

HOUSE BILL NO. 5303

December 19, 2019, Introduced by Reps. Crawford, Allor, Garza, Warren, Huizenga, Cambensy, Chirkun and Jones and referred to the Committee on Regulatory Reform.

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding sections 18615, 18617, 18621,
18623, 18631, and 18633 to part 186.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 18615. A naturopathic physician may do any of the
2 following, consistent with his or her naturopathic education and
3 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 399i.

(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



1 following:

2 (a) Prescribe, dispense, or administer any controlled
3 substance or device identified in the federal controlled substances
4 act, 21 USC 801 to 971.

5 (b) Prescribe, dispense, or administer a prescription drug or
6 device unless the prescription drug or device is included in the
7 naturopathic formulary established under section 18623.

8 (c) Perform naturopathic musculoskeletal mobilization
9 involving high-velocity, low-amplitude mobilization at or beyond
10 the end range of normal joint motion, unless he or she meets the
11 requirements to perform high-velocity, low-amplitude mobilization
12 as established by the board by rule.

13 (d) Perform surgical procedures except, subject to section
14 18623(f), minor office procedures.

15 (e) Engage in the practice of or claim to engage in the
16 practice of any other health profession, including, but not limited
17 to, performing chiropractic adjustments, unless he or she is
18 licensed to engage in that health profession under this article.

19 (f) Use general or spinal anesthetics.

20 (g) Administer ionizing radioactive substances for therapeutic
21 purposes.

22 (h) Perform surgical procedures using a laser device.

23 (i) Perform surgical procedures involving the eye, ear,
24 tendons, nerves, veins, or arteries.

25 Sec. 18621. The board of naturopathic medicine is created in
26 the department. The board consists of the following 11 members,
27 each of whom must meet the requirements of part 161:

28 (a) Six naturopathic physicians.

29 (b) One physician who is licensed under part 170 or 175.

1 (c) One pharmacist who is licensed under part 177.

2 (d) One chiropractor who is licensed under part 164.

3 (e) Two public members.

4 Sec. 18623. The department, in consultation with the board,
5 shall do all of the following:

6 (a) Determine the qualifications of individuals applying for
7 licensure under this part.

8 (b) Review the content of rules and proposed rules governing
9 the practice of naturopathic medicine in this state.

10 (c) Evaluate the content of any clinical, practical, or
11 residency requirement.

12 (d) Promulgate rules for examination standards, consistent
13 with the standards under this part, for licensure and when those
14 examinations will be provided. The rules must include a competency-
15 based national examination consistent with the requirements
16 described in section 18613(b) and (c) as the naturopathic licensing
17 examination.

18 (e) Subject to section 16204, establish a minimum amount and
19 kind of continuing education to be required annually for each
20 naturopathic physician as a condition for licensure renewal.

21 (f) Limit the performance of minor office procedures to a
22 naturopathic physician who has graduated from an approved
23 naturopathic medical program that included minor office procedures
24 as part of its curriculum or who has up-to-date certification of
25 equivalent training, as determined by the board, if he or she
26 graduated from an approved naturopathic medical program that did
27 not include minor office procedures as part of the curriculum.

28 (g) Establish a naturopathic formulary. All of the following
29 apply to the naturopathic formulary established under this



1 subdivision:

2 (i) The board shall review the naturopathic formulary annually
3 or at any time at the request of the board.

4 (ii) The naturopathic formulary must not go beyond the scope of
5 natural medicines or prescription drugs and devices covered by
6 approved naturopathic education and training or board-approved
7 continuing education.

8 (iii) The naturopathic formulary must not include prescription
9 drugs or devices that are inconsistent with the training provided
10 to graduates of an approved naturopathic medical program.

11 Sec. 18631. Each license granted or renewed under this part
12 expires 4 years following the date it was granted or last renewed.

13 Sec. 18633. This part does not require new or additional third
14 party reimbursement or mandated worker's compensation benefits for
15 services rendered by an individual who is licensed under this part.

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

18 Enacting section 2. This amendatory act does not take effect
19 unless Senate Bill No. ____ or House Bill No. 5302 (request no.
20 02594'19) of the 100th Legislature is enacted into law.

