



2-18-2019

House Health Committee  
Re: HB2185 — Proponent

Chairmen, members of the committee, I am Dr. Alicia Johnson and the president of the Kansas Naturopathic Doctor's Association. I want to thank you for the opportunity to testify in support of HB2185.

HB2185 is a clarification of our current practice in Kansas. In 2017, an employee at Diagnostic Imaging Centers was unsure about the ability of Naturopathic Doctors to order imaging and reached out to the Kansas Board of Healing Arts. An assistant attorney at the KBOHA reviewed our statutes and indicated that we were not licensed to order imaging, a statement that the KBOHA later rescinded. The radiology technicians law that includes licensed providers, who are able to order imaging was written before our licensure was granted. Thus the absence of our profession is an oversight of which we only recently became aware. Our statutes indicate that we are licensed doctors with the ability to diagnose and treat. Our statutes also indicate that we are not allowed to administer ionizing radiation, however there is no language that precludes us from sending a patient to an imaging center for a radiologist to administer and interpret the test. For the past 15 years, until that slow day in 2017, no one has questioned our right to order imaging, since it has been the common practice with the inception of our license.

In Kansas, as in many states, the language that regulates imaging is generally exclusionary in most bills, meaning only things the provider is NOT permitted to do are listed in statutes with regard to imaging. It is generally assumed that a provider will use all of the diagnostic tools included in their didactic and clinical training unless otherwise specified. For example, we can not administer ionizing radiation. Administering diagnostic imaging is not part of our training and it is specifically excluded in statute to clarify that while we can order an x-ray, we do administer or interpret do x-rays on site. Very few professionals in Kansas have their right to order explicitly written into their statutes, but imaging is addressed in the rad tech language.

The Kansas Naturopathic Doctors Association is here today to update the rad tech language now that the clarity of our statutes has been called into question. At the recommendation of the board, when this point of confusion came up, we began reviewing many other areas of our statutes that may be perceived as unclear. Our statutes will be addressed at a later date after working with various stakeholders. For simplicity, we would like to address this issue now in the Rad Tech language since this serves as a straightforward clarification of current practice. The KBOHA has been made aware on two occasions that we consider ordering imaging a part of our common practice.

As we had this bill introduced, we spoke with Radiology Technicians at the hospitals and the lobbyist for the Radiology Technicians and can say that we are all in agreement about this mistake and that this is really a technical fix. To our knowledge, there is no opposition to this clarification.

In conclusion, again I thank you for the opportunity to testify in support of HB2185 and ask you to pass the bill out favorably. I can answer any questions when appropriate. We are aware that our profession has a small presence in the state of Kansas. To assist you in answering common questions, I have submitted a document that was created to help the KBOHA understand the background of the issue. It would be my pleasure to briefly review some specifics about our profession, our training, and our use of diagnostic imaging if you find it helpful. I think you will find that a quick review of the information in this packet covers most questions that you may have.

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