,  
260 botanical medicine, homeopathic medicines, and dietary  
261 supplements and nonprescription drugs;

262 (7) To prescribe, administer, dispense, and order all  
263 legend drugs and all Schedule III, IV, and V controlled  
264 substances described in section 195.017;

265 (8) To administer intramuscular, intravenous,  
266 subcutaneous, intra-articular, and intradermal injections of  
267 substances appropriate to naturopathic medicine;

268 (9) To use routes of administration that include oral,  
269 nasal, auricular, ocular, rectal, vaginal, transdermal,  
270 intradermal, subcutaneous, intravenous, intra-articular, and  
271 intramuscular, consistent with the education and training of  
272 a naturopathic physician;

273 (10) To perform naturopathic physical medicine;

274 (11) To employ the use of naturopathic therapy;

275 (12) To use therapeutic devices, barrier  
276 contraception, intrauterine devices, hormonal and  
277 pharmaceutical contraception and durable medical equipment;  
278 and

279 (13) To perform minor office procedures.

280 2. A licensee shall refer to a physician licensed  
281 under this chapter any patient whose medical condition  
282 should, at the time of evaluation or treatment, be  
283 determined to be beyond the scope of practice of the  
284 licensee.

285 3. A licensee shall not:

286           (1) Perform surgery outside of the scope of minor  
287 office procedures permitted in the employment of  
288 naturopathic therapy;

289           (2) Use general or spinal anesthetics;

290           (3) Administer ionizing radioactive substances for  
291 therapeutic purposes;

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

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

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

298           (7) Treat any lesion suspected of malignancy or  
299 requiring surgical removal; or

300           (8) Perform acupuncture.

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

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

316           334.1065. The provisions of sections 334.1051 to  
317 334.1071 shall not apply to the following persons:

318 (1) A health care professional who is licensed,  
319 certified, or registered under the laws of this state and  
320 who is performing services within his or her authorized  
321 scope of practice;

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

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

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

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

345 334.1068. 1. A license issued or renewed under  
346 sections 334.1051 to 334.1071 shall expire two years  
347 following its issuance or renewal. The board may renew the  
348 license of any licensee who, upon the expiration of his or  
349 her license:

350 (1) Has submitted an application for renewal;

351           (2) Has paid the renewal fee established by rules of  
352 the board;

353           (3) Meets the qualifications for licensure set forth  
354 in the sections 334.1051 to 334.1071 and rules promulgated  
355 thereunder; and

356           (4) Meets the continuing education requirements  
357 established by the board.

358           2. The board may refuse to issue or renew a license  
359 for failure to meet the requirements of sections 334.1051 to  
360 334.1071, or the rules promulgated thereunder. The board  
361 shall notify the applicant in writing of the reasons for  
362 refusal and shall advise the applicant of his or her right  
363 to file a complaint with the administrative hearing  
364 commission as provided by chapter 621.

365           334.1071. The board shall promulgate rules and  
366 regulations to implement the provisions of sections 334.1051  
367 to 334.1071. Any rule or portion of a rule, as that term is  
368 defined in section 536.010, that is created under the  
369 authority delegated in sections 334.1051 to 334.1071 shall  
370 become effective only if it complies with and is subject to  
371 all of the provisions of chapter 536 and, if applicable,  
372 section 536.028. This section and chapter 536 are  
373 nonseverable and if any of the powers vested with the  
374 general assembly pursuant to chapter 536 to review, to delay  
375 the effective date, or to disapprove and annul a rule are  
376 subsequently held unconstitutional, then the grant of  
377 rulemaking authority and any rule proposed or adopted after  
378 August 28, 2023, shall be invalid and void."; and

379           Further amend the title and enacting clause accordingly.