

SENATE BILL No. 88

By Committee on Public Health and Welfare

2-3

1 AN ACT concerning the healing arts; relating to naturopathic medicine;
2 prescription, recommendation or administration of natural medicines;
3 amending K.S.A. 2010 Supp. 65-7202 and repealing the existing
4 section.

5
6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 2010 Supp. 65-7202 is hereby amended to read as
8 follows: 65-7202. As used in K.S.A. 65-7201 to 65-7218, inclusive, and
9 *K.S.A. 2010 Supp. 65-7219*, and amendments thereto:

10 (a) "Naturopathic doctor" means a doctor of naturopathic medicine
11 who is authorized and licensed pursuant to *article 72 of chapter 65 of the*
12 *Kansas Statutes Annotated, and amendments thereto.* ~~this act.~~

13 (b) "Naturopathic medicine;" or "naturopathy" means a system of
14 health care practiced by naturopathic doctors for the prevention, diagnosis
15 and treatment of human health conditions, injuries and diseases, that uses
16 education, natural medicines and therapies to support and stimulate the
17 individual's intrinsic self-healing processes, and includes prescribing,
18 recommending or administering:

19 (1) (A) Food, food extracts, vitamins, minerals, enzymes, whole
20 gland thyroid, botanicals, homeopathic preparations, *immunizations*,
21 nonprescription drugs, plant substances that are not designated as
22 ~~prescription drugs or~~ controlled substances; and topical drugs as defined
23 in subsection (i) of this section, and amendments thereto;

24 (B) *prescription vitamins, minerals, enzymes, whole gland thyroid,*
25 *homeopathic preparations, bioidentical hormones that are not designated*
26 *as controlled substances, epinephrine, oxygen and topical drugs as*
27 *defined in subsection (i) of this section, and amendments thereto;*

28 (2) health care counseling, nutritional counseling and dietary therapy,
29 naturopathic physical applications; and barrier contraceptive devices;

30 (3) *vitamins, minerals and homeopathic preparations for*
31 *intramuscular, subcutaneous or intravenous administration;*

32 ~~(3) (4) substances on the naturopathic formulary which are authorized~~
33 ~~for intramuscular, subcutaneous or intravenous administration pursuant to~~
34 ~~a written protocol entered into with a physician who has entered into a~~
35 ~~written protocol with a naturopathic doctor licensed under this act;~~

36 (4) (5) noninvasive physical examinations, venipuncture to obtain

1 blood for clinical laboratory tests and official examinations, excluding
2 endoscopies;

3 ~~(5)~~ (6) minor office procedures; and

4 ~~(6)~~ (7) naturopathic acupuncture. A naturopathic doctor may not
5 perform surgery, obstetrics, administer ionizing radiation, or prescribe,
6 dispense or administer any controlled substances as defined in K.S.A. 65-
7 4101, and amendments thereto, or any prescription-only drugs.

8 *Naturopathic doctors may prescribe, recommend or administer*
9 *prescription-only drugs and substances except those listed on the*
10 *naturopathic formulary adopted by the board pursuant to K.S.A. 65-7212,*
11 *and amendments thereto, and the prescription-only items listed in*
12 *paragraph (1)(B) of this act.*

13 (c) "Board" means the state board of healing arts.

14 (d) "Approved naturopathic medical college" means a college and
15 program granting the degree of doctor of naturopathy or naturopathic
16 medicine that has been approved by the board under ~~this~~ *the naturopathic*
17 *doctor licensure* act and which college and program requires at a
18 minimum a four-year, full-time resident program of academic and clinical
19 study.

20 (e) "Homeopathic preparations" means substances and drugs
21 prepared according to the official homeopathic pharmacopoeia
22 recognized by the United States food and drug administration.

23 (f) "Naturopathic acupuncture" means the insertion of fine metal
24 needles through the skin at specific points on or near the surface of the
25 body with or without the palpation of specific points on the body and
26 with or without the application of electric current or heat to the needles or
27 skin or both to treat human disease and impairment and to relieve pain.

28 (g) "Minor office procedures" means care incidental to superficial
29 lacerations and abrasions, superficial lesions and the removal of foreign
30 bodies located in the superficial tissues, except eyes, and not involving
31 blood vessels, tendons, ligaments or nerves. "Minor office procedures"
32 ~~include~~ *includes* use of antiseptics, but shall not include the suturing,
33 repairing, alteration or removal of tissue or the use of general or spinal
34 anesthesia. Minor office procedures does not include anesthetics or
35 surgery.

36 (h) "Naturopathic physical applications" means the therapeutic use
37 by naturopathic doctors of the actions or devices of electrical muscle
38 stimulation, galvanic, diathermy, ultrasound, ultraviolet light,
39 constitutional ~~hydrotherapy~~ *hydrotherapy*, naturopathic musculoskeletal
40 technique and therapeutic exercise.

41 (i) "Topical drugs" means topical *prescription bioidentical*
42 *hormones and topical nonprescription* analgesics, antiseptics, scabicides,
43 antifungals and antibacterials. ~~but does not include prescription only~~

1 ~~drugs:~~

2 (j) "Physician" means a person licensed to practice medicine and
3 surgery.

4 (k) *"Bioidentical hormones" means compounds, or salt forms of*
5 *those compounds, that have exactly the same chemical and molecular*
6 *structure as hormones that are produced in the human body.* ~~"Written~~
7 ~~protocol" means a formal written agreement between a naturopathic~~
8 ~~doctor licensed under this act and a person licensed to practice medicine~~
9 ~~and surgery. Any licensee of the board entering into a written protocol~~
10 ~~with a licensed naturopathic doctor shall notify the board in writing of~~
11 ~~such relationship by providing such information as the board may require.~~

12 Sec. 2. K.S.A. 2010 Supp. 65-7202 is hereby repealed.

13 Sec. 3. This act shall take effect and be in force from and after its
14 publication in the statute book.

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