

JAN 18 2013

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# A BILL FOR AN ACT

RELATING TO NATUROPATHIC PHYSICIANS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that naturopathic  
2 physicians are known for their expertise in bio-identical  
3 hormone replacement therapy. The legislature further finds that  
4 naturopathic physicians have been trained in the evaluation,  
5 assessment, and appropriate application of natural bio-identical  
6 testosterone therapy for symptom relief of testosterone  
7 deficiency. Naturopathic physicians also receive on-going  
8 training in bio-identical hormone therapy and medical updates on  
9 the safe and effective use of natural testosterone through the  
10 Hawaii Society of Naturopathic Physicians and various national  
11 medical conferences.

12           The legislature additionally finds that federal law  
13 requires physicians prescribing testosterone to have a federal  
14 Drug Enforcement Administration registration number.  
15 Furthermore, the Hawaii Society of Naturopathic Physicians  
16 supports a limited-use federal Drug Enforcement Administration  
17 registration number that would permit naturopathic physicians to  
18 legally prescribe natural testosterone.



1           The purpose of this Act is to authorize naturopathic  
2 physicians to register with the department of public safety and  
3 obtain a current federal Drug Enforcement Administration  
4 registration number for the limited purpose of prescribing and  
5 administering bio-identical testosterone.

6           SECTION 2. Chapter 455, Hawaii Revised Statutes, is  
7 amended by adding a new section to be appropriately designated  
8 and to read as follows:

9           "§455-    Testosterone; authorization.   Subject to any  
10 requirements imposed by the department of public safety and the  
11 federal Drug Enforcement Administration, a naturopathic  
12 physician may register with the department of public safety  
13 pursuant to section 329-33 and may obtain a current federal Drug  
14 Enforcement Administration registration number; provided that  
15 registration pursuant to section 329-33 shall limit a  
16 naturopathic physician to the prescription and administration of  
17 testosterone and shall not entitle a naturopathic physician to  
18 prescribe or administer any other controlled substances included  
19 in sections 329-14, 329-16, 329-18, 329-20, and 329-22."

20           SECTION 3. Section 329-1, Hawaii Revised Statutes, is  
21 amended as follows:



1           1. By adding a new definition to be appropriately inserted  
2 and to read:

3           "Naturopathic physician" means a person licensed under  
4 section 455 who is registered under this chapter to administer  
5 or prescribe testosterone."

6           2. By amending the definition of "practitioner" to read:

7           ""Practitioner" means:

8           (1) A physician, dentist, veterinarian, scientific  
9           investigator, or other person licensed and registered  
10           under section 329-32 to distribute, dispense, or  
11           conduct research with respect to a controlled  
12           substance in the course of professional practice or  
13           research in this State;

14           (2) An advanced practice registered nurse with  
15           prescriptive authority licensed and registered under  
16           section 329-32 to prescribe and administer controlled  
17           substances in the course of professional practice in  
18           this State; [~~and~~]

19           (3) A pharmacy, hospital, or other institution licensed,  
20           registered, or otherwise permitted to distribute,  
21           dispense, conduct research with respect to or to  
22           administer a controlled substance in the course of



1 professional practice or research in this State[-];

2 and

3 (4) A naturopathic physician licensed pursuant to chapter  
4 455 and registered under section 329-32 to prescribe  
5 and administer testosterone in the course of  
6 professional practice in this State."

7 SECTION 4. Section 455-1, Hawaii Revised Statutes, is  
8 amended as follows:

9 1. By adding a new definition to be appropriately inserted  
10 and to read:

11 "Testosterone" means the schedule III controlled substance  
12 referred to in section 329-18(g)(24)."

13 2. By amending the definitions of "naturopathic formulary"  
14 and "naturopathic medicine" to read:

15 "Naturopathic formulary" means vitamins, minerals, dietary  
16 supplements, botanical medicines, homeopathic medicines,  
17 hormones, bio-identical testosterone prescribed or administered  
18 in accordance with federal and state law solely for purposes of  
19 hormone replacement therapy, and those legend drugs consistent  
20 with naturopathic medical practice.

21 "Naturopathic medicine" means the practice of the art and  
22 science of diagnosis, prevention, and treatment of disorders of



1 the body by support, stimulation, or both, of the natural  
2 processes of the human body. The practice of naturopathic  
3 medicine includes the prescription, administration, dispensing,  
4 and use of nutrition and food science, physical modalities,  
5 manual manipulation, parenteral therapy, minor office  
6 procedures, naturopathic formulary, hygiene and immunization,  
7 contraceptive devices, common diagnostic procedures, and  
8 behavioral medicine of the type taught in education and training  
9 at naturopathic medical colleges; provided that the use of  
10 parenteral therapy and performance of minor office procedures  
11 shall not be allowed until the board adopts rules in accordance  
12 with chapter 91 pursuant to section 455-6[-]; provided further  
13 that the prescription or administration of testosterone shall be  
14 allowed only if the testosterone is bio-identical and prescribed  
15 or administered in accordance with federal and state law solely  
16 for purposes of hormone replacement therapy."

17 SECTION 5. Statutory material to be repealed is bracketed  
18 and stricken. New statutory material is underscored.

19 SECTION 6. This Act shall take effect upon its approval.  
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INTRODUCED BY:

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S.B. NO. 491

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# S.B. NO. 491

**Report Title:**

Naturopathic Physicians; Testosterone; Prescription  
Authorization

**Description:**

Authorizes naturopathic physicians to register with the department of public safety and obtain a current federal Drug Enforcement Administration registration number for the limited purpose of prescribing and administering bio-identical testosterone.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

