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## SENATE RESOLUTION

URGING THE BOARD OF NATUROPATHIC MEDICINE TO ADOPT RULES  
CONSISTENT WITH ACT 22, SPECIAL SESSION LAWS OF HAWAII  
2009, TO ALLOW NATUROPATHIC PHYSICIANS TO PERFORM  
PARENTERAL THERAPY.

1           WHEREAS, naturopathic doctors licensed in Hawaii and  
2 nationwide have been administering natural substances including  
3 vitamins, minerals, and amino acids subcutaneously,  
4 intramuscularly, and intravenously (parenterally) for over  
5 twenty years; and

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7           WHEREAS, the Board of Naturopathic Medicine issued an  
8 opinion in 1984 that the injection of vitamins was within the  
9 scope of practice of naturopathic physicians; and

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11           WHEREAS, licensing laws exist to ensure a minimal level of  
12 competency in the practice of naturopathic medicine; and

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14           WHEREAS, the licensing examinations accepted by the State  
15 of Hawaii have included and covered parenteral therapeutics; and

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17           WHEREAS, all accredited professional schools of  
18 naturopathic medicine educate, train, and qualify students to  
19 perform parenteral therapeutics including intramuscular,  
20 subcutaneous, and intravenous injection techniques and skills;  
21 and

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23           WHEREAS, in addition to education, training, and  
24 examination, error-free and complaint-free performance  
25 demonstrates professional competency among naturopathic  
26 physicians of parenteral therapy; and

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28           WHEREAS, for example, insurance companies issuing  
29 naturopathic malpractice insurance cover practitioners using  
30 parenteral techniques, the largest malpractice insurance  
31 companies have not received one malpractice claim throughout the  
32 nation against a naturopathic physician for the misuse of  
33 injection methods; and  
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1 WHEREAS, in addition, there has not been one case of misuse  
2 or harm caused by parenteral therapy reported to the Hawaii  
3 Board of Naturopathic Medicine or the Hawaii Society of  
4 Naturopathic Physicians; and  
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6 WHEREAS, in 2006, the Legislature approved H.B. No. 1155 to  
7 clarify that naturopathic physicians have the authority to  
8 administer natural medicines by injection but the bill was  
9 vetoed by the Governor; and  
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11 WHEREAS, the Legislature, through Act 22, Special Session  
12 Laws of Hawaii 2009, directed the Board of Naturopathic Medicine  
13 to "establish the education and training requirements for  
14 parenteral therapy and the standards to administer parenteral  
15 therapy" for licensed naturopathic physicians; and  
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17 WHEREAS, the Legislature also directed the Board of  
18 Naturopathic Medicine to "[a]nnually establish and publish a  
19 naturopathic formulary that has been approved by the board for  
20 prescription, administration, or dispensing by naturopathic  
21 physicians" through Act 22, Special Session Laws of Hawaii 2009;  
22 and  
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24 WHEREAS, the Board of Naturopathic Medicine established a  
25 naturopathic formulary effective January 1, 2010 that  
26 specifically prohibits the prescription, administration, or  
27 dispensation of formulary items "in injectable form or by  
28 injection unless this is specifically authorized by the Board's  
29 administrative rules"; and  
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31 WHEREAS, however, the administrative rules of the Board of  
32 Naturopathic Medicine contain no provisions authorizing the  
33 prescription, administration, or dispensation of formulary items  
34 via parenteral therapy; and  
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36 WHEREAS, the absence of administrative rules allowing the  
37 administration of parenteral therapy by naturopathic physicians  
38 effectively prohibits the practice; and  
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40 WHEREAS, the intent of the Legislature in passing Act 22,  
41 Special Session Laws of Hawaii 2009, was to allow naturopathic  
42 physicians to practice parenteral therapy pursuant to rules and  
43 subject to requirements established by the Board of Naturopathy;  
44 and



1  
2 WHEREAS, accordingly Act 22 prohibits naturopathic doctors  
3 from performing parenteral therapy unless permitted to do so by  
4 administrative rules issued by the Board, and the Act's delayed  
5 effective date of January 1, 2010 was specifically intended to  
6 provide the Board adequate time to pass the requisite  
7 administrative rules; and

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9 WHEREAS, the effective prohibition on the use of parenteral  
10 therapy by naturopathic physicians that currently exists is in  
11 contradiction to the intent of the Legislature in passing Act 22  
12 and to the general and historical practice of naturopathic  
13 medicine in this State; now, therefore,

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15 BE IT RESOLVED by the Senate of the Twenty-fifth  
16 Legislature of the State of Hawaii, Regular Session of 2010,  
17 that the Board of Naturopathic Medicine is urged to  
18 expeditiously adopt administrative rules in accord with Act 22,  
19 Special Session Laws of Hawaii 2009, to allow the use of  
20 parenteral therapy by naturopathic physicians that include  
21 education and training requirements; and

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23 BE IT FURTHER RESOLVED that the Board of Naturopathic  
24 Medicine is urged to immediately adopt rules that grandfather  
25 all persons licensed under chapter 455, Hawaii Revised Statutes,  
26 prior to January 1, 2010, and allow those persons to perform  
27 intramuscular, subcutaneous, and intravenous injection and  
28 prescribe, administer, and dispense naturopathic formulary  
29 substances manufactured for injection pending passage of the  
30 administrative rules; and

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32 BE IT FURTHER RESOLVED that certified copies of this  
33 Resolution be transmitted to the Board of Naturopathic Medicine  
34 and the Director of Commerce and Consumer Affairs.

