

SB-0826, As Passed Senate, May 17, 2018

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**SUBSTITUTE FOR
SENATE BILL NO. 826**

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 16265 and 17708 (MCL 333.16265 and 333.17708),
section 17708 as amended by 2016 PA 499, and by adding section
16348a and part 186.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 16265. (1) An individual licensed under this article to
engage in the practice of chiropractic, dentistry, medicine,
optometry, osteopathic medicine and surgery, podiatric medicine and
surgery, psychology, ~~or~~ veterinary medicine, **OR NATUROPATHIC
MEDICINE** shall not use the terms "doctor" or "dr." in any written
or printed matter or display without adding thereto "of
chiropractic", "of dentistry", "of medicine", "of optometry", "of
osteopathic medicine and surgery", "of podiatric medicine and
surgery", "of psychology", "of veterinary medicine", "**OF
NATUROPATHIC MEDICINE**", or a similar term, respectively.

(2) An individual licensed under part 182 shall not use the
terms "doctor" or "dr." without having been granted a doctoral
degree in psychology from a regionally or nationally accredited
college or university.

SEC. 16348A. THE DEPARTMENT SHALL ANNUALLY ESTABLISH A SCHEDULE OF FEES FOR AN INDIVIDUAL LICENSED OR SEEKING A LICENSE AS A NATUROPATHIC PHYSICIAN UNDER PART 186 TO OFFSET THE DEPARTMENT'S ADMINISTRATIVE EXPENSES UNDER THAT PART.

Sec. 17708. (1) "Preceptor" means a pharmacist approved by the board to direct the training of an intern in an approved pharmacy.

(2) "Prescriber" means a licensed dentist, a licensed doctor of medicine, a licensed doctor of osteopathic medicine and surgery, a licensed doctor of podiatric medicine and surgery, a licensed physician's assistant, a licensed optometrist certified under part 174 to administer and prescribe therapeutic pharmaceutical agents, an advanced practice registered nurse as that term is defined in section 17201 who meets the requirements of section 17211a, a licensed veterinarian, **A LICENSED DOCTOR OF NATUROPATHIC MEDICINE**, or another licensed health professional acting under the delegation and using, recording, or otherwise indicating the name of the delegating licensed doctor of medicine or licensed doctor of osteopathic medicine and surgery.

(3) "Prescription" means an order by a prescriber to fill, compound, or dispense a drug or device written and signed; written or created in an electronic format, signed, and transmitted by facsimile; or transmitted electronically or by other means of communication. An order transmitted in other than written or hard-copy form must be electronically recorded, printed, or written and immediately dated by the pharmacist, and that record is considered the original prescription. In a health facility or agency licensed under article 17 or other medical institution, an order for a drug or device in the patient's chart is considered for the purposes of this definition the original prescription. For purposes of this part, prescription also includes a standing order issued under section 17744e. Subject to section 17751(2) and (5), prescription includes, but is not limited to, an order for a drug, not including a controlled substance except under circumstances described in section 17763(e), written and signed; written or created in an electronic format, signed, and transmitted by facsimile; or

transmitted electronically or by other means of communication by a physician prescriber, dentist prescriber, or veterinarian prescriber who is licensed to practice dentistry, medicine, osteopathic medicine and surgery, or veterinary medicine in another state.

(4) "Prescription drug" means a drug to which 1 or more of the following apply:

(a) The drug is dispensed pursuant to a prescription.

(b) The drug bears the federal legend "CAUTION: federal law prohibits dispensing without prescription" or "Rx only".

(c) The drug is designated by the board as a drug that may only be dispensed pursuant to a prescription.

PART 186

NATUROPATHIC PHYSICIANS

SEC. 18601. (1) FOR PURPOSES OF THIS PART, THE WORDS AND PHRASES DEFINED IN SECTIONS 18603 TO 18609 HAVE THE MEANINGS ASCRIBED TO THEM IN THOSE SECTIONS.

(2) IN ADDITION TO THE DEFINITIONS IN THIS PART, ARTICLE 1 CONTAINS GENERAL DEFINITIONS AND PRINCIPLES OF CONSTRUCTION APPLICABLE TO ALL ARTICLES IN THE CODE AND PART 161 CONTAINS DEFINITIONS APPLICABLE TO THIS PART.

SEC. 18603. (1) "APPROVED NATUROPATHIC MEDICAL PROGRAM" MEANS ANY OF THE FOLLOWING:

(A) A NATUROPATHIC MEDICAL EDUCATION PROGRAM THAT IS LOCATED IN THE UNITED STATES, THAT PROVIDES THE DEGREE OF DOCTOR OF NATUROPATHY OR DOCTOR OF NATUROPATHIC MEDICINE, AND THAT MEETS ALL OF THE FOLLOWING REQUIREMENTS:

(i) OFFERS GRADUATE-LEVEL FULL-TIME DIDACTIC AND SUPERVISED CLINICAL TRAINING.

(ii) IS ACCREDITED OR HAS ACHIEVED CANDIDACY STATUS FOR ACCREDITATION BY A FEDERALLY RECOGNIZED ACCREDITING BODY FOR NATUROPATHIC MEDICAL PROGRAMS APPROVED BY THE BOARD.

(iii) IS AN INSTITUTION OR PART OF AN INSTITUTION OF HIGHER EDUCATION THAT IS ACCREDITED OR IS A CANDIDATE FOR ACCREDITATION BY

A REGIONAL OR NATIONAL INSTITUTIONAL ACCREDITING AGENCY RECOGNIZED BY THE UNITED STATES SECRETARY OF EDUCATION.

(B) A NATUROPATHIC MEDICAL EDUCATION PROGRAM OFFERED BY A DEGREE-GRANTING COLLEGE OR UNIVERSITY THAT MEETS ALL OF THE FOLLOWING REQUIREMENTS:

(i) OFFERED A FULL-TIME STRUCTURED CURRICULUM IN BASIC SCIENCES AND SUPERVISED PATIENT CARE COMPRISING A DOCTORAL NATUROPATHIC MEDICAL EDUCATION.

(ii) WAS AT LEAST 132 WEEKS IN DURATION AND REQUIRED COMPLETION OF THE PROGRAM WITHIN A PERIOD OF AT LEAST 35 MONTHS AS A PREREQUISITE TO GRADUATION.

(iii) WAS OFFERED BY A COLLEGE OR UNIVERSITY THAT WAS REPUTABLE AND IN GOOD STANDING IN THE JUDGMENT OF THE BOARD.

(iv) IF THE PROGRAM IS STILL OFFERED, IT IS ACCREDITED BY A FEDERALLY RECOGNIZED ACCREDITING BODY FOR NATUROPATHIC MEDICAL PROGRAMS APPROVED BY THE BOARD.

(C) A NATUROPATHIC MEDICAL EDUCATION PROGRAM OFFERED BY A DIPLOMA-GRANTING, DEGREE-EQUIVALENT COLLEGE OR UNIVERSITY LOCATED IN CANADA THAT MEETS ALL OF THE FOLLOWING REQUIREMENTS:

(i) WAS OFFERED BY A COLLEGE OR UNIVERSITY THAT HAD PROVINCIAL APPROVAL FOR PARTICIPATION IN GOVERNMENT-FUNDED STUDENT AID PROGRAMS.

(ii) OFFERED A FULL-TIME STRUCTURED CURRICULUM IN BASIC SCIENCES AND SUPERVISED PATIENT CARE COMPRISING A DOCTORAL NATUROPATHIC MEDICAL EDUCATION.

(iii) WAS AT LEAST 132 WEEKS IN DURATION AND REQUIRED COMPLETION OF THE PROGRAM WITHIN A PERIOD OF AT LEAST 35 MONTHS AS A PREREQUISITE TO GRADUATION.

(iv) WAS OFFERED BY A COLLEGE OR UNIVERSITY THAT WAS REPUTABLE AND IN GOOD STANDING IN THE JUDGMENT OF THE BOARD.

(v) IF THE PROGRAM IS STILL OFFERED, IT IS ACCREDITED BY A FEDERALLY RECOGNIZED ACCREDITING BODY FOR NATUROPATHIC MEDICAL PROGRAMS APPROVED BY THE BOARD.

(vi) IF THE PROGRAM IS STILL OFFERED, THE COLLEGE OR

UNIVERSITY HAS PROVINCIAL APPROVAL FOR PARTICIPATION IN GOVERNMENT-FUNDED STUDENT AID PROGRAMS.

(D) A NATUROPATHIC MEDICAL EDUCATION PROGRAM OFFERED BY A DIPLOMA-GRANTING, DEGREE-EQUIVALENT COLLEGE OR UNIVERSITY LOCATED IN CANADA THAT PROVIDES THE DEGREE OF DOCTOR OF NATUROPATHY OR DOCTOR OF NATUROPATHIC MEDICINE AND THAT MEETS ALL OF THE FOLLOWING REQUIREMENTS:

(i) OFFERS GRADUATE-LEVEL FULL-TIME DIDACTIC AND SUPERVISED CLINICAL TRAINING.

(ii) IS ACCREDITED OR HAS ACHIEVED CANDIDACY STATUS FOR ACCREDITATION BY A FEDERALLY RECOGNIZED ACCREDITING BODY FOR NATUROPATHIC MEDICAL PROGRAMS APPROVED BY THE BOARD.

(iii) IS OFFERED BY A COLLEGE OR UNIVERSITY THAT HAS PROVINCIAL APPROVAL FOR PARTICIPATION IN GOVERNMENT-FUNDED STUDENT AID PROGRAMS.

(2) "DEVICE" MEANS THAT TERM AS DEFINED IN SECTION 17703.

SEC. 18605. "MINOR OFFICE PROCEDURE" MEANS ANY OF THE FOLLOWING:

(A) THE USE OF OPERATIVE, ELECTRICAL, OR OTHER METHODS FOR THE REPAIR AND CARE INCIDENTAL TO SUPERFICIAL LACERATIONS AND ABRASIONS, SUPERFICIAL LESIONS, AND THE REMOVAL OF FOREIGN BODIES LOCATED IN THE SUPERFICIAL TISSUES AND THE USE OF ANTISEPTICS AND LOCAL TOPICAL ANESTHETICS IN CONNECTION WITH THOSE METHODS.

(B) OBTAINING SPECIMENS TO DIAGNOSE, ASSESS, AND TREAT DISEASE.

SEC. 18607. (1) "NATUROPATHIC FORMULARY" OR "FORMULARY" MEANS THE LIST OF NONPRESCRIPTION AND PRESCRIPTION DRUGS THAT NATUROPATHIC PHYSICIANS USE IN THE PRACTICE OF THEIR PROFESSION, AS DETERMINED BY THE BOARD.

(2) "NATUROPATHIC MEDICINE" MEANS A SYSTEM OF PRACTICE THAT IS BASED ON THE NATURAL HEALING CAPACITY OF INDIVIDUALS FOR THE DIAGNOSIS, TREATMENT, AND PREVENTION OF DISEASES.

(3) "NATUROPATHIC MUSCULOSKELETAL MOBILIZATION" MEANS THE TREATMENT OF ALL BODY TISSUES BY MANUAL AND OTHER MECHANICAL MEANS, INCLUDING HIGH-VELOCITY, LOW-AMPLITUDE MOBILIZATION AT OR BEYOND

THE END RANGE OF NORMAL JOINT MOTION.

(4) "NATUROPATHIC PHYSICIAN" MEANS AN INDIVIDUAL WHO ENGAGES IN THE PRACTICE OF NATUROPATHIC MEDICINE AND WHO IS REQUIRED TO BE LICENSED OR OTHERWISE AUTHORIZED UNDER THIS PART TO ENGAGE IN THAT PRACTICE.

SEC. 18609. (1) "PRACTICE OF NATUROPATHIC MEDICINE" MEANS PERFORMING ANY OF THE TASKS, FUNCTIONS, OR DUTIES THAT ARE CONSISTENT WITH THE INDIVIDUAL'S NATUROPATHIC EDUCATION AND TRAINING AND DESCRIBED IN SECTION 18615.

(2) "PRESCRIPTION DRUG" MEANS THAT TERM AS DEFINED IN SECTION 17708.

SEC. 18611. (1) BEGINNING 180 DAYS AFTER RULES ARE PROMULGATED UNDER SECTION 18623, AN INDIVIDUAL SHALL NOT ENGAGE IN THE PRACTICE OF NATUROPATHIC MEDICINE UNLESS HE OR SHE IS LICENSED OR OTHERWISE AUTHORIZED UNDER THIS ARTICLE.

(2) SUBJECT TO SUBSECTION (3), THE FOLLOWING WORDS, TITLES, OR LETTERS OR COMBINATION OF THE FOLLOWING WORDS, TITLES, OR LETTERS, WITH OR WITHOUT QUALIFYING WORDS OR PHRASES, ARE RESTRICTED IN USE TO ONLY THOSE INDIVIDUALS AUTHORIZED UNDER THIS PART TO USE THE TERMS AND IN A WAY PRESCRIBED IN THIS PART: "DOCTOR OF NATUROPATHIC MEDICINE", "DOCTOR OF NATUROPATHY", "NATUROPATHIC PHYSICIAN", "NATUROPATHIC DOCTOR", "NATUROPATHIC MEDICAL DOCTOR", "NATUROPATHIC MEDICINE", "N.D.", AND "N.M.D.".

(3) IF HE OR SHE DOES NOT USE THE WORD OR TITLE "DOCTOR", "PHYSICIAN", "MEDICAL DOCTOR", OR "MEDICINE", SUBSECTION (2) DOES NOT RESTRICT THE USE OF ANY OF THE FOLLOWING WORDS OR TITLES BY AN INDIVIDUAL DESCRIBED IN SUBSECTION (4) (F) OR (G) IN CONNECTION WITH HIS OR HER PRACTICE: "NATUROPATHY", "NATUROPATHIC HEALTH CARE", "NATUROPATH", "NATUROPATHIC PRACTITIONER", OR "TRADITIONAL NATUROPATHIC PRACTITIONER".

(4) IN ADDITION TO THE EXEMPTIONS FROM LICENSURE UNDER SECTION 16171, THIS PART DOES NOT PROHIBIT OR RESTRICT ANY OF THE FOLLOWING:

(A) THE PRACTICE OF A PROFESSION OR OCCUPATION BY AN

INDIVIDUAL WHO IS LICENSED, CERTIFIED, REGISTERED, OR OTHERWISE AUTHORIZED UNDER THIS ACT OR OTHER LAWS OF THIS STATE AND WHO IS PERFORMING SERVICES WITHIN HIS OR HER AUTHORIZED SCOPE OF PRACTICE.

(B) THE PRACTICE OF NATUROPATHIC MEDICINE BY STUDENTS ENROLLED IN AN APPROVED NATUROPATHIC MEDICAL PROGRAM. THE PERFORMANCE OF SERVICES MUST BE PURSUANT TO A COURSE OF INSTRUCTION OR ASSIGNMENTS FROM AN INSTRUCTOR AND UNDER THE SUPERVISION OF THE INSTRUCTOR. THE INSTRUCTOR MUST BE A NATUROPATHIC PHYSICIAN LICENSED UNDER THIS PART OR A DULY LICENSED PROFESSIONAL IN THE FIELD OF INSTRUCTION.

(C) SELF-CARE BY A PATIENT OR UNCOMPENSATED CARE BY A FRIEND OR FAMILY MEMBER WHO DOES NOT REPRESENT OR HOLD HIMSELF OR HERSELF OUT TO BE A NATUROPATHIC PHYSICIAN.

(D) AN INDIVIDUAL WHO SELLS VITAMINS OR HERBS FROM PROVIDING INFORMATION ABOUT HIS OR HER PRODUCTS.

(E) AN INDIVIDUAL FROM ADVISING IN THE USE OF A THERAPY, INCLUDING, BUT NOT LIMITED TO, HERBAL MEDICINE, HOMEOPATHY, NUTRITION, OR OTHER NONDRUG OR NONSURGICAL THERAPY THAT IS WITHIN THE SCOPE OF PRACTICE OF NATUROPATHIC PHYSICIANS UNDER THIS PART, IF ALL OF THE FOLLOWING REQUIREMENTS ARE MET:

(i) THE INDIVIDUAL IS NOT A HEALTH PROFESSIONAL AND THE THERAPY IS WITHIN THAT INDIVIDUAL'S LAWFUL RIGHTS TO PERFORM UNDER A HEALTH OCCUPATION. IF THE INDIVIDUAL IS A HEALTH PROFESSIONAL, THE THERAPY MUST BE WITHIN THE SCOPE OF PRACTICE OF THAT HEALTH PROFESSION UNDER THIS ARTICLE.

(ii) THE INDIVIDUAL IS NOT USING A WORD, A TITLE, OR LETTERS PROTECTED UNDER THIS PART AND DOES NOT REPRESENT OR HOLD HIMSELF OR HERSELF OUT TO BE A NATUROPATHIC PHYSICIAN.

(F) AN INDIVIDUAL WHO IS EDUCATED AND TRAINED IN NATUROPATHY OR NATUROPATHIC HEALTH CARE AND PROVIDES NATUROPATHIC THERAPY WITHIN THE SCOPE OF THAT EDUCATION AND TRAINING.

(G) AN INDIVIDUAL WHO IS EDUCATED AND TRAINED AS A NATUROPATH, NATUROPATHIC PRACTITIONER, OR TRADITIONAL NATUROPATHIC PRACTITIONER AND WHO PROVIDES NATUROPATHIC THERAPY WITHIN THE SCOPE OF THAT EDUCATION AND TRAINING.

(H) A REGISTERED DIETICIAN OR NUTRITIONAL PROFESSIONAL WHO

MEETS THE REQUIREMENTS OF 42 USC 1395X(VV) (2) (A) AND (B) FROM DOING ANY OF THE FOLLOWING UPON RECEIVING A REFERRAL FROM A HEALTH PROFESSIONAL:

- (i) PRESCRIBING DIETARY TREATMENTS.
- (ii) PROVIDING NUTRITIONAL AND DIETARY COUNSELING.
- (iii) CONDUCTING NUTRITIONAL AND DIETARY ASSESSMENTS.

(iv) DEVELOPING, RECOMMENDING, AND ORDERING NUTRITIONAL AND DIETARY TREATMENTS, INCLUDING THERAPEUTIC DIETS, FOR PATIENTS OR GROUPS OF PATIENTS.

SEC. 18613. TO BE ELIGIBLE FOR A LICENSE TO ENGAGE IN THE PRACTICE OF NATUROPATHIC MEDICINE IN THIS STATE, AN APPLICANT SHALL SUBMIT ALL OF THE FOLLOWING TO THE BOARD, AS APPLICABLE:

(A) A COMPLETED APPLICATION FOR LICENSURE.

(B) EXCEPT AS OTHERWISE PROVIDED IN SUBDIVISION (C), EVIDENCE THAT HE OR SHE IS A GRADUATE OF AN APPROVED NATUROPATHIC MEDICAL PROGRAM AND THAT HE OR SHE HAS SUCCESSFULLY PASSED A COMPETENCY-BASED NATIONAL NATUROPATHIC PHYSICIANS LICENSING EXAMINATION ADMINISTERED BY AN AGENCY THAT IS NATIONALLY RECOGNIZED TO ADMINISTER A NATUROPATHIC PHYSICIANS LICENSING EXAMINATION THAT REPRESENTS FEDERAL STANDARDS OF EDUCATION AND TRAINING AND THAT IS APPROVED BY THE BOARD.

(C) FOR A GRADUATE OF AN APPROVED NATUROPATHIC MEDICAL PROGRAM DESCRIBED IN SECTION 18603(1) (B) OR (C), EVIDENCE OF SUCCESSFUL PASSAGE OF A BOARD-APPROVED STATE COMPETENCY EXAMINATION OR CANADIAN PROVINCIAL EXAMINATION.

(D) ANY OTHER INFORMATION OR DOCUMENTS REQUIRED UNDER THIS ARTICLE OR REQUIRED BY THE BOARD.

SEC. 18615. A NATUROPATHIC PHYSICIAN MAY DO ANY OF THE FOLLOWING, CONSISTENT WITH HIS OR HER NATUROPATHIC EDUCATION AND TRAINING:

(A) ORDER AND PERFORM PHYSICAL AND LABORATORY EXAMINATIONS FOR DIAGNOSTIC PURPOSES, INCLUDING, BUT NOT LIMITED TO, PHLEBOTOMY, CLINICAL LABORATORY TESTS, ORIFICIAL EXAMINATIONS, OR PHYSIOLOGICAL FUNCTION TESTS.

(B) ORDER DIAGNOSTIC IMAGING STUDIES.

(C) SUBJECT TO SECTION 18617, DISPENSE, ADMINISTER, ORDER, OR PRESCRIBE OR PERFORM ANY OF THE FOLLOWING:

(i) FOOD, EXTRACTS OF FOOD, NUTRACEUTICALS, VITAMINS, AMINO ACIDS, MINERALS, ENZYMES, BOTANICALS AND THEIR EXTRACTS, BOTANICAL MEDICINES, HOMEOPATHIC MEDICINES, ALL DIETARY SUPPLEMENTS, OR NONPRESCRIPTION DRUGS AS DEFINED BY THE FEDERAL FOOD, DRUG, AND COSMETIC ACT, 21 USC 301 TO 399H.

(ii) PRESCRIPTION OR NONPRESCRIPTION DRUGS AS DESIGNATED BY THE BOARD.

(iii) HOT OR COLD HYDROTHERAPY, NATUROPATHIC PHYSICAL MEDICINE, ELECTROMAGNETIC ENERGY, OR THERAPEUTIC EXERCISE.

(iv) DEVICES, INCLUDING, BUT NOT LIMITED TO, THERAPEUTIC DEVICES, BARRIER CONTRACEPTION, OR DURABLE MEDICAL EQUIPMENT.

(v) HEALTH EDUCATION OR HEALTH COUNSELING.

(vi) REPAIR AND CARE INCIDENTAL TO SUPERFICIAL LACERATIONS OR ABRASIONS.

(vii) NATUROPATHIC MUSCULOSKELETAL MOBILIZATION.

(D) UTILIZE ROUTES OF ADMINISTRATION THAT INCLUDE, BUT ARE NOT LIMITED TO, ORAL, NASAL, AURICULAR, OCULAR, RECTAL, VAGINAL, TRANSDERMAL, INTRADERMAL, SUBCUTANEOUS, INTRAVENOUS, OR INTRAMUSCULAR CONSISTENT WITH HIS OR HER NATUROPATHIC EDUCATION AND TRAINING.

(E) OTHER NATUROPATHIC THERAPIES AS APPROVED BY THE BOARD.

SEC. 18617. A NATUROPATHIC PHYSICIAN SHALL NOT DO ANY OF THE FOLLOWING:

(A) PRESCRIBE, DISPENSE, OR ADMINISTER ANY CONTROLLED SUBSTANCE OR DEVICE IDENTIFIED IN THE FEDERAL CONTROLLED SUBSTANCES ACT, 21 USC 801 TO 971.

(B) PRESCRIBE, DISPENSE, OR ADMINISTER A PRESCRIPTION DRUG OR DEVICE UNLESS THE PRESCRIPTION DRUG OR DEVICE IS INCLUDED IN THE NATUROPATHIC FORMULARY ESTABLISHED UNDER SECTION 18623.

(C) PERFORM NATUROPATHIC MUSCULOSKELETAL MOBILIZATION INVOLVING HIGH-VELOCITY, LOW-AMPLITUDE MOBILIZATION AT OR BEYOND THE END RANGE OF NORMAL JOINT MOTION, UNLESS HE OR SHE MEETS THE

REQUIREMENTS TO PERFORM HIGH-VELOCITY, LOW-AMPLITUDE MOBILIZATION AS ESTABLISHED BY THE BOARD BY RULE.

(D) PERFORM SURGICAL PROCEDURES EXCEPT, SUBJECT TO SECTION 18623(F), MINOR OFFICE PROCEDURES.

(E) ENGAGE IN THE PRACTICE OF OR CLAIM TO ENGAGE IN THE PRACTICE OF ANY OTHER HEALTH PROFESSION, INCLUDING, BUT NOT LIMITED TO, PERFORMING CHIROPRACTIC ADJUSTMENTS, UNLESS HE OR SHE IS LICENSED TO ENGAGE IN THAT HEALTH PROFESSION UNDER THIS ARTICLE.

(F) USE GENERAL OR SPINAL ANESTHETICS.

(G) ADMINISTER IONIZING RADIOACTIVE SUBSTANCES FOR THERAPEUTIC PURPOSES.

(H) PERFORM SURGICAL PROCEDURES USING A LASER DEVICE.

(I) PERFORM SURGICAL PROCEDURES INVOLVING THE EYE, EAR, TENDONS, NERVES, VEINS, OR ARTERIES.

SEC. 18621. THE BOARD OF NATUROPATHIC MEDICINE IS CREATED IN THE DEPARTMENT. THE BOARD CONSISTS OF THE FOLLOWING 11 MEMBERS, EACH OF WHOM MUST MEET THE REQUIREMENTS OF PART 161:

(A) SIX NATUROPATHIC PHYSICIANS.

(B) ONE PHYSICIAN WHO IS LICENSED UNDER PART 170 OR 175.

(C) ONE PHARMACIST WHO IS LICENSED UNDER PART 177.

(D) ONE CHIROPRACTOR WHO IS LICENSED UNDER PART 164.

(E) TWO PUBLIC MEMBERS.

SEC. 18623. THE DEPARTMENT, IN CONSULTATION WITH THE BOARD, SHALL DO ALL OF THE FOLLOWING:

(A) DETERMINE THE QUALIFICATIONS OF INDIVIDUALS APPLYING FOR LICENSURE UNDER THIS PART.

(B) REVIEW THE CONTENT OF RULES AND PROPOSED RULES GOVERNING THE PRACTICE OF NATUROPATHIC MEDICINE IN THIS STATE.

(C) EVALUATE THE CONTENT OF ANY CLINICAL, PRACTICAL, OR RESIDENCY REQUIREMENT.

(D) PROMULGATE RULES FOR EXAMINATION STANDARDS, CONSISTENT WITH THE STANDARDS UNDER THIS PART, FOR LICENSURE AND WHEN THOSE EXAMINATIONS WILL BE PROVIDED. THE RULES SHALL INCLUDE A COMPETENCY-BASED NATIONAL EXAMINATION CONSISTENT WITH THE

REQUIREMENTS DESCRIBED IN SECTION 18613(B) AND (C) AS THE
NATUROPATHIC LICENSING EXAMINATION.

(E) SUBJECT TO SECTION 16204, ESTABLISH A MINIMUM AMOUNT AND
KIND OF CONTINUING EDUCATION TO BE REQUIRED ANNUALLY FOR EACH
NATUROPATHIC PHYSICIAN AS A CONDITION FOR LICENSURE RENEWAL.

(F) LIMIT THE PERFORMANCE OF MINOR OFFICE PROCEDURES TO A
NATUROPATHIC PHYSICIAN WHO HAS GRADUATED FROM AN APPROVED
NATUROPATHIC MEDICAL PROGRAM THAT INCLUDED MINOR OFFICE PROCEDURES
AS PART OF ITS CURRICULUM OR WHO HAS UP-TO-DATE CERTIFICATION OF
EQUIVALENT TRAINING, AS DETERMINED BY THE BOARD, IF HE OR SHE
GRADUATED FROM AN APPROVED NATUROPATHIC MEDICAL PROGRAM THAT DID
NOT INCLUDE MINOR OFFICE PROCEDURES AS PART OF THE CURRICULUM.

(G) ESTABLISH A NATUROPATHIC FORMULARY. ALL OF THE FOLLOWING
APPLY TO THE NATUROPATHIC FORMULARY ESTABLISHED UNDER THIS
SUBDIVISION:

(i) THE BOARD SHALL REVIEW THE NATUROPATHIC FORMULARY ANNUALLY
OR AT ANY TIME AT THE REQUEST OF THE BOARD.

(ii) THE NATUROPATHIC FORMULARY MUST NOT GO BEYOND THE SCOPE
OF NATURAL MEDICINES OR PRESCRIPTION DRUGS AND DEVICES COVERED BY
APPROVED NATUROPATHIC EDUCATION AND TRAINING OR BOARD-APPROVED
CONTINUING EDUCATION.

(iii) THE NATUROPATHIC FORMULARY MUST NOT INCLUDE PRESCRIPTION
DRUGS OR DEVICES THAT ARE INCONSISTENT WITH THE TRAINING PROVIDED
TO GRADUATES OF AN APPROVED NATUROPATHIC MEDICAL PROGRAM.

SEC. 18631. EACH LICENSE GRANTED OR RENEWED UNDER THIS PART
EXPIRES 4 YEARS FOLLOWING THE DATE IT WAS GRANTED OR LAST RENEWED.

SEC. 18633. THIS PART DOES NOT REQUIRE NEW OR ADDITIONAL THIRD
PARTY REIMBURSEMENT OR MANDATED WORKER'S COMPENSATION BENEFITS FOR
SERVICES RENDERED BY AN INDIVIDUAL WHO IS LICENSED UNDER THIS PART.

Enacting section 1. This amendatory act takes effect 90 days
after the date it is enacted into law.