

HOUSE BILL No. 2185

By Committee on Health and Human Services

2-7

1 AN ACT concerning naturopathic doctors; relating to scope of practice;
2 adding diagnostic imaging; amending K.S.A. 65-7202 **and 65-7302** and
3 repealing the existing ~~section~~ **sections**.

4
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 65-7202 is hereby amended to read as follows: 65-
7 7202. As used in K.S.A. 65-7201 ~~to through~~ 65-7218, ~~inclusive~~, and
8 amendments thereto:

9 (a) "Naturopathic doctor" means a doctor of naturopathic medicine
10 who is authorized and licensed pursuant to this act.

11 (b) **(1)** "Naturopathic medicine," or "naturopathy" means a system of
12 health care practiced by naturopathic doctors for the prevention, diagnosis
13 and treatment of human health conditions, injuries and diseases, that uses
14 education, natural medicines and therapies to support and stimulate the
15 individual's intrinsic self-healing processes, and includes: **(A)** Prescribing,
16 recommending or administering: ~~(1)~~**(i)** Food, food extracts, vitamins,
17 minerals, enzymes, whole gland thyroid, botanicals, homeopathic
18 preparations, nonprescription drugs, plant substances that are not
19 designated as prescription drugs or controlled substances, topical drugs as
20 defined in subsection (i) ~~of this section, and amendments thereto;~~ **(2)****(ii)**
21 health care counseling, nutritional counseling and dietary therapy,
22 naturopathic physical applications, barrier contraceptive devices; ~~(3)~~**(iii)**
23 substances on the naturopathic formulary ~~which~~ **that** are authorized for
24 intramuscular or intravenous administration pursuant to a written protocol
25 entered into with a physician who has entered into a written protocol with
26 a naturopathic doctor licensed under ~~this act~~ **the naturopathic doctor**
27 **licensure act**; ~~(4)~~**(iv)** noninvasive physical examinations, ~~diagnostic~~
28 ~~imaging~~, venipuncture to obtain blood for clinical laboratory tests and
29 oroficial examinations, excluding endoscopies; ~~(5)~~**(v)** minor office
30 procedures; and ~~(6)~~**(vi)** naturopathic acupuncture; **and (B) ordering**
31 **diagnostic imaging studies, including, but not limited to, x-ray,**
32 **ultrasound, mammogram, bone densitometry, computed tomography,**
33 **magnetic resonance imaging and electrocardiograms, except that**
34 **naturopathic doctors shall refer patients to an appropriately licensed**

1 **and qualified healthcare professional to conduct diagnostic imaging**
2 **studies and interpret the results of such studies.**

3 (2) A naturopathic doctor may not perform surgery, obstetrics,
4 administer ionizing radiation, or prescribe, dispense or administer any
5 controlled substances as defined in K.S.A. 65-4101, and amendments
6 thereto, or any prescription-only drugs except those listed on the
7 naturopathic formulary adopted by the board pursuant to this act.

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

9 (d) "Approved naturopathic medical college" means a college and
10 program granting the degree of doctor of naturopathy or naturopathic
11 medicine that has been approved by the board under this act and which
12 college and program requires at a minimum a four-year, full-time resident
13 program of academic and clinical study.

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

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

22 (g) "Minor office procedures" means care incidental to superficial
23 lacerations and abrasions, superficial lesions and the removal of foreign
24 bodies located in the superficial tissues, except eyes, and not involving
25 blood vessels, tendons, ligaments or nerves. "Minor office procedures"
26 includes use of antiseptics, but shall not include the suturing, repairing,
27 alteration or removal of tissue or the use of general or spinal anesthesia.
28 Minor office procedures does not include anesthetics or surgery.

29 (h) "Naturopathic physical applications" means the therapeutic use by
30 naturopathic doctors of the actions or devices of electrical muscle
31 stimulation, galvanic, diathermy, ultrasound, ultraviolet light,
32 constitutional hydrotherapy, naturopathic musculoskeletal technique and
33 therapeutic exercise.

34 (i) "Topical drugs" means topical analgesics, antiseptics, scabicides,
35 antifungals and antibacterials but does not include prescription only drugs.

36 (j) "Physician" means a person licensed to practice medicine and
37 surgery.

38 (k) "Written protocol" means a formal written agreement between a
39 naturopathic doctor licensed under this act and a person licensed to
40 practice medicine and surgery. Any licensee of the board entering into a
41 written protocol with a licensed naturopathic doctor shall notify the board
42 in writing of such relationship by providing such information as the board
43 may require.

1 **Sec. 2. K.S.A. 65-7302 is hereby amended to read as follows: 65-**
2 **7302. As used in this act:**

3 **(a) "Board" means the state board of healing arts.**

4 **(b) "Ionizing radiation" means x-rays, gamma rays, alpha and beta**
5 **particles, high speed electrons, protons, neutrons and other nuclear**
6 **particles capable of producing ions directly or indirectly in its passage**
7 **through matter.**

8 **(c) "License" means a certificate issued by the board authorizing**
9 **the licensee to perform radiologic technology procedures on humans for**
10 **diagnostic or therapeutic purposes.**

11 **(d) "Licensed practitioner" means a person licensed to practice**
12 **medicine and surgery, dentistry, podiatry or chiropractic in this state, or**
13 **a person licensed as a physician assistant, advanced practice registered**
14 **nurse or naturopathic doctor in this state.**

15 **(e) "Licensure" and "licensing" mean a method of regulation by**
16 **which the state grants permission to persons who meet predetermined**
17 **qualifications to engage in a health related occupation or profession.**

18 **(f) "Nuclear medicine technologist" means a person who uses**
19 **radio pharmaceutical agents on humans for diagnostic or therapeutic**
20 **purposes.**

21 **(g) "Nuclear medicine technology" means the use of radio nuclides**
22 **on human beings for diagnostic or therapeutic purposes.**

23 **(h) "Radiation therapist" means a person who applies radiation to**
24 **humans for therapeutic purposes.**

25 **(i) "Radiation therapy" means the use of any radiation procedure**
26 **or article intended for the cure, mitigation or prevention of disease in**
27 **humans.**

28 **(j) "Radiographer" means a person who applies radiation to**
29 **humans for diagnostic purposes.**

30 **(k) "Radiography" means the use of ionizing radiation on human**
31 **beings for diagnostic purposes.**

32 **(l) "Radiologic technologist" means any person who is a**
33 **radiographer, radiation therapist or nuclear medicine technologist.**

34 **(m) "Radiologic technology" means the use of radioactive**
35 **substance or equipment emitting or detecting ionizing radiation on**
36 **humans for diagnostic or therapeutic purposes upon prescription of a**
37 **licensed practitioner. The term includes the practice of radiography,**
38 **nuclear medicine technology and radiation therapy, but does not include**
39 **echocardiography, diagnostic sonography and magnetic resonance**
40 **imaging.**

41 ~~(n) This section shall take effect on and after July 1, 2005.~~

42 ~~Sec. 2. 3. K.S.A. 65-7202 is and 65-7302 are hereby repealed.~~

43 ~~Sec. 3. 4. This act shall take effect and be in force from and after its~~

- 1 publication in the Kansas register.