



To: Senate Public Health and Welfare Committee

From: Rachelle Colombo
Executive Director

Date: March 9, 2022

Re: SB 274 and SB 275; regarding expanded scope of Naturopathic doctors and authorization for the corporate practice of medicine

The Kansas Medical Society appreciates the opportunity to appear before you today in opposition to SB 274 and SB 275, regarding expanding the scope of practice of Naturopathic doctors and their ability to engage in the corporate practice of medicine.

As defined by KSA 65-7202, Naturopathy is “a system of health care... that uses natural medicines and therapies to support and stimulate the individual's intrinsic self-healing processes”. Naturopaths study natural remedies and healing processes and do not practice allopathic or osteopathic medicine as a medical doctor or doctor of osteopathy. They are not physicians and cannot oversee or delegate acts to other medical health care providers. Their training specifically limits them from prescribing prescription-only drugs and controlled substances, performing or interpreting diagnostic tests, and performing obstetrical care or invasive procedures.

However, among a host of changes to existing law, SB 274 authorizes:

Use of a speculum (p.1, l.13) implying will naturopaths will be doing vaginal examinations, although elsewhere in the bill, they are prohibited from performing “labor, delivery or any procedure involving the reproductive organs of a pregnant patient” (p.2, l. 8-9).

Prescribing prescription-only drugs, and controlled substances, specifically the anabolic steroid testosterone (p.1, l.32-33)

Injecting drugs into joints such as shoulders, knees (p.2, l.3 “intra-articular” administration)

Use or Injection of local or regional anesthetics (p.21, l.10)

Authorizes the open-ended and ill-defined “treatments taught in any approved medical college that are not otherwise prohibited by this act” (p.21, l.19-20)

SB 274 would allow an untrained naturopath to prescribe prescription-only drugs and controlled substances, provide obstetrical care, perform “minor” office procedures without defining such procedures and the limitations of their scope and would allow them to perform invasive procedures and examinations. Naturopaths do not have any training or basis to provide these services. The bill does not include anti-deceptive requirements that such practitioners identify themselves as a non-physician or that they carry malpractice insurance for the medical practice they wish to engage in. SB 274 is negligent and inconsistent on several fronts and needs much more study and discussion.

Finally, SB 275 would allow naturopaths to engage in the corporate practice of medicine. Under the bill, a business entity could hire a naturopath as an employee. KMS believes the corporate practice of medicine undermines independent medical judgment by pitting it against corporate interests. Recent exceptions to the prohibition of the corporate practice of medicine act allow a Kansas corporation which insures Kansans to directly employ a physician so long as the entity complies with all of the requirements of the healing arts act, including carrying medical malpractice coverage and complying with yet-to-be-established requirements of the Health Care Stabilization Fund. When taken together with SB 274, this bill would allow a naturopath to practice medicine under the employment of a corporation, compromising both medical care and all ethical standards of practice, leaving patients to receive substandard care with no right to recovery.

We respectfully request your opposition to both SB 274 and SB 275.