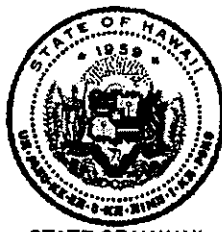


# **SB 659**

RELATING TO NATUROPATHIC MEDICINE.

Authorizes a naturopathic physician to prescribe controlled substances.

**NEIL ABERCROMBIE**  
GOVERNOR



STATE OF HAWAII  
**DEPARTMENT OF PUBLIC SAFETY**  
919 Ala Moana Blvd. 4<sup>th</sup> Floor  
Honolulu, Hawaii 96813

**JODIE MAESAKA-HIRATA**  
INTERIM DIRECTOR

Deputy Director of  
Administration

Deputy Director  
Corrections

**KEITH KAMITA**  
Deputy Director  
Law Enforcement

No. \_\_\_\_\_

**TESTIMONY ON SENATE BILL 659**  
**A BILL FOR AN ACT RELATING TO NATUROPATHIC MEDICINE**  
by  
Jodie Maesaka-Hirata, Interim Director  
Department of Public Safety

Committee on Public Safety, Government Operations and Military Affairs  
Senator Will Espero, Chair  
Senator Michelle Kidani, Vice Chair

Committee on Health  
Senator Josh Green, M.D., Chair  
Senator Clarence K. Nishihara, Vice Chair

Tuesday, February 8, 2011, 2:45 PM  
State Capitol, Room 224

Chairs Espero and Green, Vice Chairs Kidani and Nishihara, and Members of the Committees:

The Department of Public Safety (PSD) does not support this measure. PSD defers to the Department of Commerce and Consumer Affairs, on the concerns relating to the training and experience of a Naturopathic Physician in administering, prescribing and dispensing controlled substances compared to a medical physician. PSD's concern is with the proposed amendment to the definition of "naturopathic formulary." The addition of the phrase, "and controlled substances consistent with naturopathic medical practice" is too

vague. The proposed amendment would allow a Naturopathic Physician the ability to administer, prescribe, and dispense all Schedules (I through V) of controlled substances from Schedule II drugs like Cocaine, Oxycontin or Methadone, to Schedule III drugs such as Anabolic Steroids, and Vicodin. Senate Bill 659 does not limit the Naturopathic Physician from requesting to do research with Schedule I controlled substances such as Crystal Methamphetamine, Heroin, LSD, or Marijuana.

PSD also has concerns that amending the naturopathic formulary would also allow out-of-state Naturopathic Physicians under Section 455-8.4, HRS, "Public health emergency; temporary and limited license for licensed out-of-state naturopathic physicians" to administer, prescribe and dispense controlled substances without following the same registration requirements as required by all other controlled substance registrants.

For these reasons, PSD cannot support Senate Bill 659, and ask that it be held.

Thank you for the opportunity to testify on this matter.

**PRESENTATION OF THE  
BOARD OF NATUROPATHIC MEDICINE**

**TO THE SENATE COMMITTEE ON  
PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY AFFAIRS**

**AND**

**TO THE SENATE COMMITTEE ON HEALTH**

**TWENTY-SIXTH STATE LEGISLATURE  
Regular Session of 2011**

**Tuesday, February 8, 2011  
2:45 p.m.**

**TESTIMONY ON SENATE BILL NO. 659, RELATING TO NATUROPATHIC MEDICINE.**

**TO THE HONORABLE WILL ESPERO, CHAIR, AND  
TO THE HONORABLE JOSH GREEN, M.D., CHAIR,  
AND MEMBERS OF THE COMMITTEES:**

My name is Dr. Michael Traub, Chairperson of the Board of Naturopathic Medicine ("Board"). The Board appreciates the opportunity to present testimony on Senate Bill No. 659, Relating to Naturopathic Medicine.

The purpose of Senate Bill No. 659 is to authorize naturopathic physicians to prescribe controlled substances.

Although the Board has not had the opportunity to meet and establish an official position on the bill, the Board previously supported authorizing naturopathic physicians to prescribe controlled substances. See, Senate Bill No. 420 (2009 Legislative Session)<sup>1</sup>.

Thank you for the opportunity to provide testimony on Senate Bill No. 659.

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<sup>1</sup> The proposed amendment to authorize naturopathic physicians to prescribe controlled substances was deleted from S.B. No. 420 (2009 Legislative Session). S.B. No. 420 SD2 HD.2 was subsequently enacted as Act 22 (Special Session Laws Hawaii 2009).



## HAWAII MEDICAL ASSOCIATION

1360 S. Beretania Street, Suite 200, Honolulu, Hawaii 96814  
Phone (808) 536-7702 Fax (808) 528-2376 www.hmaonline.net

**Tuesday, February 8, 2011; 2:45 p.m. Conference Room 224**

To:

COMMITTEE PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY AFFAIRS  
Senator Will Espero, Chair  
Senator Michelle Kidani, Vice Chair

COMMITTEE ON HEALTH

Senator Josh Green, M.D., Chair  
Senator Clarence K. Nishihara, Vice Chair

From: Hawaii Medical Association

Dr. Morris Mitsunaga, MD, President  
Linda Rasmussen, MD, Legislative Co-Chair  
Dr. Joseph Zobian, MD, Legislative Co-Chair  
Dr. Christopher Flanders, DO, Executive Director  
Lauren Zirbel, Community and Government Relations

Re: SB 659 RELATING TO NATUROPATHIC MEDICINE

In Opposition.

Chairs & Committee Members:

Every member of the medical team has an important place in healthcare delivery. Naturopathic medicine has value and should be used within its proper realm. Unfortunately, this is not happening. As a recent bill that was scheduled in Health committee (which HMA did not submit testimony on) brought to light, medical training is unique to each medical profession. The bill would have allowed MD's to practice acupuncture with a 6 month course on acupuncture (as opposed to a 4 year acupuncture school). The bill was vehemently apposed by the acupuncture community and was not passed due to patient safety and adequacy of training concerns. Along the same line of reasoning, in order to prescribe controlled substances MD's and DO's must gain entrance into very competitive 4 year Medical Schools, pass very rigorous courses and exit exams and complete 2 to 8 years of extra residency training.

The medical community has established these training requirements for licensure of physicians because correctly diagnosing and treating an individual can be the difference between life and death. Young physicians learn how to correctly diagnose and treat illness through intensive science and biology curriculum and years of concentrated hands on **supervised** clinical training.

Now that it is legal for Naturopaths to call themselves Physicians in Hawaii, and to prescribe almost all drugs in Hawaii, it will be **very confusing for patients to differentiate who to listen to about which drugs and treatments they need.**

### OFFICERS

PRESIDENT - MORRIS MITSUNAGA, MD PRESIDENT-ELECT - ROGER KIMURA, MD  
SECRETARY - THOMAS KOSASA, MD IMMEDIATE PAST PRESIDENT - DR. ROBERT C. MARVIT, MD TREASURER  
- STEPHEN KEMBLE, MD EXECUTIVE DIRECTOR - CHRISTOPHER FLANDERS, DO

**NDs are only required to take 7 credits of 'pharmacology' for graduation.**

**Most states refuse to even license Naturopaths as medical providers (only 15 States/Territories do) and Hawaii has already given them unrestrained prescriptive authority for all non-controlled substances with no requirement for continuing medical education. This is very dangerous and should be redressed.**

Multiple state legislative reports have unearthed specific shortcomings in the education, training and competency testing of naturopaths:

1. The Colorado Office of Examination Services found in 2005 that “[T]here is little generalizable evidence that NPLEX2 Part II clinical licensing examinations actually measure clinical competence.” In comparison: the U.S. Medical Licensing Examination and the Comprehensive Osteopathic Medical Licensing Examination each specifically assess whether the examinee can apply medical knowledge and understanding of biomedical and clinical science essential for the unsupervised practice of medicine.

2. A 2004 sunrise report from the State of Florida concluded that there is “potential risk from licensing naturopathic physicians to allow them to provide a broad range of primary care services.” In 2006, a Missouri Senate committee report questioned the education and standardized testing of naturopaths, noting that the main naturopathic accrediting body has fallen “in and out of favor with the U.S. Department of Education.”

**There is no consistent application of evidenced-based principles and scientific study for naturopathic treatments:**

1. Some naturopathic-recommended treatments, such as using St. John's wort for HIV-positive individuals, has been found by the National Institutes of Health to interact with protease inhibitors and significantly decrease their concentration in the blood.

2. The claim that a treatment has been used “for hundreds of years,” is not a substitute for randomized clinical trials and other rigorous scientific inquiry.

3. **In several studies funded by the National Center for Complimentary and Alternative Medicine, the efficacy of naturopathic treatments is not supported by clinical evidence. (For example: Ginkgo extract was found to produce no reduction in progression to dementia compared to a placebo; and shark cartilage supplement does not extend lives of lung cancer patients.)**

Naturopathy may have been in existence for more than 100 years, but modern accreditation standards as well as education and training standards show several shortcomings:

1. **No entrance exam**, such as the Medical College Admissions Test is required of applicants to schools of naturopathy. Compared to medical school and residency training, naturopathy has relatively few contact hours of study on pharmacological treatment of disease and little clinical reinforcement of pharmaceutical intervention on patients during clinical rotations or optional post-graduate training.

2. Graduates of four-year naturopathic programs take a standard examination that only measures their competency compared to other naturopathic practitioners – **without regard to any equivalency with medical board licensing.**

3. Clinical education for naturopaths typically begins in the third year of study, and graduates only are required to complete **720 hours of direct patient care over two years. In comparison, that is roughly two months of study of a first-year resident for a graduate of an accredited U.S. medical or osteopathic school of medicine.**

**The HMA would like to suggest that a panel of medically trained individuals (MD's, DO's, APRN's, and Pharmacists) be put together to determine prescriptive authority issues. We have collaborated with JABSOM on this idea and they would also be happy to help facilitate such a decision making body.**

People in Hawaii deserve better protection than this. This bill has major public health and safety implications. Thank you for the opportunity to provide this testimony.



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**Alison Powers**  
Executive Director

## TESTIMONY OF ALISON POWERS

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### SENATE COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS AND MILITARY AFFAIRS

Senator Will Espero, Chair  
Senator Michelle Kidani, Vice Chair

SENATE COMMITTEE ON HEALTH  
Senator Josh Green, M.D., Chair  
Senator Clarence K. Nishihara, Vice Chair

Tuesday, February 8, 2011  
2:45 p.m.

### **SB 659**

Chair Espero, Chair Green and members of the Committees, my name is Alison Powers, Executive Director of Hawaii Insurers Council. Hawaii Insurers Council is a non-profit trade association of property and casualty insurance companies licensed to do business in Hawaii. Member companies underwrite approximately 40% of all property and casualty insurance premiums in the state.

Hawaii Insurers Council **opposes** SB 659, which appears to expand the scope of naturopaths allowing them to prescribe controlled substances. Property and casualty insurers pay for services by naturopaths in motor vehicle and workers' compensation insurance. If the expanded scope of naturopaths increases costs in these areas, premiums for motor vehicle insurance and workers' compensation insurance will also increase.

Thank you for the opportunity to testify.





Medicine Buddhas and Bodhisattvas  
Natural Cancer Wellness Foundation  
Dr. Myron Berney, ND LAc  
808-392-3366



COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY AFFAIRS

Senator Will Espero, Chair

Senator Michelle Kidani, Vice Chair

COMMITTEE ON HEALTH

Senator Josh Green, M.D., Chair

Senator Clarence K. Nishihara, Vice Chair

DATE: Tuesday, February 8, 2011

TIME: 2:45 p.m.

PLACE: Conference Room 224

SB 659 In Full Support however amendments would serve this bill's purpose.

We are all 100% aware of the "physician" shortage in Hawaii especially on the neighbor islands and rural area where Naturopathic Physicians like to practice.

Naturopathic Physicians are experts in their medical field in high demand on the West Coast of America. Unlike Hawaii, They want Naturopathic Physicians to practice, to save lives, to end suffering and to save money. Medical Doctors seek out Naturopathic Physicians to work under.

The Courts have found that the scope of practice is determined by the professional school's education and training, not the confused legislation promulgated based upon special interests, unfair trade practices and other more serious constitutional violations.

The scope of practice is defined by the Courts as being based upon the actual education and training not the restrictive practices of AMA and State Legislators.

Last year the Lingle Administration in conjunction with the HMA repetitively lied to the legislature about the education and training of Hawaii State Licensed Naturopathic Physician's education and training. This academic and political fraud puts the entire UH system in peril with NIH funding. The intention is to promote unfair trade practices to maintain a medical monopoly that has failed under FTC law but continues in Hawaii.

Naturopathic Physicians are permitted to prescribe controlled substances in every other licensed state. Controlled substances are addiction; Naturopathic Physicians are trained not only in pharmacology and pain management but also are experts in addiction control and rehabilitation. Controlled substances are not more difficult to prescribe or manage medically; they are just more difficult socially and legally. Naturopathic Physicians are trained and licensed in these areas for

patient health and safety.

ND are the leaders in non-drug therapy.

ND are the leaders in detoxification.

Most of the bad drugs ND wouldn't be prescribing anyway.

Straight up the only Scheduled drugs I would be concerned about would be testosterone and marijuana.

Naturopathic Physicians are the leaders and experts in hormone replacement therapy.

My former endocrinologist was a bum, never even ran the basic lab tests, never achieved a normal functional level of endocrine balance.

Naturopathic Physicians are the world's leaders in non-toxic cancer therapy. My Vitamin C therapy is not the standard of practice for Naturopathic Physicians and good health MD practices world wide.

When you harm wellness, When you harm Naturopathic Medicine, who do you think gets harmed more, the providers or the patients. Harm me you only kill yourself, your friends and family.

In 2006 the CEO of the State Hospital System invited me to Maui. He had asked if we could do anything for diabetic gangrene and amputations. WE have non-toxic iv procedures to reverse the gangrene in about a week saving the foot and leg. Instead you get amputations and more debility.

Suggested amendments:

13 "Practitioner" means:

14 (1) A physician, naturopathic physician, dentist, veterinarian, scientific

"Naturopathic Formulary" means vitamins, minerals, dietary supplements, botanical medicines, homeopathic medicines, hormones, and those legend drugs and controlled substances consistent with naturopathic medical practice and administration, including parenteral therapy."

Parenteral therapy is included by Law in HS 455 but blocked by unlawful acts of the Lingle Administration, see SR 53 of 2010, and unlawful practices of the Hawaii Society of Naturopathic Physicians and Dr. Kern, Traub and Gibson.

Actually, the Board adopted rules on 1-21-2010 but defrauded the Legislature and the people of the State of Hawaii with their deliberate lies resulting in morbidity and mortality while failing in cost containment. Morbidity and Mortality means suffering and DEATH, due to the State Board of Naturopathic medicine. Unfortunately, for them, it was your friends and family and not me. Kern tried and Kern failed. Not only am I alive but my protocol is the standard of practice for Cancer Therapy in Naturopathic Medicine, well almost, except they are not doing it 100% as well as could be done so they don't get the heart, brain and neurological benefits or cancer results that could be achieved.

Along these same lines the Exec Sec of the Naturopathic Board conspired with the Exec Sec of the Nursing Board to prevent Naturopathic Physicians from services from a professional Nursing Staff. AS if the Nursing Board could in some way interpret the “boiler-plating” language of the Naturopathic Board. “All the rights and responsibilities of physicians, surgeons and practitioners of other schools of medicine” “in all matters pertaining to the public health” seems very inclusive without exception.

This broad language was interpreted to mean that Naturopathic Physicians are restricted from practicing as educated, trained and as permitted for the prior 70 years.

This bill addressing necessary changes in HRS 455, based upon NOT RESTRICTING QUALIFIED PERSONS FROM PRACTICING THEIR PROFESSION. Is a good vehicle for other necessary updates in this health care licensing law.

May I suggest for your consideration the following language taken from the current ND Law and some additional language taken from the PT law.

**[§455-1.5] Exceptions; scope of chapter.** Nothing in this chapter shall be construed to prohibit or restrict:

- (1) The practice of a profession by individuals who are licensed, certified, or registered under the laws of this State who are performing services within their authorized scope of practice;
- (2) The practice of naturopathic medicine by an individual employed by the government of the United States while the individual is engaged in the performance of duties required of the individual by the laws and regulations of the United States;
- (3) The practice of naturopathic medicine by students enrolled in a school that meets the requirements of section 455-3. The performance of naturopathic medicine by students shall be pursuant to a course of instruction or assignments from an instructor and under the supervision of an instructor who is a naturopathic physician licensed pursuant to this chapter; and
- (4) The practice by a doctor of naturopathic medicine duly registered or licensed in another state, territory, or the District of Columbia who is called into this State for consultation with a licensed naturopathic physician, including in-person, mail, electronic, telephonic, fiber-optic, or other telemedicine consultation; provided that:
  - (A) The naturopathic physician from another state shall not open an office, appoint a place to meet patients, or receive calls within this State for the provision of care for a patient who is located in this State; and
  - (B) The licensed naturopathic physician of this State retains control and remains responsible for the provision of care for the patient who is located in this State. [L Sp 2009, c 22, pt of §1]
- (5) Nothing in this chapter or Law shall be construed to prohibit a duly licensed naturopathic physician from using other licensed health care professionals for support and auxiliary personnel.
  - (A) Naturopathic physicians licensed under this chapter may supervise, contract with and employ any duly licensed health care professional for professional services.
  - (B) Naturopathic physicians licensed under this chapter may use support or auxiliary personnel to assist the naturopathic physician in the practice of naturopathic medicine; provided that such support or auxiliary personnel shall perform only those duties that they are qualified to perform as allowed by the rules defining scope of practice adopted by the board; and provided further that such support or

auxiliary personnel shall perform these duties under the supervision and direction of a naturopathic physician.

Additional changes and language are suggested below for your considerations.

Many of the changes are in language only to more accurately clarify the definitions of Naturopathic Medicine.

Many of the changes is to limit the power of the Governor to adversely affect public health driving the Naturopathic Board members CRAZY. The Senate must remove Board members to protect the public health from the simple violations of MURPHY'S LAW. [Psychological Research on Guards and Prisoners always fail due to insufficient preparation and training given the Guards—all studies had to be terminated in just a few days when both the guards and prisoners showed deep signs and symptoms of psychosis.]

Here is what they say,

Yes you can prescribe prescription vitamins and minerals but you can't administer them.

First they find that a committee report has more authority than the law.

They get a new law clearly authorizing parenteral therapy and they refuse to follow that law.

Then the Senate gives the SR 53 which they again refuse since it is not a Law or a Committee Report.

All the while while violation three major sections of HRS 26H and essential Human Rights and Values.

Fundamentally the various medical licensing boards each need to be able to conduct their own function independent of abuses from the Governor's Office via the Attorney General. They need to be able to hire their own legal counsel with their own attorney client relationship.

Furthermore the State must promote and integrate all schools of medicine and all licensed health care professionals:

Please review the following Language Changes.

**§455-1 Definitions.** As used in this chapter:

"Behavioral medicine" means mental, emotional and psychological therapy and techniques including biofeedback, relaxation training, hypnosis, mindfulness-based stress reduction, and cognitive therapy.

"Board" means the State board of naturopathic medicine.

"Common diagnostic procedures" means all diagnostic procedures including the use of venipuncture consistent with the practice of naturopathic medicine, commonly used diagnostic modalities consistent with naturopathic practice, taking of health history, physical examination, radiography, laboratory medicine, and obtaining samples of human tissue as authorized as a minor office procedure.

consistent with the practice of naturopathic medicine, commonly used diagnostic procedures and modalities consistent with naturopathic practice, including but not limited to interviewing the patient, the taking of personal and family health history, review of medical records, physical examination, radiography, laboratory medicine, and obtaining samples of human tissue as authorized as a minor office surgery procedure including the use of venipuncture.

"Department" means the State department of commerce and consumer affairs.

"Diagnosis" means using all recognized and accepted physical and laboratory diagnostic procedures including the taking of blood and other tissue samples for diagnostic purposes.

"Disaster condition" means a sudden catastrophic event that overwhelms public order, causes loss of property or life, and exceeds or disrupts the capabilities of available medical resources to provide medical care within a community.

"Homeopathic" means attenuated minute doses of substances that have been sequentially diluted ~~and shaken~~ according to standardized homeopathic pharmaceutical methods.

"Hygiene and immunization" means the use of preventative and therapeutic techniques including personal hygiene, asepsis, public health including immunizations approved by the FDA and/or CDC

"Legend drug" means any drug ~~falling within section 503(b)(1) of the federal Food, Drug and Cosmetic Act and which is~~ required to be labeled with the statement "Rx only".

"Manual manipulation" or "mechanotherapy" means manipulation of a part or the whole of the body by hand or mechanical means.

"Minor office ~~surgery procedures~~" means care and procedures relative to superficial lacerations, lesions, and abrasions, and the removal of foreign bodies located in superficial structures not including the eye; and the topical and parenteral use of substances consistent with the practice of naturopathic medicine, ~~in accordance with rules established by the board.~~

"Naturopathic formulary" ~~means all Natural Medicines including~~ means vitamins, minerals, dietary supplements, botanical and zoological medicines, homeopathic medicines including hormones, and ~~these legend drugs~~ consistent with naturopathic medical practice.

"Naturopathic medicine" means the practice of the art and practice of Natural Health Care, including the science of diagnosis, prevention, and treatment of disorders of the body by support, stimulation, or both, of the natural processes of the human body including all natural medicines, natural procedures and natural therapeutic. The practice of naturopathic medicine includes but is not limited to the prescription, administration, dispensing, and use of nutrition and food science, physical modalities, manual manipulation, parenteral therapy, minor office procedures, naturopathic formulary, hygiene and immunization, contraceptive devices, common diagnostic procedures, and behavioral medicine, ~~of the type taught in education and training at naturopathic medical colleges; provided that the use of parenteral therapy and performance of minor office procedures shall not be allowed until the board adopts rules in accordance with chapter 91 pursuant to section 455-6.]~~

"Naturopathic physician" means a person who holds a current license issued under this chapter to practice naturopathic medicine or is licensed in another jurisdiction during the time that the State or Federal Government has declared a Disaster condition.

"Nutrition and food science" means the prevention and treatment of disease or other human conditions through the use of food or diet.

"Parenteral therapy" means the administration of substances by means other than by mouth, not through the gastrointestinal tract, including application to the skin or mucus membranes, intravenous, subcutaneous, intramuscular and intravenous injection and other congenial means.

"Physical modalities" means use of physical, chemical, electrical, magnetic, electromagnetic and other physical medical therapeutics and modalities, physical means, including the use and prescription of medical devices including but not limited to heat, cold, air, light, including lasers, water in any of its forms, sound, massage, and therapeutic exercise and the use of medical devices and instruments.

"Radiography" means ~~the ordering of radiographic diagnostic and other imaging studies, including~~

~~but not limited to computed tomography scans, x-rays, magnetic resonance imaging, positron emission tomography scans, and ultrasounds. The term also means and includes the taking and interpreting of x-rays. the use of diagnostic imaging studies including but not limited to x-rays, computed tomography scans, magnetic resonance imaging, positron emission tomography scans, and ultrasounds.~~

~~Radiography also includes the taking and interpreting of diagnostic imaging studies providing that all images studies must also be submitted for analysis and interpretation by a Board Certified Licensed Radiologist.~~

**§455-4 State board of naturopathic medicine.** The governor shall appoint the board of naturopathic medicine, consisting of five members. Each member shall be confirmed by the Senate and serve a two year term. Board members serve at the pleasure of the Senate. Board members may be removed by an affirmative vote carrying 30% of the Senate. until the member's successor is appointed and qualified. Three members of the board, before appointment, shall have been licensed as a naturopathic physician in the State and two shall be public members who are and have been patients and consumers of Naturopathic Medical Services for a minimum of 3 years. The members of the board may elect a chairperson and a vice-chairperson who shall each serve one year or until a successor is elected. No person can serve the State Board of Naturopathic Medicine in any capacity that is not currently an active consumer of Naturopathic Medical Services and has been a consumer for a minimum of 3 consecutive years.

**§455-6 Powers and authority of the board.** In addition to any other powers and duties authorized by law, the board may:

- (1) Adopt and use a seal to be affixed to all official acts of the board;
- (2) Adopt, amend, or repeal rules in accordance with chapter 91. ~~[to carry out the purposes of this chapter; provided that all rules shall be approved by the governor and the director of commerce and consumer affairs; and provided further that the rules:~~
  - ~~(A) May forbid acts or practices deemed by the board to be detrimental to the accomplishment of the purpose of this chapter;]~~
  - ~~(B) Shall establish standards of practice, care, and ethics; and~~
  - ~~(C) Shall establish the education and training requirements for parenteral therapy and the standards to administer parenteral therapy, and establish examination standards and require the passage of an examination on minor office procedures, which standards and requirements shall take effect after December 31, 2009;~~
- ~~—(3) Develop standards for licensure;~~
- (4) Issue, renew, suspend, and revoke licenses and fine licensees;
- (5) Investigate and conduct hearings regarding any violation of this chapter and any rules of the board;
- (6) Maintain a record of its proceedings;
- (7) Annually or more frequently as required establish and publish a naturopathic formulary ~~that has been approved by the board for prescription, administration, or dispensing by naturopathic physicians; and~~
- ~~—(8) Do all things necessary to carry out the functions, powers, and duties set forth in this chapter.~~

~~§455-11 [Discipline; grounds; proceedings; hearings. (a) In addition to any other actions authorized by law, the board shall have the power to deny, revoke, suspend, or refuse to renew any license to practice naturopathic medicine applied for or issued by the board in accordance with this chapter, and to fine or otherwise discipline a licensee for any cause authorized by law, including but not limited to the following:~~

- ~~—(1) Procuring, or aiding or abetting in procuring, a criminal abortion;~~
  - ~~—(2) Employing any person to solicit patients;~~
  - ~~—(3) Obtaining a fee on the assurance that a manifestly incurable disease can be permanently cured;~~
  - ~~—(4) Betraying a patient's confidence;~~
  - ~~—(5) Making any untruthful and improbable statement in advertising one's naturopathic practice or business;~~
  - ~~—(6) False, fraudulent, or deceptive advertising;~~
  - ~~—(7) Being habituated to the excessive use of drugs or alcohol; or being addicted to, dependent on, or an habitual user of a narcotic, barbiturate, amphetamine, hallucinogen, or other drug having similar effects;~~
  - ~~—(8) Practicing naturopathic medicine while the ability to practice is impaired by alcohol, drug, physical disability, or mental instability;~~
  - ~~—(9) Procuring a license through fraud, misrepresentation, or deceit or knowingly permitting an unlicensed person to perform activities requiring a license;~~
  - ~~—(10) Professional misconduct or gross carelessness or manifest incapacity in the practice of naturopathic medicine;~~
  - ~~—(11) Conduct or practice contrary to recognized standard of ethics of the naturopathic profession;~~
  - ~~—(12) Using medical service or treatment which is inappropriate or unnecessary;~~
  - ~~—(13) Submitting to or filing with the board any notice, statement, or other document required under this chapter which is false or untrue or contains any material misstatement of fact;~~
  - ~~—(14) Failure to report to the board any disciplinary action taken against the licensee in another jurisdiction within thirty days after the disciplinary action becomes final;~~
  - ~~—(15) Using the title "physician" without clearly identifying oneself as being a naturopathic physician;~~
  - ~~—(16) Prescribing, administering, and dispensing naturopathic formulary that are not included in the formulary established by the board under section 455-6; and~~
  - ~~—(17) Violation of any provision of this chapter or rules adopted under this chapter.~~
- ~~—(b) Any fine imposed by the board after a hearing in accordance with chapter 91 shall be no less than \$500 and no more than \$10,000 for each violation.~~

~~§453-8.2 ] Disciplinary action. (a) In addition to any other actions authorized by law, in disciplining a licensee in a proceeding held in conformity with chapter 91, the board may impose one or more of the following sanctions:~~

- ~~(1) Place the licensee on probation, including conditions of probation as requiring observation of the licensee by an appropriate group or society of licensed physicians, osteopathic physicians, or~~

surgeons;

(2) Suspend the license;

(3) Revoke the license;

(4) Limit the license by restricting the fields of practice in which the licensee may engage;

(5) Fine the licensee, including assessment against the licensee of the costs of the disciplinary proceedings. Any fine imposed by the board after a hearing in accordance with chapter 91 shall be not less than \$500 and not more than \$5,000 for each violation, exclusive of the costs of the disciplinary proceedings;

(6) Require further education or training, or require proof of performance competency; or

(7) Censure or reprimand.

(b) Unless otherwise expressly provided, the actions, remedies, or penalties provided by this chapter are cumulative to each other and to the actions, remedies, or penalties available under all other laws of this State.

#### DCCA Policy from HRS-Violations and Commentary

**§26H-2 Policy.** The legislature hereby adopts the following policies regarding the regulation of certain professions and vocations:

(1) The regulation and licensing of professions and vocations shall be undertaken only where reasonably necessary to protect the health, safety, or welfare of consumers of the services; the purpose of regulation shall be the protection of the public welfare and not that of the regulated profession or vocation;

(2) Regulation in the form of full licensure or other restrictions on certain professions or vocations shall be retained or adopted when the health, safety, or welfare of the consumer may be jeopardized by the nature of the service offered by the provider;

(3) Evidence of abuses by providers of the service shall be accorded great weight in determining whether regulation is desirable;

(4) Professional and vocational regulations which artificially increase the costs of goods and services to the consumer shall be avoided except in those cases where the legislature determines that this cost is exceeded by the potential danger to the consumer;

Studies by the FTC has confirmed that busting the AMA trust, disrupting the AMA Medical Monopoly, has served the purpose of cost containment and the development of new and integrated health care services all for the benefit of consumers.

(5) Professional and vocational regulations shall be eliminated when the legislature determines that they have no further benefits to consumers;

SR 53 specifically attempted to "cure" this restrictive and unlawful practices by the State Board of Naturopathic Medicine under the Lingel Administrative demands.

(6)



**The Lingle Administration's DCCA restricted entry and practice of the profession by the entire class of Naturopathic Physicians, interrupting ongoing medical care, all connectible nutrients, disrupting the Official Standard of Care as taught at Accredited Schools of Naturopathic Medicine.**

(7) Fees for regulation and licensure shall be imposed for all vocations and professions subject to regulation; provided that the aggregate of the fees for any given regulatory program shall not be less than the full cost of administering that program. [L 1977, c 70, pt of §2; am L 1980, c 142, §1; am L 1996, c 45, §1]

**So what can be done?**

**What can you do to Save Lives, End Suffering, Save Money ?**

From: mailinglist@capitol.hawaii.gov [mailto:mailinglist@capitol.hawaii.gov]  
Sent: Wednesday, February 02, 2011 12:54 PM  
To: PGM Testimony  
Cc: sbkemble@lava.net  
Subject: Testimony for SB659 on 2/8/2011 2:45:00 PM

Testimony for PGM/HTH 2/8/2011 2:45:00 PM SB659

Conference room: 224  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Stephen Kemble, MD  
Organization: Individual  
Address: 1950 Mott-Smith Dr Honolulu, HI 96822  
Phone: 808-537-2665  
E-mail: sbkemble@lava.net  
Submitted on: 2/2/2011

Comments:

In my experience, about half of health care is not straightforward. Many patients have atypical symptoms and don't fit the classic "textbook" picture of a diagnosis, and often the diagnosis is unclear. Many have multiple, interacting conditions. Many have side effects to medications, or symptoms that could be side effects, or maybe coincidence, or maybe a new independent condition. Many have drug interactions. Many have symptoms that are complicated by psychosocial factors. Drugs are distributed throughout the entire body, and may cause side effects or allergic reactions affecting any organ system. A prescribing practitioner must be able to sort these things out, prioritize them, and weight their significance in order to make informed decisions about prescribing medications and in order to appropriately manage side effects and complications.

None of these things can be safely and appropriately taught by reading a textbook or from classroom derived knowledge. Due to the complexity of real-world health care, in many cases prescription of medications cannot be done safely by simply applying standardized recommendations, guidelines, or "best practices." Safe and appropriate prescription of medications requires extensive training that includes supervised clinical experience in the decision making role, as is provided in medical school and specialty residency training.

Non-medical practitioners such as pharmacists and psychologists do not receive this kind of training, and if it were added to their normal training it would have to approximate medical school and residency. The training provided in schools of naturopathy is even less appropriate to safe prescription of drugs and pharmaceuticals. If we need more doctors, and if individuals who started their training in pharmacy school or psychology graduate school want to be doctors, then we should train them as doctors and send them to medical school.

The reasons we have access to care problems are in large part related to the escalation in administrative complexity and cost for the practice of medicine, and this is especially true for shortage primary care specialties and psychiatry. For high-risk specialties such as obstetrics, orthopedic surgery, and neurosurgery, malpractice costs are also a significant factor in access to care problems. These problems have also been compounded by changes in the way the State of Hawaii administers Medicaid. These problems will require constructive and creative improvements in how we finance and organize health care, and will not be solved simply by giving prescriptive privileges to unqualified and inappropriately trained disciplines like pharmacy, psychology, and naturopathy.

The legislature is responsible to the citizens of Hawaii to ensure that the health care they receive is provided by appropriately trained and qualified practitioners, and not by those with inappropriate training and qualifications. This is a matter that should be determined by appropriate training, not by "effective lobbying." This is what consumer protection is all about.

February 7, 2011

To Whom It May Concern,

SB659 would authorize the Board of Naturopathic Medicine to include controlled substances in the naturopathic formulary, consistent with the practice of naturopathic medicine.

There are primarily two controlled substances which are consistent with the practice of naturopathic medicine.

Naturopathic physicians are experts in bio-identical hormone therapy, an increasingly accepted safe and effective treatment for the symptoms of decreased hormonal levels during menopause and aging. Estrogens, progesterone, and testosterone are the primary hormones that are used in treatment. Naturopathic physicians in Hawaii have authority to prescribe estrogens and progesterone, but since testosterone is a controlled substance, it is not in the naturopathic formulary. Prescribing testosterone for patients with documented low levels of the hormone, can be remarkably effective for relieving symptoms such as fatigue, depression, anxiety, muscle loss, and decreased libido, in relatively small doses that match the physiological levels of the hormone prior to menopause and advancing age. Testosterone replacement therapy is also important in preventing osteoporosis, high blood pressure, and heart disease.

Pain management is the second example where a controlled substance is consistent with naturopathic practice. At times, the relief of mild to moderate pain is best achieved with the short-term use of codeine and codeine-combination products.

Although naturopathic care generally involves the use of non-prescription natural medicines, NDs at times recommend prescription drugs carefully and judiciously. We are frequently consulted by patients who wish to decrease or eliminate their dependence on prescription drugs, including pain medications, sleep medications, and anti-anxiety drugs. In order to safely assist patients through a gradual tapering of these drugs, it is necessary to have the authority to prescribe them, often in increasingly smaller doses to assist patients in tapering or withdrawing from them.

Controlled substances have been included in the prescriptive authority for naturopathic physicians for many years in other states, such as Oregon, Washington, California and Arizona.

Required hours of coursework in pharmacology ranges from 42-110 in naturopathic medical schools and 69-90 hours in osteopathic and allopathic medical schools.

Please support SB959.

Sincerely,  
Carrie Brennan, N.D.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 07, 2011 2:27 PM  
**To:** PGM Testimony  
**Cc:** siuwai5@gmail.com  
**Subject:** Testimony for SB659 on 2/8/2011 2:45:00 PM

Testimony for PGM/HTH 2/8/2011 2:45:00 PM SB659

Conference room: 224  
Testifier position: support  
Testifier will be present: No  
Submitted by: Siu Wai Tsang  
Organization: Individual  
Address: 2752 Woodlawn Dr. 5-110 Honolulu  
Phone: 8089880800  
E-mail: [siuwai5@gmail.com](mailto:siuwai5@gmail.com)  
Submitted on: 2/7/2011

**Comments:**

I am in support of the naturopathic bill for allowing naturopaths to use controlled medications. There are primarily two controlled substances which are consistent with the practice of naturopathic medicine.

Naturopathic physicians are experts in bio-identical hormone therapy, an increasingly accepted safe and effective treatment for the symptoms of decreased hormonal levels during menopause and aging. Estrogens, progesterone, and testosterone are the primary hormones that are used in treatment. Naturopathic physicians in Hawaii have authority to prescribe estrogens and progesterone, but since testosterone is a controlled substance, it is not in the naturopathic formulary. Prescribing testosterone for patients with documented low levels of the hormone, can be remarkably effective for relieving symptoms such as fatigue, depression, anxiety, muscle loss, and decreased libido, in relatively small doses that match the physiological levels of the hormone prior to menopause and advancing age.

Testosterone replacement therapy is also important in preventing osteoporosis, high blood pressure, and heart disease.

Pain management is the second example where a controlled substance is consistent with naturopathic practice. At times, the relief of mild to moderate pain is best achieved with the short-term use of codeine and codeine-combination products.

Although naturopathic care generally involves the use of non-prescription natural medicines, NDs at times recommend prescription drugs carefully and judiciously. We are frequently consulted by patients who wish to decrease or eliminate their dependence on prescription drugs, including pain medications, sleep medications, and anti-anxiety drugs. In order to safely assist patients through a gradual tapering of these drugs, it is necessary to have the authority to prescribe them, often in increasingly smaller doses to assist patients in tapering or withdrawing from them.

This is the intent of this bill. The prescription of certain other controlled substances, such as stronger narcotics, medical marijuana, and other drugs with a high potential for abuse is not considered consistent with naturopathic practice.

Controlled substances have been included in the prescriptive authority for naturopathic physicians for many years in other states, such as Oregon, Washington, California and Arizona.

Required hours of coursework in pharmacology ranges from 42-110 in naturopathic medical schools and 69-90 hours in osteopathic and allopathic medical schools.

Sample Testimony for SB659 (for patients):

I trust my naturopathic physician to know when and how to safely prescribe any controlled substances that s/he feels necessary for my healthcare.

Thanks for your time and attention,  
Siu Wai

---

**From:** Richard Liebmann [richardliebmann@gmail.com]  
**Sent:** Monday, February 07, 2011 1:56 PM  
**To:** PGM Testimony  
**Subject:** SB 659

Aloha Committee,  
SB659 would authorize the Board of Naturopathic Medicine to include controlled substances, consistent with the practice of naturopathic medicine, in the naturopathic formulary.

There are primarily two controlled substances which are consistent with the practice of naturopathic medicine.

Naturopathic physicians are experts in bio-identical hormone therapy, an increasingly accepted safe and effective treatment for the symptoms of decreased hormonal levels during menopause and aging. Estrogens, progesterone, and testosterone are the primary hormones that are used in treatment. Naturopathic physicians in Hawaii have authority to prescribe estrogens and progesterone, but since testosterone is a controlled substance, it is not in the naturopathic formulary. Prescribing testosterone for patients with documented low levels of the hormone, can be remarkably effective for relieving symptoms such as fatigue, depression, anxiety, muscle loss, and decreased libido, in relatively small doses that match the physiological levels of the hormone prior to menopause and advancing age. Testosterone replacement therapy is also important in preventing osteoporosis, high blood pressure, and heart disease.

Pain management is the second example where a controlled substance is consistent with naturopathic practice. At times, the relief of mild to moderate pain is best achieved with the short-term use of codeine and codeine-combination products.

Although naturopathic care generally involves the use of non-prescription natural medicines, NDs at times recommend prescription drugs carefully and judiciously. We are frequently consulted by patients who wish to decrease or eliminate their dependence on prescription drugs, including pain medications, sleep medications, and anti-anxiety drugs. In order to safely assist patients through a gradual tapering of these drugs, it is necessary to have the authority to prescribe them, often in increasingly smaller doses to assist patients in tapering or withdrawing from them.

This is the intent of this bill. The prescription of certain other controlled substances, such as stronger narcotics, medical marijuana, and other drugs with a high potential for abuse is not considered consistent with naturopathic practice.

Controlled substances have been included in the prescriptive authority for naturopathic physicians for many years in other states, such as Oregon, Washington, California and Arizona.

Required hours of coursework in pharmacology ranges from 42-110 in naturopathic medical schools and 69-90 hours in osteopathic and allopathic medical schools.

Mahalo,  
Dr. Richard Liebmann ND

---

**From:** Dara Thompson [drdarathompson@yahoo.com]  
**Sent:** Monday, February 07, 2011 2:10 PM  
**To:** PGM Testimony  
**Subject:** testimony for SB 659

To:

COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY AFFAIRS  
Senator Will Espero, Chair  
Senator Michelle Kidani, Vice Chair

Naturopathic physicians are experts in bio-identical hormone therapy, an increasingly accepted safe and effective treatment for the symptoms of decreased hormonal levels during menopause and aging.

Estrogens, progesterone, and testosterone are the primary hormones that are used in treatment.

Naturopathic physicians in Hawaii have authority to prescribe estrogens and progesterone, but since testosterone is a controlled substance, it is not in the naturopathic formulary. Prescribing

testosterone for patients with documented low levels of the hormone, can be remarkably effective for relieving symptoms such as fatigue, depression, anxiety, muscle loss, and decreased libido, in relatively small doses that match the physiological levels of the hormone prior to menopause and advancing age. I have had extensive experience using testosterone therapy for this purpose in California where I am also licensed. There is no other therapy that is as effective for addressing issues reduced libido and depression in postmenopausal women. At the doses we use for these therapies there are virtually no side effects.

Please approve SB659 to support the health and well being of all Hawaiian citizens.

Thank you,

Dr. Dara Thompson



---

**From:** livit.callentine@gmail.com  
**Sent:** Monday, February 07, 2011 1:01 PM  
**To:** PGM Testimony  
**Subject:** Support SB659 RELATING TO NATUROPATHIC MEDICINE

COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY AFFAIRS Senator Will Espero, Chair Senator Michelle Kidani, Vice Chair

And

COMMITTEE ON HEALTH  
Senator Josh Green, M.D., Chair Senator Clarence K. Nishihara, Vice Chair

I trust my naturopathic physician to know when and how to safely prescribe any controlled substances that s/he feels necessary for my healthcare.

Please support SB659. Thank you.

Sincerely,

Livit Callentine  
631 Meakanu Lane Apt 101  
Wailuku, HI 96793  
(808) 268-5568  
Sent via BlackBerry by AT&T

---

**From:** Darrow Hand [doctordarrow@gmail.com]  
**Sent:** Monday, February 07, 2011 12:55 PM  
**To:** PGM Testimony  
**Subject:** SB659 - Support

Committee on Public Safety, Government Operations & Military Affairs, and Committee on Health  
Hearing Scheduled for: Tuesday, February 7, 2011, Rm 224  
Support - SB 659, relating to Naturopathic Medicine

Dear Hon. Espero, Chair, Hon. Kidani, Vice Chair, members of the Committee on Public Safety, Government Operations & Military Affairs, and Hon. Green, Chair, Hon. Nishihara, Vice Chair and members of the Committee on Health:

I am Dr. Darrow Hand, a licensed naturopathic physician in the State of Hawai'i. I am writing in support of SB 659 relating to naturopathic medicine.

Naturopathic physicians are trained in bio-identical hormones. Naturopathic physicians in Hawai'i have authority to prescribe estrogens and progesterone, but since testosterone is a controlled substance, it is not in the naturopathic formulary. Prescribing testosterone for patients with documented low levels of the hormone can be effective for relieving symptoms such as fatigue, depression, anxiety, muscle loss and decreased libido, in relatively small doses that match the physiological levels of the hormone prior to menopause and advancing age.

Naturopathic care generally involves the use of non-prescriptive medicines. There are times when patients consult naturopathic physicians who wish to decrease or eliminate their dependence on prescriptive drugs. In order to safely assist them through a gradual tapering of these drugs, it is necessary to have the authority to prescribe them.

Naturopathic physicians are trained in pharmacology. We are trained to practice safely, to respect our limitations and the complexities of a problem. If a patient asks something that I don't know, I'll research it so I can properly advise them or refer them to a medical doctor or specialist as needed.

Thank you for the opportunity to testify.

Darrow Hand  
Honolulu, HI

**From:** George Harris [GHarris@pccarx.com]  
**Sent:** Monday, February 07, 2011 11:58 AM  
**To:** PGM Testimony  
**Cc:** lokahihealth@mac.com  
**Subject:** SB659 hearing February 8, 2011 @ 2:45PM


To: Committee Members hearing testimony on :  
Bill SB659, at 2:45 PM, Tuesday, February 8, 2011.

I would like to add my support for giving Naturopathic Physicians the authority to prescribe certain controlled substances, up to and including Schedule 3 of the DEA schedules.

This would include, but not be limited to, anti-anxiety medications such as diazepam, aprazolam, mild pain relievers such as certain strengths of codeine and hydrocodone, and the hormone testosterone for hormone replacement in men and women.

I believe, in my professional opinion, that this prescriptive authority will enhance the ability of Naturopathic Physicians to treat their patients.

George M. Harris, III RPh  
Malama Compounding Pharmacy  
Kealakekua, Hi, 93750



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**From:** Jasmyne Boswell [jasmyne@jasmyneconsulting.com]  
**Sent:** Monday, February 07, 2011 12:11 PM  
**To:** PGM Testimony  
**Subject:** SB659

Aloha,

I trust my naturopathic physician to know when and how to safely prescribe any controlled substances that s/he feels necessary for my healthcare.

Personal stories about how testosterone or codeine has been beneficial, or assistance by an ND in tapering or withdrawing from pain medications, sleep medications, and anti-anxiety drugs would be helpful.

Mahalo,  
Jasmyne Boswell

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**From:** Yvette Hart [ylhart@gmail.com]  
**Sent:** Monday, February 07, 2011 3:31 PM  
**To:** PGM Testimony  
**Subject:** SB 659 Tuesday, Feb. 8 at 2:45 pm

I trust my naturopathic physician to know when and how to safely prescribe any controlled substances that s/he feels necessary for my healthcare.

I have been treated in a conventional medicine setting for years for symptoms which include chest discomfort, anxiety attack symptoms. I have had an endoscopy, a nuclear medicine stress test, and been given the expensive (and potentially dangerous) asthma medicine, Advair. The doctors have had me taking Zoloft for years for "panic attack" symptoms and I have been told I have GERD (gastroesophageal reflux disease) and been taking first Zantac, then Prilosec. The esophageal spasms were painful and also a bit frightening, enough to have prompted me to go to the Emergency Room, more than once, not sure what the pain was from.

Imagine how surprised I was when my naturopathic physician, Dr. John Turetsky told me that I had a hiatal hernia, and what's more, showed me how to take care of it myself, without drugs! This simple technique that he taught me has worked for all of the symptoms I have listed above.

With health care costs on the rise, and a concern to everyone, it would be in the very best interest of Hawaii and it's citizens to allow naturopathic physicians the full scope of what they have been trained to do, and do so well.

Thank you for listening.

Very Respectfully,  
Yvette L. Hart

---

**From:** steelsmith@hawaii.rr.com  
**Sent:** Monday, February 07, 2011 3:21 PM  
**To:** PGM Testimony  
**Subject:** Please Support SB 659

Alex Steelsmith  
438 Hobron Lane, Ste. V-3  
Honolulu, HI 96815

February 7th, 2011

TO: THE SENATE; TWENTY-SIXTH LEGISLATURE, REGULAR SESSION OF 2011

COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY AFFAIRS Senator Will Espero, Chair Senator Michelle Kidani, Vice Chair COMMITTEE ON HEALTH Senator Josh Green, M.D., Chair Senator Clarence K. Nishihara, Vice Chair

RE: SB 659 RELATING TO NATUROPATHIC MEDICINE (Hearing to be held Tuesday, February 8, 2011, 2:45 p.m., Conference Room 224, State Capitol, 415 South Beretania Street)

Dear Senators and Committee members,

I am submitting this written testimony to urge you to please support SB 659, which authorizes naturopathic physicians to prescribe certain controlled substances. My naturopathic physician is highly qualified to know when and how to safely prescribe controlled substances necessary for my care. SB 659 should be passed because it would authorize the Board of Naturopathic Medicine to include these controlled substances, which are consistent with the practice of naturopathic medicine, in the naturopathic formulary. For many years, similar controlled substances have been included in the prescriptive authority for naturopathic physicians in other states, such as Oregon, Washington, California, and Arizona.

Thank you,  
Alex Steelsmith

---

**From:** Kevin Davison [kevdivison@gmail.com]  
**Sent:** Monday, February 07, 2011 2:56 PM  
**To:** PGM Testimony  
**Subject:** SB 659 RELATING TO NATUROPATHIC MEDICINE Tuesday, February 8, 2011 TIME: 2:45 p.m.

Dear Committee members.

I am a Naturopathic physician who has practiced in this state for 21 years, graduate of UH Manoa, and past president of the Hawaii society of Naturopathic Physicians. I am a fourth generation kama'aina and take the state of Hawaii's health care very seriously.

There are primarily two controlled substances which are consistent with the practice of naturopathic medicine.

Naturopathic physicians are experts in bio-identical hormone therapy, an increasingly accepted safe and effective treatment for the symptoms of decreased hormonal levels during menopause and aging. Estrogens, progesterone, and testosterone are the primary hormones that are used in treatment. Naturopathic physicians in Hawaii have authority to prescribe estrogens and progesterone, but since testosterone is a controlled substance, it is not in the naturopathic formulary. Prescribing testosterone for patients with documented low levels of the hormone, can be remarkably effective for relieving symptoms such as fatigue, depression, anxiety, muscle loss, and decreased libido, in relatively small doses that match the physiological levels of the hormone prior to menopause and advancing age.

Testosterone replacement therapy is also important in preventing osteoporosis, high blood pressure, and heart disease.

Pain management is the second example where a controlled substance is consistent with naturopathic practice. At times, the relief of mild to moderate pain is best achieved with the short-term use of codeine and codeine-combination products.

Although naturopathic care generally involves the use of non-prescription natural medicines, NDs at times recommend prescription drugs carefully and judiciously. We are frequently consulted by patients who wish to decrease or eliminate their dependence on prescription drugs, including pain medications, sleep medications, and anti-anxiety drugs. In order to safely assist patients through a gradual tapering of these drugs, it is necessary to have the authority to prescribe them, often in increasingly smaller doses to assist patients in tapering or withdrawing from them.

This is the intent of this bill. The prescription of certain other controlled substances, such as stronger narcotics, medical marijuana, and other drugs with a high potential for abuse is not considered consistent with naturopathic practice.

Controlled substances have been included in the prescriptive authority for naturopathic physicians for many years in other states, such as Oregon, Washington, California and Arizona.

Required hours of coursework in pharmacology ranges from 42-110 in naturopathic medical schools and 69-90 hours in osteopathic and allopathic medical schools.

Sample Testimony for SB659 (for patients):

I trust my naturopathic physician to know when and how to safely prescribe any controlled substances that s/he feels necessary for my healthcare.

Personal stories about how testosterone or codeine has been beneficial, or assistance by an ND in tapering or withdrawing from pain medications, sleep medications, and anti-anxiety drugs would be helpful.

THE SENATE  
THE TWENTY-SIXTH LEGISLATURE  
REGULAR SESSION OF 2011

COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY AFFAIRS

Senator Will Espero, Chair

Senator Michelle Kidani, Vice Chair

COMMITTEE ON HEALTH

Senator Josh Green, M.D., Chair

Senator Clarence K. Nishihara, Vice Chair

--

Dr Kevin J Davison

2310 Umi Pl

Haiku, HI 96708

808 575 2328

[www.Integratedqigong.com](http://www.Integratedqigong.com)



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**From:** travisthurston@gmail.com on behalf of Travis Thurston, ND [info@travisthurston.com]  
**Sent:** Monday, February 07, 2011 2:42 PM  
**To:** PGM Testimony  
**Subject:** Support for SB659, Realting to Naturopathic Medicine

**In support of SB659**

**RELATING TO NATUROPATHIC MEDICINE.**

Authorizes a naturopathic physician to prescribe controlled substances.

Dear Chair and Legislative Committee,

I am a Naturopathic Physician on Oahu seeing many patients with endocrine and neurological imbalances and many times I have found myself frustrated without the tools I have been trained to use. Naturopaths spend a lot of time with their patients, balancing not only their medications but also lifestyle factors including nutrition, over the counter products and supplements. For this reason (and their extensive medical training) ND's are properly suited to manage hormone, pain and mental health aspects of a person's health management. This legislation allows us to simply use the tools of the trade.

This scope expansion not only allows ND's to use anti-anxiety and pain management medications, but it also allows us to manage patients who are already using these meds, many times without guidance from their PCP either do to convenience or cost factors. Having more doctors with the legal ability to manage this aspect of care with better serve the population. This bill is really all about providing the citizens of Hawaii to better access to health care.

By now you have read other testimony from naturopaths expressing the importance of this legislation and I want to echo their support for this bill.

Please support the passage of Senate Bill 659

Dr. Travis Thurston

Naturopathic Physician

Manoa Valley & Kailua Town, Oahu

--

Dr. Travis Thurston  
Naturopathic Physician

Natural Wellness Center  
Mānoa Valley & Kailua, Hawai'i

Office: 808-988-0800

Direct: 808-343-5501

TESTIMONY IN SUPPORT OF SB 659 (for NDs)

Dr. Allison Bachlet

February 8, 2011

Please support SB659 to ensure that I am able to provide the best possible care to my patients.

I am a Naturopathic Physician in Honolulu and focus on preventative medicine and holistic wellness in my clinic. I utilize prescription drugs rarely, however am consulted on the prescriptions of bio-identical hormones frequently. Bio-identical estrogen, progesterone and testosterone are key in helping many women transition through menopause and ward off many health conditions in younger women who have had their reproductive organs removed for various health reasons. Unfortunately, the current law prohibits me from including testosterone in hormone prescriptions. This can dramatically reduce the effectiveness of the prescription for women, and makes treating men with similar hormonal imbalances near impossible. I have received specialized training in the area of bio-identical hormones and would very much like to be able to provide my services and expertise to the women AND the men of Hawaii. Please support SB 659 so that I can do so.

Thank you.

Dr. Allison Bachlet, PhD, ND

---

**From:** David Kern [docdavid1@hawaiiantel.net]  
**Sent:** Monday, February 07, 2011 8:08 AM  
**To:** PGM Testimony  
**Subject:** Testimony in SUPPORT of SB 659

THE SENATE  
THE TWENTY-SIXTH LEGISLATURE  
REGULAR SESSION OF 2011

COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY AFFAIRS  
Senator Will Espero, Chair  
Senator Michelle Kidani, Vice Chair

COMMITTEE ON HEALTH  
Senator Josh Green, M.D., Chair  
Senator Clarence K. Nishihara, Vice Chair

NOTICE OF HEARING DATE: Tuesday, February 8, 2011  
TIME: 2:45 p.m.  
PLACE: Conference Room 224  
State Capitol  
415 South Beretania Street

**SB 659** RELATING TO NATUROPATHIC MEDICINE.  
Testimony Authorizes a naturopathic physician to prescribe controlled substances.  
Status

### In Support of SB 659

My name is Dr. David Kern. I have been a naturopathic physician for 33 years, the past 26 years in Hawaii, continuing a tradition that began on the Islands in 1927. I am the president of the Hawaii Society of Naturopathic Physicians, an organization representing naturopathic physicians in Hawaii since 1946.

I was admitted to the medical staff of Maui Memorial Medical Center in 2001, becoming the first naturopathic physician in Hawaii admitted to a medical staff of a state hospital.

In 2005, the Maui Memorial Medical Center Foundation presented me with the Keola Award for outstanding service to the community, becoming the first doctor of alternative medicine to receive this honor.

In 2009, Mayor Charlene Tavaris invited me to join her Mayor's Council on Health for Maui County.

I share this information with you not to simply draw attention to myself, but rather, to draw attention to naturopathic medicine in Hawaii and the evolving role of the naturopathic physician. While our commitment to our communities has not changed in the past 84 years, what has changed is the expanded role of naturopathic doctors throughout the Islands. This expanded role is not only in providing skilled and quality care as primary care physicians but, as well, in working in collaboration with our medical counterparts on all levels and in a variety of venues promoting integrated health care and exchanging ideas, skill sets and information .

No more is this true than in the use and application of hormone therapy and pain management.

Naturopathic physicians are experts in bio-identical or biologically identical hormone therapy, an increasingly accepted safe and effective treatment for the symptoms of decreased hormonal levels during menopause and

aging. Estrogens, progesterone, and testosterone are the primary hormones used in treatment for beneficial symptom relief and long term health benefit. Naturopathic physicians in Hawaii have authority to prescribe estrogens and progesterone. Testosterone, an equally important and valuable hormone, is a controlled substance, and is, therefore, not currently included in the naturopathic formulary. Just as naturopathic physicians are well trained in the other important hormones, naturopathic physicians have been well trained in evaluating and interpreting symptoms of testosterone deficiency and in the proper ordering and evaluating of laboratory testing and when testosterone therapy is indicated.

In 1985, when I first began practicing on the Islands, most physicians didn't talk to their patients about the benefits of testosterone therapy. Doctors very rarely tested for testosterone deficiency and when they did they frequently did not order all the necessary tests. In those cases where testosterone was prescribed, it was primarily only women and they were prescribed synthetic methyl testosterone, a highly unfavorable form of testosterone. Over the past 25 years, with naturopathic doctors taking the lead, many physicians have expanded their understanding of the safe use of more favorable forms of testosterone and how to apply more comprehensive testing for both men and women. This is the result of collaboration, sharing of patients and the progress that comes when open minded doctors work together from different fields of expertise.

Numerous books have been written and a number of studies conducted documenting the safe and beneficial use of bio-identical testosterone, including the well known Rancho Bernardo Study that began in the 1970's and 80's with published reports in the Journal of Endocrinology and Metabolism in 1999 and 2007. Prescribing testosterone for patients with documented low levels of the hormone, can be remarkably effective for relieving symptoms such as fatigue, depression, anxiety, muscle loss, and decreased libido, in relatively small doses that match the physiological levels of the hormone prior to menopause and advancing age. Testosterone replacement therapy is also important in preventing osteoporosis, high blood pressure, and heart disease.

Pain management is the second example where a controlled substance is consistent with naturopathic practice. At times, the relief of mild to moderate pain is best achieved with the short-term use of codeine and codeine-combination products.

Although naturopathic care generally involves the use of non-prescription natural medicines, NDs at times recommend prescription drugs carefully and judiciously. We are frequently consulted by patients who wish to decrease or eliminate their dependence on prescription drugs, including pain medications, sleep medications, and anti-anxiety drugs. In order to safely assist patients through a gradual tapering of these drugs, it is necessary to have the authority to prescribe them, often in increasingly smaller doses to assist patients in tapering or withdrawing from them.

This is the intent of this bill. The prescription of certain other controlled substances, such as stronger narcotics, medical marijuana, and other drugs with a high potential for abuse is not considered consistent with naturopathic practice. Controlled substances have been included in the prescriptive authority for naturopathic physicians for many years in other states, such as Oregon, Washington, California and Arizona.

Required hours of coursework in pharmacology ranges from 42-110 in naturopathic medical schools and 69-90 hours in osteopathic and allopathic medical schools.

The need is real. Availability of skill, properly trained naturopathic physicians is real.

Mahalo for your support of SB 659!

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**From:** Marion\_Uemoto/CENDO/HIDOE@notes.k12.hi.us  
**Sent:** Monday, February 07, 2011 9:07 AM  
**To:** PGM Testimony  
**Subject:** Re: SB659

To Whom it May Concern,

I have faith in my naturopathic physician to know when and how to safely prescribe any controlled substance that he feels necessary for my healthcare.

Sincerely,

Marion Uemoto

February 7, 2011

TO: THE SENATE  
THE TWENTY-SIXTH LEGISLATURE  
REGULAR SESSION OF 2011

COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND  
MILITARY AFFAIRS  
Senator Will Espero, Chair  
Senator Michelle Kidani, Vice Chair

COMMITTEE ON HEALTH  
Senator Josh Green, M.D., Chair  
Senator Clarence K. Nishihara, Vice Chair

NOTICE OF HEARING DATE: Tuesday, February 8, 2011  
TIME: 2:45 p.m.  
PLACE: Conference Room 224  
State Capitol  
415 South Beretania Street

**SB 659**

Testimony

Status

RELATING TO NATUROPATHIC MEDICINE.

Authorizes a naturopathic physician to prescribe controlled substances.  
PGM/HTH, CPN

**To Whom It May Concern:**

**I trust my naturopathic physician to know when and how to safely prescribe any controlled substances that he feels necessary for my healthcare. I have trusted my naturopathic physician for 20 years and with my life. I know he dedicates his life's work as a physician to know what's best for me.**

Sincerely,

**Thrina Barrett**  
**808-754-0458**

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**From:** Jan McNeil [jantmcneil@gmail.com]  
**Sent:** Monday, February 07, 2011 6:59 AM  
**To:** PGM Testimony  
**Subject:** Testimony for SB 659, 2:45 p.m., Tuesday, 2/8/2011, Conf. Rm. 224, State Capitol, 415 S. Beretania St.

NOTICE OF HEARING DATE: Tuesday, February 8, 2011  
TIME: 2:45 p.m.  
PLACE: Conference Room 224  
State Capitol  
415 South Beretania Street

SB 659  
Testimony  
Status RELATING TO NATUROPATHIC MEDICINE.  
Authorizes a naturopathic physician to prescribe controlled substances. PGM/HTH, CPN

I strongly support SB 659 because I trust my naturopathic physician (N.D.) to know when and how to safely prescribe any controlled substances that he feels necessary for my healthcare. This trust is based on having received healthcare from my N.D., Dr. John M. Turetzky, for several years, which has led to highly successful results. I believe that this is a highly effective cost saving measure financially as well as in terms of relieving human suffering.



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**From:** Nathan Ehrlich [nat@maui.net]  
**Sent:** Monday, February 07, 2011 1:28 AM  
**To:** PGM Testimony  
**Subject:** SB659 testimony

SB659  
Committee on Public Safety  
Tuesday, Feb. 8th, 2011 2:45 pm  
PLACE: Conference Room 224  
State Capitol

My name is Dr. Nathan Ehrlich. I am a naturopathic physician with a practice on Maui since 1989. Some of the patients I treat have health needs that require administration of bio-identical hormones such as estrogen and progesterone. Testosterone is a hormone which is used commonly in bio-identical hormone therapy but is not included in the naturopathic formulary in the state of Hawaii because of its classification as a controlled substance. Testosterone is used to successfully treat a wide range of disorders including depression, anxiety, fatigue, muscle loss and symptoms associated with advancing age and menopause in small and safe doses. Another controlled substance which would fall under the same class of controlled substances which is consistent with naturopathic practice would be codeine which can be prescribed for pain management. In many cases patients who come to see a naturopathic physician are seeking a regimen of care which involves less or no prescription drugs. In order to safely assist the patient through a gradual tapering of the dosing of these drugs it is necessary to have the authority to prescribe these medicines.

Controlled substances have been included in the prescriptive authority for naturopathic physicians for many years in other states, such as Oregon, Washington, California and Arizona. My training in naturopathic medicine has emphasized safety and the principle of "do no harm" and requires a comparable number of credit hours in pharmacology as osteopathic and allopathic medical schools.

The authority to prescribe these substances will allow naturopathic physicians to safely and more effectively serve the residents of Hawaii.

Please vote for passage SB659.

Mahalo,

Nathan Ehrlich, N.D.

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**From:** Kevin Gibson [kevingibsonnd@gmail.com]  
**Sent:** Sunday, February 06, 2011 6:58 PM  
**To:** PGM Testimony  
**Subject:** SB659 Relating to Naturopathic Medicine

THE SENATE  
THE TWENTY-SIXTH LEGISLATURE  
REGULAR SESSION OF 2011

COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY AFFAIRS  
Senator Will Espero, Chair  
Senator Michelle Kidani, Vice Chair

COMMITTEE ON HEALTH  
Senator Josh Green, M.D., Chair  
Senator Clarence K. Nishihara, Vice Chair

NOTICE OF HEARING DATE: Tuesday, February 8, 2011  
TIME: 2:45 p.m.  
PLACE: Conference Room 224  
State Capitol  
415 South Beretania Street

Re: SB 659, RELATING TO NATUROPATHIC MEDICINE.

I am writing in **support** of SB659. A limited number of controlled substances are within the scope of training received by a naturopathic doctor. The naturopathic board is qualified to identify those for our formulary. This legislation will allow more individuals to receive quality and safe health care while saving on health care costs.  
Sincerely,

Kevin Gibson ND, LAc, MS  
Pacific Integrative Medicine LLC  
1481 S. King St. Suite 501  
Honolulu HI, 96814  
808-955-9556

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**From:** Heather Sandison [hmalia@hotmail.com]  
**Sent:** Monday, February 07, 2011 10:45 AM  
**To:** PGM Testimony  
**Subject:** SB 659 Tuesday, February 8, 2011 TIME: 2:45 p.m.

THE SENATE  
THE TWENTY-SIXTH LEGISLATURE  
REGULAR SESSION OF 2011

COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY AFFAIRS  
Senator Will Espero, Chair  
Senator Michelle Kidani, Vice Chair

COMMITTEE ON HEALTH  
Senator Josh Green, M.D., Chair  
Senator Clarence K. Nishihara, Vice Chair

I am writing in support of SB 659. Thank you for considering my testimony as we work together to improve the access and quality of medical care to Hawaii's residents, your constituents and my future patients.

There are primarily two controlled substances which are consistent with the practice of naturopathic medicine.

Naturopathic physicians are experts in bio-identical hormone therapy, an increasingly accepted safe and effective treatment for the symptoms of decreased hormonal levels during menopause and aging. Estrogens, progesterone, and testosterone are the primary hormones that are used in treatment. Naturopathic physicians in Hawaii have authority to prescribe estrogens and progesterone, but since testosterone is a controlled substance, it is not in the naturopathic formulary. Prescribing testosterone for patients with documented low levels of the hormone, can be remarkably effective for relieving symptoms such as fatigue, depression, anxiety, muscle loss, and decreased libido, in relatively small doses that match the physiological levels of the hormone prior to menopause and advancing age. Testosterone replacement therapy is also important in preventing osteoporosis, high blood pressure, and heart disease.

Pain management is the second example where a controlled substance is consistent with naturopathic practice. At times, the relief of mild to moderate pain is best achieved with the short-term use of codeine and codeine-combination products.

Although naturopathic care generally involves the use of non-prescription natural medicines, NDs at times recommend prescription drugs carefully and judiciously. We are frequently consulted by patients who wish to decrease or eliminate their dependence on prescription drugs, including pain medications, sleep medications, and anti-anxiety drugs. In order to safely assist patients through a gradual tapering of these drugs, it is necessary to have the authority to prescribe them, often in increasingly smaller doses to assist patients in tapering or withdrawing from them.

This is the intent of this bill. The prescription of certain other controlled substances, such as stronger narcotics, medical marijuana, and other drugs with a high potential for abuse is not considered consistent with naturopathic practice.

Controlled substances have been included in the prescriptive authority for naturopathic physicians for many years in other states, such as Oregon, Washington, California and Arizona.

Required hours of coursework in pharmacology ranges from 42-110 in naturopathic medical schools and

69-90 hours in osteopathic and allopathic medical schools.

Thank you,  
Heather Sandison

ND/LAc candidate Bastyr University 2014  
Permanent Home Address  
59-526 Aukauka Rd.  
Haleiwa, HI 96712  
(808) 342-6271

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**From:** Melissa LeMay [Melissa.Lemay@bastyr.edu]  
**Sent:** Monday, February 07, 2011 10:25 AM  
**To:** PGM Testimony  
**Subject:** SB 659 Tuesday, February 8, 2011 TIME: 2:45 p.m.

THE SENATE  
THE TWENTY-SIXTH LEGISLATURE  
REGULAR SESSION OF 2011

COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY AFFAIRS  
Senator Will Espero, Chair  
Senator Michelle Kidani, Vice Chair

COMMITTEE ON HEALTH  
Senator Josh Green, M.D., Chair  
Senator Clarence K. Nishihara, Vice Chair

I am writing in support of SB 659

There are primarily two controlled substances which are consistent with the practice of naturopathic medicine.

Naturopathic physicians are experts in bio-identical hormone therapy, an increasingly accepted safe and effective treatment for the symptoms of decreased hormonal levels during menopause and aging. Estrogens, progesterone, and testosterone are the primary hormones that are used in treatment. Naturopathic physicians in Hawaii have authority to prescribe estrogens and progesterone, but since testosterone is a controlled substance, it is not in the naturopathic formulary. Prescribing testosterone for patients with documented low levels of the hormone, can be remarkably effective for relieving symptoms such as fatigue, depression, anxiety, muscle loss, and decreased libido, in relatively small doses that match the physiological levels of the hormone prior to menopause and advancing age.

Testosterone replacement therapy is also important in preventing osteoporosis, high blood pressure, and heart disease.

Pain management is the second example where a controlled substance is consistent with naturopathic practice. At times, the relief of mild to moderate pain is best achieved with the short-term use of codeine and codeine-combination products.

Although naturopathic care generally involves the use of non-prescription natural medicines, NDs at times recommend prescription drugs carefully and judiciously. We are frequently consulted by patients who wish to decrease or eliminate their dependence on prescription drugs, including pain medications, sleep medications, and anti-anxiety drugs. In order to safely assist patients through a gradual tapering of these drugs, it is necessary to have the authority to prescribe them, often in increasingly smaller doses to assist patients in tapering or withdrawing from them.

This is the intent of this bill. The prescription of certain other controlled substances, such as stronger narcotics, medical marijuana, and other drugs with a high potential for abuse is not considered consistent with naturopathic practice.

Controlled substances have been included in the prescriptive authority for naturopathic physicians for many years in other states, such as Oregon, Washington, California and Arizona.

Required hours of coursework in pharmacology ranges from 42-110 in naturopathic medical schools and 69-90 hours in osteopathic and allopathic medical schools.

Melissa LeMay  
Bastyr University  
ND Candidate 2013  
775.544.7268

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**From:** Shanon Sidell [doctorshanon@yahoo.com]  
**Sent:** Monday, February 07, 2011 9:51 AM  
**To:** PGM Testimony  
**Subject:** SB 659 Tuesday, February 8, 2011 TIME: 2:45 p.m.

RELATING TO NATUROPATHIC MEDICINE.

Authorizes a naturopathic physician to prescribe controlled substances.  
PGM/HTH, CPN

I am writing in support of SB 659.  
Shanon Sidell

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**From:** Peter Mellen [peter@petermellen.org]  
**Sent:** Monday, February 07, 2011 12:02 PM  
**To:** PGM Testimony  
**Subject:** Hi

To whom it may concern:

I trust my naturopathic physician to know when and how to safely prescribe any controlled substances that s/he feels necessary for my healthcare.

Personal stories about how testosterone or codeine has been beneficial, or assistance by an ND in tapering or withdrawing from pain medications, sleep medications, and anti-anxiety drugs would be helpful.

Peter Mellen

THE SENATE  
THE TWENTY-SIXTH LEGISLATURE  
REGULAR SESSION OF 2011

COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY AFFAIRS  
Senator Will Espero, Chair  
Senator Michelle Kidani, Vice Chair

COMMITTEE ON HEALTH  
Senator Josh Green, M.D., Chair  
Senator Clarence K. Nishihara, Vice Chair

NOTICE OF HEARING DATE: Tuesday, February 8, 2011  
TIME: 2:45 p.m.  
PLACE: Conference Room 224  
State Capitol  
415 South Beretania Street

**SB 659** RELATING TO NATUROPATHIC MEDICINE.  
Testimony Authorizes a naturopathic physician to prescribe controlled  
Status substances.

PGM/HTH,  
CPN



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**From:** Tara Grace [visions@maui.net]  
**Sent:** Monday, February 07, 2011 9:55 AM  
**To:** PGM Testimony  
**Subject:** \*\*\*\*\*SPAM\*\*\*\*\* RE: SB659 / Relating to Naturopathic Medicine

THE SENATE  
THE TWENTY-SIXTH LEGISLATURE

I have spent years with Naturopathic Doctors as my principal care givers. I trust my doctor to be as professional and updated as any conventional doctor might be. Please honor the dedication of these doctors , their education, the govt. bodies which issued the medical license for all these years.

Thank you  
Tara Grace

REGULAR SESSION OF 2011

COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY AFFAIRS  
Senator Will Espero, Chair  
Senator Michelle Kidani, Vice Chair

COMMITTEE ON HEALTH  
Senator Josh Green, M.D., Chair  
Senator Clarence K. Nishihara, Vice Chair

NOTICE OF HEARING DATE: Tuesday, February 8, 2011  
TIME: 2:45 p.m.  
PLACE: Conference Room 224  
State Capitol  
415 South Beretania Street

**SB 659** RELATING TO NATUROPATHIC MEDICINE.  
Testimony  
Status

2/7/2011

To: Committee on Public Safety, Government Operations and Military Affairs  
Committee on Health  
From: Patrick Adams, Rph  
Re: SB 659

Honorable Chair Espero and committee members,

In Opposition to SB 659

I write this letter concerning Naturopathic scope of practice and a pharmacist ability to act responsibly to insure public safety with regard to prescription written by naturopathic Physicians. I might not be writing this letter if I were a nurse or a doctor as it is within every professions to determine their scope of practice and then convince the legislature the profession can operate safely and in the best interest of the public. As a pharmacist I have a unique responsibility with regard to other professions that dispense legend and control medications so in this issue I am a stakeholder as I will be responsible to determine whether or not a naturopathic has written a prescription within the scope of their practice. Unlike most medical providers the pharmacist is involved in any profession that has prescriptive authority. I would like to give some examples of the way a pharmacist may intercede within the scope of medical practice. A dentist writes a prescription for high blood pressure. The pharmacist would question type of prescription and would refuse to fill as out the scope of practice for a dentist unless the medication was given for an off label indication. Even if this were the case the pharmacist bears a responsibility to insure the medication is used safely and within the constraints of the manufacturer. We are intimately involved with all practitioners and always hope to operate in cooperation but sometimes there are conflicts and through good communication most of these are resolved. I believe this discussion explains why I feel it is important to testify. I believe in naturopathic providers and attended Chiropractic school myself before becoming a pharmacist. I am familiar with the naturopathic education and considered attending Bastyr University in Washington after finishing pharmacy school because of my interest in natural products.

The Naturopathic scope of practice does not line up very well with the right to prescribe allopathic medications in this state and has caused confusion for Hawaii pharmacist. Last year after the legislature passed a bill with regard to prescription authority for Naturopaths for legend medications the pharmacists have questioned the Naturopathic formulary that includes controlled medications. The formulary submitted was taken from an allopathic providers summary and did not reflected the expertise or authority given to the Naturopaths in the last years legislative session. This has caused pharmacist to look at the Naturopathic practice act for Hawaii. The Chapter 455 Naturopathic definitions for "Naturopathic Medicine means vitamins, minerals, dietary supplements, botanical medicines, homeopathic medicines, hormones and those legend drugs consistent with the naturopathic medical practice". The definitions for "Naturopathic Medicines means the practice of the art and science of diagnosis, prevention and treatment of disorders by the body by support, stimulation or both, of natural processes of the human body. The practice of naturopathic medicine includes the prescription, administration, dispensing, and use of nutrition and food science, physical

modalities, manual manipulation, parental therapy, minor office procedures, naturopathic formulary, hygiene and immunization, contraceptive devices, common diagnostic procedures, and behavioral medicine of the type taught in education and training at naturopathic medical colleges: provided that the use of parental therapy and performance of minor office procedures shall not be allowed until the board adopts rules in accordance with chapter 91 pursuant to section 455-6.

The section states a Naturopathic physician may perform these act based off "the education and training at naturopathic colleges". Upon review of Naturopathic education we found that many Naturopathic colleges did not teach pharmacology and many of the colleges that do teach pharmacology have just added these courses to the curriculum. In addition in the colleges that do teach pharmacology there is no consistency with each other about a requirement of number of hours. Of the 4 colleges that do teach pharmacology one has only 40 didactic hours. The issue for the pharmacist based off the scope of practice is that each Naturopathic Physician has a different degree of knowledge of pharmacology based off the naturopathic college attended and therefore leaves each ND with a different scope of practice. Pharmacists are still trying to sort out legend medications since the last legislative session. I believe this bill is premature and would like to see the committee give the Naturopathic more time to sort their scope of practice and education requirements. Some Naturopathic physicians in this state may have no formal pharmacology education. Please protect the safety of the Hawaii citizens by rejecting this bill while the professions sort out the present issues with the Naturopathic formulary.

Sincerely

Patrick L Adams

February 8, 2011  
Tuesday  
2:45 PM  
Conference Room 224

**To: Senator Will Espero, Chair**  
**Senator Michelle Kidani, Vice Chair**  
**Senate Committee on Public Safety, Government Operations, and Military Affairs**  
**Senator Josh Green, MD, Chair**  
**Senator Clarence K. Nishihara, Vice Chair**  
**Senate Committee on Health**

**From: Raydeen Busse, MD, Chair**  
**Lori Kamemoto, MD, MPH, Vice Chair**  
**American Congress of Obstetricians and Gynecologists, Hawaii Section**

**Re: SB 659: RELATING TO NATUROPATHIC MEDICINE**

**Position: STRONGLY OPPOSE**

Dear Chairs Espero and Green, Vice Chairs Kidani and Nishihara, and Public Safety, Government Operations, and Military Affairs and Health Committee Members:

Out of concern for the safety of our patients and Hawaii's population, the American Congress of Obstetricians and Gynecologists (ACOG), Hawaii Section, strongly opposes SB 659, which revises current controlled substance statutes by adding Naturopathic Doctors to the list of practitioners allowed to prescribe Schedule I – V controlled substances. This list of controlled substances includes more than 100 different medications with high abuse potential, including narcotics, sedatives, stimulants and anabolic steroids. These medications, when used inappropriately by inexperienced and poorly trained practitioners, can lead to serious adverse effects, addiction and even death.

Naturopathic Doctors (ND) do not have the necessary training to prescribe controlled substances. Naturopathic Doctors are required to complete 2 years of basic science and only 2 years of clinical training with a minimum of only 850 hours or only 21.25 weeks (based on a 40 hour work week) of patient care over this two-year period. Postgraduate ND (or residency) training is not required in 49 of 50 states and is only required in Utah.

Thirty-six states do not license Naturopathic Doctors, and South Carolina and Tennessee specifically prohibit the practice of Naturopathy. In 2004, a Florida legislative committee concluded that an expanded Naturopathy scope of service might be harmful. Several other states, including Texas and Virginia, have abolished previous Naturopathy licensure provisions. Of the 14 states (and District of Columbia) that do license Naturopathic Doctors, most have continuing

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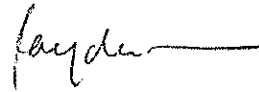
education requirements, while Hawaii does not.

While 11 other states allow some sort of prescriptive authority for NDs, most are much more limited in scope than Hawaii with many requiring physician involvement, whether at the board level or at the individual practitioner level. By comparison, Hawaii's joint Formulary Advisory Committee for Advanced Practice Registered Nurses (APRN) requires representation by Medical Doctors (MD) and/or Doctors of Osteopathy (DO), while Hawaii's Naturopathic Board has no representation at this level of expertise.

Additionally, Medicare does not reimburse for Naturopathic services, and Hawaii Medicaid, which typically follows Medicare coverage, is unlikely to add it to the list of covered services. Therefore, Naturopathic services cannot adequately address access to care for the Medicare and Medicaid population.

In summary, Naturopathic training and experience is inadequate to justify the prescription of controlled substances. ACOG Hawaii Section is very concerned about patient safety issues should this bill pass, and strongly opposes SB 659.

Thank you for the opportunity to submit this testimony.

A handwritten signature in cursive script, appearing to read "Fayda", followed by a horizontal line.

Data on Naturopathic training and scope of practice in other states obtained from the Hawaii Medical Association