

SENATE, No. 1311

STATE OF NEW JERSEY
217th LEGISLATURE

INTRODUCED FEBRUARY 8, 2016

Sponsored by:
Senator JOSEPH F. VITALE
District 19 (Middlesex)

SYNOPSIS

"Naturopathic Doctors Licensing Act."

CURRENT VERSION OF TEXT

As introduced.



S1311 VITALE

2

1 AN ACT concerning the licensure of naturopathic doctors, amending
2 P.L.1971, c.60, P.L.1974, c.46, and P.L.1978, c.73, and
3 supplementing Title 45 of the Revised Statutes.

4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7

8 1. (New section) This act shall be known and may be cited as
9 the "Naturopathic Doctors Licensing Act."

10

11 2. (New section) As used in this act:

12 "Board" means the State Board of Naturopathic Examiners
13 established pursuant to section 3 of this act.

14 "Device" means an appliance, apparatus or instrument
15 administered or dispensed to a patient by a naturopathic doctor.

16 "Director" means the Director of the Division of Consumer
17 Affairs in the Department of Law and Public Safety.

18 "Dispense" means the delivery by a naturopathic doctor of a
19 natural substance, drug or device to a patient and only for a
20 condition being diagnosed or treated by that doctor, except for free
21 samples packaged for individual use by licensed manufacturers or
22 repackagers, and includes the prescribing, administering,
23 packaging, labeling and security necessary to prepare and safeguard
24 the natural substance, drug or device for delivery to the treating
25 doctor's own patient.

26 "Natural substance" means a homeopathic, botanical or
27 nutritional supplement that does not require a prescription by State
28 or federal law before it is dispensed, but is prescribed to treat a
29 medical condition diagnosed by a naturopathic doctor.

30 "Naturopathic doctor" means any person licensed as a
31 naturopathic doctor pursuant to the provisions of this act.

32 "Naturopathic medicine" means a distinct and comprehensive
33 system of primary health practiced by a naturopathic doctor for the
34 diagnosis, treatment, and prevention of human health conditions,
35 injuries and disease.

36

37 3. (New section) a. There is created within the Division of
38 Consumer Affairs in the Department of Law and Public Safety the
39 State Board of Naturopathic Examiners. The board shall consist of
40 nine members who are residents of the State, six of whom shall be,
41 except for the members first appointed, licensed naturopathic
42 doctors under the provisions of this act and shall have been actively
43 engaged in the practice of naturopathic medicine for at least five
44 years immediately preceding their appointment, two of whom shall
45 be public members and one of whom shall be a State executive

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

S1311 VITALE

3

1 department member appointed pursuant to the provisions of
2 P.L.1972, c.60 (C.45:1-2.1 et seq.).

3 b. The Governor shall appoint each member, other than the
4 State executive department member, with the advice and consent of
5 the Senate. The Governor shall appoint each member, other than
6 the State executive department member, for a term of three years,
7 except that of the naturopathic doctors first appointed, two shall
8 serve for terms of three years, two shall service for terms of two
9 years and two shall serve for a term of one year. Each member
10 shall hold office until his successor has been qualified. Any
11 vacancy in the membership of the board shall be filled for the
12 unexpired term only in the manner provided for the original
13 appointment. No member of the board, other than the State
14 executive department member, shall serve more than two successive
15 terms in addition to any unexpired term to which he has been
16 appointed.

17 c. Members of the board shall be compensated and reimbursed
18 for expenses and provided with office and meeting facilities
19 pursuant to section 2 of P.L.1977, c.285 (C.45:1-2.5).

20

21 4. (New section) The board shall:

22 a. Establish criteria and standards for licensure;

23 b. Review the qualification of applicants for licensure;

24 c. Adopt a code of ethics;

25 d. Insure proper conduct and standards of practice;

26 e. Issue and renew licenses pursuant to this act;

27 f. Adopt rules and regulations pursuant to the "Administrative
28 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) as it may
29 deem necessary to perform its duties under, and to enforce the
30 provisions of, this act;

31 g. Establish standards for continuing education;

32 h. Suspend, revoke or decline to renew licenses of naturopathic
33 doctors pursuant to the provisions of P.L.1978, c.73 (C.45:1-14 et
34 seq.);

35 i. Maintain a record of every naturopathic doctor licensed in
36 this State, and the date and number of his license, and publish a list
37 of the names and addresses of all licensees annually; and

38 j. Establish fees for applications for licensure, examinations,
39 initial licensure, renewals, late renewals, temporary licenses,
40 provisional licenses and for duplication of lost licenses, pursuant to
41 section 2 of P.L.1974, c.46 (C.45:1-3.2).

42

43 5. (New section) a. No person shall practice nor present
44 himself as able to practice naturopathic medicine unless the person
45 possesses a valid license to practice naturopathic medicine in
46 accordance with the provisions of this act.

47 b. No person shall use the titles or designations "doctor of
48 naturopathic medicine," "doctor of naturopathy," or "naturopathic

S1311 VITALE

1 physician," or the abbreviations "N.M.D." or "N.D." or any other
2 title or designation which indicates or implies that he is a
3 naturopathic doctor unless that person possesses a valid license to
4 practice naturopathic medicine in accordance with the provisions of
5 this act.

- 6
- 7 6. (New section) The provisions of this act shall not apply to:
- 8 a. the practices of other persons and health care providers
9 licensed by appropriate agencies of the State of New Jersey,
10 provided that their duties are consistent with the accepted standards
11 of the person's profession and if the person does not present himself
12 as a licensed naturopathic doctor which otherwise would require
13 licensure by the board;
- 14 b. a person employed by the federal government in the practice
15 of naturopathic medicine while the person is engaged in the
16 performance of duties prescribed by laws and regulations of the
17 United States;
- 18 c. a person who makes recommendations regarding or is
19 engaged in the sale of food, extracts of food, nutraceuticals,
20 vitamins, amino acids, minerals, enzymes, botanicals and their
21 extracts, botanical medicines, homeopathic medicines, dietary
22 supplements and nonprescription drugs or other products of nature,
23 the sale of which is not otherwise prohibited under State or federal
24 law;
- 25 d. a person who is licensed in another state or possession of the
26 United States or the District of Columbia to practice naturopathic
27 medicine if the person is incidentally called into this State for
28 consultation with a licensed naturopathic doctor; or
- 29 e. a student enrolled in an approved naturopathic medical
30 program whose services are performed in accordance with a course
31 of instruction under the supervision of a naturopathic doctor.

32

33 7. (New section) a. The board shall approve a naturopathic
34 medical education program accredited by the Council on
35 Naturopathic Medical Education or an equivalent federally
36 recognized accrediting body for the naturopathic medical profession
37 that has the following minimum requirements:

38 (1) admission requirements that include a minimum of three-
39 quarters of the credits required for a bachelor's degree from a
40 regionally accredited college or university or the equivalency, as
41 determined by the board; and

42 (2) program requirements for its degree or diploma of a
43 minimum of 4,100 total hours in basic and clinical sciences,
44 naturopathic philosophy, naturopathic modalities, and naturopathic
45 medicine, with not less than 2,500 of those hours consisting of
46 academic instruction, and not less than 1,200 of those hours
47 consisting of supervised clinical training approved by the
48 naturopathic medical school.

1 b. To be approved by the board, a naturopathic medical
2 education program in the United States shall offer graduate-level
3 full-time studies and training leading to the degree of Doctor of
4 Naturopathy or Doctor of Naturopathic Medicine. The program
5 shall be offered at an institution, or part of an institution of, higher
6 education that is either accredited or is a candidate for accreditation
7 by a regional institutional accrediting agency recognized by the
8 United States Secretary of Education and the Council on
9 Naturopathic Medical Education, or an equivalently federally
10 recognized accrediting body for naturopathic doctor education.

11 c. To qualify as an approved naturopathic medical school, a
12 naturopathic medical education program located in the United
13 States or Canada shall offer a full-time, doctoral-level, naturopathic
14 medical education program with its graduates being eligible to
15 apply to the board for licensure and to the North American Board of
16 Naturopathic Examiners that administers the naturopathic licensing
17 examination.

18

19 8. (New section) Each person desiring to obtain a license to
20 practice naturopathic medicine shall apply to the board upon the
21 form and in the manner the board prescribes and shall furnish
22 satisfactory evidence to the board that the applicant:

23 a. Is at least 21 years of age;

24 b. Is of good moral character;

25 c. Has received a degree in naturopathic medicine from an
26 approved naturopathic medical school where the degree
27 substantially meets the educational requirements specified in
28 section 7 of this act; and

29 d. Has passed the Naturopathic Physicians Licensing
30 Examination (NPLEX) or an equivalent approved by the North
31 American Board of Naturopathic Examiners.

32

33 9. (New section) a. A naturopathic doctor may order and
34 perform physical and laboratory examinations for diagnostic
35 purposes, including, but not limited to, phlebotomy, clinical
36 laboratory tests, speculum examinations, orificial examinations and
37 physiological function tests.

38 b. A naturopathic doctor may order diagnostic imaging studies,
39 including X-ray, ultrasound, mammogram, bone densitometry, and
40 others, consistent with naturopathic training, as determined by the
41 board, but shall refer the studies to an appropriately licensed health
42 care professional to conduct the study and interpret the results.

43 c. A naturopathic doctor may dispense, administer, order and
44 prescribe or perform the following:

45 (1) Food, extracts of food, nutraceuticals, vitamins, amino acids,
46 minerals, enzymes, botanicals and their extracts, botanical
47 medicines, homeopathic medicines, all dietary supplements and
48 nonprescription drugs;

S1311 VITALE

- 1 (2) Hot or cold hydrotherapy, naturopathic physical medicine
2 inclusive of the manual use of massage, stretching, resistance, or
3 joint play examination but exclusive of small amplitude movement
4 at or beyond the end range of normal joint motion, electromagnetic
5 energy, colon hydrotherapy and therapeutic exercise;
- 6 (3) Devices, including but not limited to, therapeutic devices,
7 barrier contraception and durable medical equipment;
- 8 (4) Health education and health counseling;
- 9 (5) Repair and care incidental to superficial lacerations and
10 abrasions, except for suturing; and
- 11 (6) Removal of foreign bodies located in the superficial tissues.
- 12 d. A naturopathic doctor may utilize routes of administration
13 that include oral, nasal, auricular, ocular, rectal, vaginal,
14 transdermal, intradermal, subcutaneous, intravenous and
15 intramuscular.
- 16 e. The board may establish regulations regarding ocular or
17 intravenous routes of administration that are consistent with the
18 education and training of a naturopathic doctor.
- 19
- 20 10. (New section) A naturopathic doctor may dispense a natural
21 substance, drug or device to a patient for a condition being
22 diagnosed or treated by the doctor if:
- 23 a. The natural substance, drug or device is dispensed and
24 properly labeled with the following dispenser information:
- 25 (1) The dispensing doctor's name, address and telephone number
26 and a prescription number or other method of identifying the
27 prescription;
- 28 (2) The date the natural substance, drug or device is dispensed;
- 29 (3) The patient's name; and
- 30 (4) The name and strength of the natural substance, drug or
31 device, directions for proper and appropriate use and any cautionary
32 statements for the natural substance, drug or device, and if a generic
33 drug is dispensed, the manufacturer's name.
- 34 b. The dispensing doctor enters into the patient's medical
35 record the name and strength of the natural substance, drug or
36 device dispensed, the date the natural substance, drug or device is
37 dispensed and the therapeutic reason for which it is dispensed.
- 38
- 39 11. (New section) a. A license as a naturopathic doctor shall be
40 issued for a period of two years, and may be renewed for additional
41 two-year periods upon submission by the holder of a renewal
42 application on a form prescribed by the board, completion by the
43 holder of any requirements for renewal established by the board and
44 payment of the renewal fee prescribed by the board.
- 45 b. If a renewal fee is not paid by the expiration date, the license
46 shall automatically expire, but may be renewed within two years of
47 its expiration date on payment to the board of a sum determined by

S1311 VITALE

1 it for each year or part thereof during which the license was expired
2 and an additional restoration fee.

3

4 12. (New section) Upon receipt of a fee and a written
5 application on forms provided by it, the board shall issue a license
6 without examination to a naturopathic doctor who holds a valid
7 license issued by another state or possession of the United States or
8 the District of Columbia that has education and experience
9 requirements substantially equivalent to the requirements of this
10 act.

11

12 13. (New section) a. The State Board of Naturopathic Medicine
13 shall establish a naturopathic childbirth attendance advisory
14 committee to issue recommendations concerning medical education
15 and training for the specialty practice of naturopathic childbirth
16 attendance. The advisory committee shall be composed of one
17 licensed medical doctor with a clinical specialty or board
18 certification in obstetrics, one certified nurse midwife or certified
19 midwife, and two licensed naturopathic doctors with clinical
20 experience in naturopathic childbirth attendance.

21 b. A naturopathic doctor may not practice naturopathic
22 childbirth attendance without first obtaining a certificate of special
23 competency in naturopathic childbirth attendance in accordance
24 with the provisions of this section.

25 c. Upon payment of the required fee, the State Board of
26 Naturopathic Medicine shall issue a certificate of special
27 competency in naturopathic childbirth attendance to a licensed
28 naturopathic doctor who meets the requirements prescribed by the
29 board to practice naturopathic childbirth attendance.

30 d. The naturopathic childbirth attendance advisory committee
31 may adopt rules applicable to special competency certification
32 which:

33 (1) Establish medical education, training and qualifications
34 necessary for certification.

35 (2) Limit or restrict the specialty practice.

36 (3) Define the scope of the specialty practice.

37 (4) Establish procedures for maintaining certification.

38

39 14. Section 1 of P.L.1971, c.60 (C.45:1-2.1) is amended to read
40 as follows:

41 1. The provisions of this act shall apply to the following boards
42 and commissions: the New Jersey State Board of Accountancy, the
43 New Jersey State Board of Architects, the New Jersey State Board
44 of Cosmetology and Hairstyling, the Board of Examiners of
45 Electrical Contractors, the New Jersey State Board of Dentistry, the
46 State Board of Mortuary Science of New Jersey, the State Board of
47 Professional Engineers and Land Surveyors, the State Board of
48 Marriage and Family Therapy Examiners, the State Board of

S1311 VITALE

1 Medical Examiners, the New Jersey Board of Nursing, the New
2 Jersey State Board of Optometrists, the State Board of Examiners of
3 Ophthalmic Dispensers and Ophthalmic Technicians, the Board of
4 Pharmacy, the State Board of Professional Planners, the State Board
5 of Psychological Examiners, the State Board of Examiners of
6 Master Plumbers, the New Jersey Real Estate Commission, the
7 State Board of Court Reporting, the State Board of Veterinary
8 Medical Examiners, the Radiologic Technology Board of
9 Examiners, the Acupuncture Examining Board, the State Board of
10 Chiropractic Examiners, the State Board of Respiratory Care, the
11 State Real Estate Appraiser Board, the State Board of Social Work
12 Examiners, the State Board of Examiners of Heating, Ventilation,
13 Air Conditioning and Refrigeration Contractors, the Elevator,
14 Escalator, and Moving Walkway Mechanics Licensing Board, the
15 State Board of Physical Therapy Examiners, the Orthotics and
16 Prosthetics Board of Examiners, the New Jersey Cemetery Board,
17 the State Board of Polysomnography, the New Jersey Board of
18 Massage and Bodywork Therapy, the Genetic Counseling Advisory
19 Committee, the State Board of Naturopathic Medicine, and any
20 other entity hereafter created under Title 45 to license or otherwise
21 regulate a profession or occupation.

22 (cf: P.L.2012, c.71, s.13)

23

24 15. Section 2 of P.L.1971, c. 60 (C.45:1-2.2) is amended to read
25 as follows:

26 2. a. All members of the several professional boards and
27 commissions shall be appointed by the Governor in the manner
28 prescribed by law; except in appointing members other than those
29 appointed pursuant to subsection b. or subsection c., the Governor
30 shall give due consideration to, but shall not be bound by,
31 recommendations submitted by the appropriate professional
32 organizations of this State.

33 b. In addition to the membership otherwise prescribed by law,
34 the Governor shall appoint in the same manner as presently
35 prescribed by law for the appointment of members, two additional
36 members to represent the interests of the public, to be known as
37 public members, to each of the following boards and commissions:
38 the New Jersey State Board of Accountancy, the New Jersey State
39 Board of Architects, the New Jersey State Board of Cosmetology
40 and Hairstyling, the New Jersey State Board of Dentistry, the State
41 Board of Mortuary Science of New Jersey, the State Board of
42 Professional Engineers and Land Surveyors, the State Board of
43 Medical Examiners, the New Jersey Board of Nursing, the New
44 Jersey State Board of Optometrists, the State Board of Examiners of
45 Ophthalmic Dispensers and Ophthalmic Technicians, the Board of
46 Pharmacy, the State Board of Professional Planners, the State Board
47 of Psychological Examiners, the New Jersey Real Estate
48 Commission, the State Board of Court Reporting, the State Board of

1 Social Work Examiners, the Elevator, Escalator, and Moving
2 Walkway Mechanics Licensing Board, the State Board of
3 Naturopathic Medicine, and the State Board of Veterinary Medical
4 Examiners, and one additional public member to each of the
5 following boards: the Board of Examiners of Electrical Contractors,
6 the State Board of Marriage and Family Therapy Examiners, the
7 State Board of Examiners of Master Plumbers, and the State Real
8 Estate Appraiser Board. Each public member shall be appointed for
9 the term prescribed for the other members of the board or
10 commission and until the appointment of his successor. Vacancies
11 shall be filled for the unexpired term only. The Governor may
12 remove any such public member after hearing, for misconduct,
13 incompetency, neglect of duty or for any other sufficient cause.

14 No public member appointed pursuant to this section shall have
15 any association or relationship with the profession or a member
16 thereof regulated by the board of which he is a member, where such
17 association or relationship would prevent such public member from
18 representing the interest of the public. Such a relationship includes
19 a relationship with members of one's immediate family; and such
20 association includes membership in the profession regulated by the
21 board. To receive services rendered in a customary client
22 relationship will not preclude a prospective public member from
23 appointment. This paragraph shall not apply to individuals who are
24 public members of boards on the effective date of this act.

25 It shall be the responsibility of the Attorney General to insure
26 that no person with the aforementioned association or relationship
27 or any other questionable or potential conflict of interest shall be
28 appointed to serve as a public member of any board regulated by
29 this section.

30 Where a board is required to examine the academic and
31 professional credentials of an applicant for licensure or to test such
32 applicant orally, no public member appointed pursuant to this
33 section shall participate in such examination process; provided,
34 however, that public members shall be given notice of and may be
35 present at all such examination processes and deliberations
36 concerning the results thereof, and, provided further, that public
37 members may participate in the development and establishment of
38 the procedures and criteria for such examination processes.

39 c. The Governor shall designate a department in the Executive
40 Branch of the State Government which is closely related to the
41 profession or occupation regulated by each of the boards or
42 commissions designated in section 1 of P.L.1971, c.60 (C.45:1-2.1)
43 and shall appoint the head of such department, or the holder of a
44 designated office or position in such department, to serve without
45 compensation at the pleasure of the Governor as a member of such
46 board or commission.

47 d. A majority of the voting members of such boards or
48 commissions shall constitute a quorum thereof and no action of any

1 such board or commission shall be taken except upon the
2 affirmative vote of a majority of the members of the entire board or
3 commission.

4 (cf: P.L.2012, c.71, s.15)

5

6 16. Section 1 of P.L.1974, c.46 (C.45:1-3.1) is amended to read
7 as follows:

8 1. The provisions of this act shall apply to the following boards
9 and commissions: the New Jersey State Board of Accountancy, the
10 New Jersey State Board of Architects, the New Jersey State Board
11 of Cosmetology and Hairstyling, the Board of Examiners of
12 Electrical Contractors, the New Jersey State Board of Dentistry, the
13 State Board of Mortuary Science of New Jersey, the State Board of
14 Professional Engineers and Land Surveyors, the State Board of
15 Marriage and Family Therapy Examiners, the State Board of
16 Medical Examiners, the New Jersey Board of Nursing, the New
17 Jersey State Board of Optometrists, the State Board of Examiners of
18 Ophthalmic Dispensers and Ophthalmic Technicians, the Board of
19 Pharmacy, the State Board of Professional Planners, the State Board
20 of Psychological Examiners, the State Board of Examiners of
21 Master Plumbers, the State Board of Court Reporting, the State
22 Board of Veterinary Medical Examiners, the Radiologic
23 Technology Board of Examiners, the Acupuncture Examining
24 Board, the State Board of Chiropractic Examiners, the State Board
25 of Respiratory Care, the State Real Estate Appraiser Board, the New
26 Jersey Cemetery Board, the State Board of Social Work Examiners,
27 the State Board of Examiners of Heating, Ventilating, Air
28 Conditioning and Refrigeration Contractors, the Elevator, Escalator,
29 and Moving Walkway Mechanics Licensing Board, the State Board
30 of Physical Therapy Examiners, the State Board of
31 Polysomnography, the Orthotics and Prosthetics Board of
32 Examiners, the New Jersey Board of Massage and Bodywork
33 Therapy, the Genetic Counseling Advisory Committee, the State
34 Board of Naturopathic Medicine, and any other entity hereafter
35 created under Title 45 to license or otherwise regulate a profession
36 or occupation.

37 (cf: P.L.2012, c.71, s.15)

38

39 17. Section 2 of P.L.1978, c.73 (C.45:1-15) is amended to read
40 as follows:

41 2. The provisions of this act shall apply to the following boards
42 and all professions or occupations regulated by, through or with the
43 advice of those boards: the New Jersey State Board of
44 Accountancy, the New Jersey State Board of Architects, the New
45 Jersey State Board of Cosmetology and Hairstyling, the Board of
46 Examiners of Electrical Contractors, the New Jersey State Board of
47 Dentistry, the State Board of Mortuary Science of New Jersey, the
48 State Board of Professional Engineers and Land Surveyors, the

1 State Board of Marriage and Family Therapy Examiners, the State
2 Board of Medical Examiners, the New Jersey Board of Nursing, the
3 New Jersey State Board of Optometrists, the State Board of
4 Examiners of Ophthalmic Dispensers and Ophthalmic Technicians,
5 the Board of Pharmacy, the State Board of Professional Planners,
6 the State Board of Psychological Examiners, the State Board of
7 Examiners of Master Plumbers, the State Board of Court Reporting,
8 the State Board of Veterinary Medical Examiners, the State Board
9 of Chiropractic Examiners, the State Board of Respiratory Care, the
10 State Real Estate Appraiser Board, the State Board of Social Work
11 Examiners, the State Board of Examiners of Heating, Ventilating,
12 Air Conditioning and Refrigeration Contractors, the Elevator,
13 Escalator, and Moving Walkway Mechanics Licensing Board, the
14 State Board of Physical Therapy Examiners, the State Board of
15 Polysomnography, the Professional Counselor Examiners
16 Committee, the New Jersey Cemetery Board, the Orthotics and
17 Prosthetics Board of Examiners, the Occupational Therapy
18 Advisory Council, the Electrologists Advisory Committee, the
19 Acupuncture Advisory Committee, the Alcohol and Drug Counselor
20 Committee, the Athletic Training Advisory Committee, the
21 Certified Psychoanalysts Advisory Committee, the Fire Alarm,
22 Burglar Alarm, and Locksmith Advisory Committee, the Home
23 Inspection Advisory Committee, the Interior Design Examination
24 and Evaluation Committee, the Hearing Aid Dispensers Examining
25 Committee, the Perfusionists Advisory Committee, the Physician
26 Assistant Advisory Committee, the Audiology and Speech-
27 Language Pathology Advisory Committee, the New Jersey Board of
28 Massage and Bodywork Therapy, the Genetic Counseling Advisory
29 Committee, the State Board of Naturopathic Medicine, and any
30 other entity hereafter created under Title 45 to license or otherwise
31 regulate a profession or occupation.
32 (cf: P.L.2013, c.253, s.34)

33
34 18. This act shall take effect immediately, except that section 5
35 shall take effect 360 days following the appointment and
36 qualification of the board members, and that the director and board
37 may take such anticipatory action as may be necessary to effectuate
38 that provision of the act.

39

40

41

STATEMENT

42

43 This bill provides for the licensure of naturopathic doctors and
44 establishes the State Board of Naturopathic Examiners in the
45 Division of Consumer Affairs in the Department of Law and Public
46 Safety. The board shall consist of nine members who are residents
47 of the State, six of whom shall be, except for the members first
48 appointed, licensed naturopathic doctors who have been actively

1 engaged in the practice of naturopathic medicine for at least five
2 years immediately preceding their appointment, two of whom shall
3 be public members and one of whom shall be a State executive
4 department member.

5 The board shall:

- 6 (1) establish criteria and standards for licensure;
- 7 (2) review the qualification of applicants for licensure;
- 8 (3) adopt a code of ethics;
- 9 (4) insure proper conduct and standards of practice;
- 10 (5) issue and renew licenses pursuant to the bill;
- 11 (6) adopt rules and regulations to enforce the provisions of the
12 bill;
- 13 (7) establish standards for continuing education;
- 14 (8) suspend, revoke or decline to renew licenses of naturopathic
15 doctors;
- 16 (9) maintain a record of every naturopathic doctor licensed in
17 this State, and the date and number of his license, and publish a list
18 of the names and addresses of all licensees annually; and
- 19 (10) establish fees for applications for licensure, examinations,
20 initial licensure, renewals, late renewals, temporary licenses,
21 provisional licenses and for duplication of lost licenses.

22 The bill also provides that no person shall be permitted to
23 practice or present himself as able to practice naturopathic medicine
24 unless that person possesses a valid license. The board shall only
25 issue a license to those who the board determines to be qualified
26 and have completed the board's requirements for education, training
27 and experience. The license shall be issued for two years and may
28 be renewed for additional two year periods.

29 To be eligible for licensure as a naturopathic doctor, a person
30 must be at least 21 years of age and be of good moral character and
31 fulfill the following requirements:

32 a. Receive a degree in naturopathic medicine from an approved
33 naturopathic medical school and meet educational requirements as
34 specified in the bill. The board shall approve a naturopathic
35 medical education program accredited by the Council on
36 Naturopathic Medical Education or an equivalent federally
37 recognized accrediting body for the naturopathic medical profession
38 that has the following minimum requirements:

39 (1) admission requirements that include a minimum of three-
40 quarters of the credits required for a bachelor's degree from a
41 regionally accredited college or university or the equivalency, as
42 determined by the board; and

43 (2) program requirements for its degree or diploma of a
44 minimum of 4,100 total hours in basic and clinical sciences,
45 naturopathic philosophy, naturopathic modalities, and naturopathic
46 medicine, with not less than 2,500 of those hours consisting of
47 academic instruction, and not less than 1,200 of those hours

1 consisting of supervised clinical training approved by the
2 naturopathic medical school; and

3 b. Have passed the Naturopathic Physicians Licensing
4 Examination (NPLEX) or an equivalent approved by the North
5 American Board of Naturopathic Examiners.

6 As provided in the bill, a naturopathic doctor may order and
7 perform physical and laboratory examinations for diagnostic
8 purposes, including, but not limited to, phlebotomy, clinical
9 laboratory tests, speculum examinations, orificial examinations and
10 physiological function tests. A naturopathic doctor may also order
11 diagnostic imaging studies, including X-ray, ultrasound,
12 mammogram, bone densitometry, and others, consistent with
13 naturopathic training, as determined by the board, but shall refer the
14 studies to an appropriately licensed health care professional to
15 conduct the study and interpret the results. In addition, a
16 naturopathic doctor may dispense, administer, order, and prescribe
17 or perform the following:

18 (1) food, extracts of food, nutraceuticals, vitamins, amino acids,
19 minerals, enzymes, botanicals and their extracts, botanical
20 medicines, homeopathic medicines, all dietary supplements and
21 nonprescription drugs;

22 (2) hot or cold hydrotherapy; naturopathic physical medicine
23 inclusive of the manual use of massage, stretching, resistance, or
24 joint play examination but exclusive of small amplitude movement
25 at or beyond the end range of normal joint motion; electromagnetic
26 energy; colon hydrotherapy; and therapeutic exercise;

27 (3) devices, including but not limited to, therapeutic devices,
28 barrier contraception and durable medical equipment;

29 (4) health education and health counseling;

30 (5) repair and care incidental to superficial lacerations and
31 abrasions, except for suturing; and

32 (6) removal of foreign bodies located in the superficial tissues.

33 The bill also stipulates that a naturopathic doctor may utilize
34 routes of administration that include oral, nasal, auricular, ocular,
35 rectal, vaginal, transdermal, intradermal, subcutaneous, intravenous,
36 and intramuscular. Furthermore, the board may establish
37 regulations regarding ocular or intravenous routes of administration
38 that are consistent with the education and training of a naturopathic
39 doctor.

40 As defined in the bill, "naturopathic medicine" means a distinct
41 and comprehensive system of primary health practiced by a
42 naturopathic doctor for the diagnosis, treatment and prevention of
43 human health conditions, injuries and disease.

44 The bill establishes a naturopathic childbirth attendance advisory
45 committee to issue recommendations concerning the medical
46 education and training for the specialty practice of naturopathic
47 childbirth attendance. The advisory committee shall be composed
48 of one licensed medical doctor with clinical specialty or board

S1311 VITALE

14

1 certification in obstetrics, one certified nurse midwife or certified
2 midwife, and two licensed naturopathic doctors with clinical
3 experience in naturopathic childbirth attendance. Under the bill, a
4 naturopathic doctor may not practice naturopathic childbirth
5 attendance without first obtaining a certificate of special
6 competency in naturopathic childbirth attendance.

7 Finally, the bill amends certain of the general provisions
8 regulating the several professions and occupations to include the
9 new State Board of Naturopathic Examiners.