

JAN 22 2016

A BILL FOR AN ACT

RELATING TO NATUROPATHIC MEDICINE.

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

1 SECTION 1. The legislature finds that naturopathic
2 physicians provide skilled and quality care to patients
3 throughout the State. Naturopathic physicians also work to
4 promote integrated health care, such as the use and application
5 of hormone therapy and pain management. Although naturopathic
6 physicians in Hawaii have some prescriptive authority, they are
7 unable to prescribe controlled substances. For instance,
8 testosterone and codeine as well as codeine combination products
9 are examples of a controlled substance that is consistent with
10 the practice of naturopathic medicine, but are prohibited from
11 being prescribed by naturopathic physicians in Hawaii.

12 The legislature further finds that naturopathic physicians
13 are known for their expertise in bio-identical hormone
14 replacement therapy, including the use of estrogens,
15 progesterone, and testosterone. Furthermore, although
16 naturopathic care generally involves the use of non-prescription
17 natural medications, naturopathic physicians may occasionally



1 recommend prescription drugs when appropriate. This includes
2 the area of pain management, specifically the relief of mild to
3 moderate pain, which may be best achieved through the short-term
4 use of codeine and codeine combination products.

5 The legislature finds that licensed naturopathic physicians
6 in Hawaii should have prescriptive authority for those
7 controlled substances that are consistent with the practice of
8 naturopathic medicine. The legislature notes that the
9 prescription of certain other controlled substances, such as
10 narcotic drugs, are not considered consistent with naturopathic
11 practice and should not be included in the naturopathic
12 formulary. The legislature also notes that controlled
13 substances have been included in the prescriptive authority for
14 naturopathic physicians in other states, such as Arizona,
15 California, Oregon, and Washington.

16 The purpose of this Act is to authorize a naturopathic
17 physician to prescribe controlled substances consistent with
18 naturopathic medical practice.

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



1 "§455- Controlled substances; authorization. Subject to
2 any requirements imposed by the department of public safety and
3 the federal Drug Enforcement Administration, a naturopathic
4 physician may register with the department of public safety
5 pursuant to section 329-33 and may obtain a current Federal Drug
6 Enforcement Administration registration."

7 SECTION 3. Section 329-1, Hawaii Revised Statutes, is
8 amended by amending the definition of "practitioner" to read as
9 follows:

10 ""Practitioner" means:

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

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



1 (3) A pharmacy, hospital, or other institution licensed,
2 registered, or otherwise permitted to distribute,
3 dispense, conduct research with respect to or to
4 administer a controlled substance in the course of
5 professional practice or research in this State[-];
6 and

7 (4) A naturopathic physician licensed pursuant to chapter
8 455."

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

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

13 "Controlled substance" means a scheduled drug as defined
14 in section 329-1."

15 2. By amending the definition of "naturopathic formulary"
16 to read:

17 "Naturopathic formulary" means vitamins, minerals, dietary
18 supplements, botanical medicines, homeopathic medicines,
19 hormones, and those legend drugs and controlled substances
20 consistent with naturopathic medical practice[-]; provided that



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1 the naturopathic formulary shall not include any narcotic drugs,
2 as defined in section 329-1."

3 SECTION 5. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 6. This Act shall take effect on July 1, 2016.
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Report Title:

Naturopathic Physicians; Controlled Substances; Naturopathic Formulary; Testosterone; Prescriptive Authority

Description:

Authorizes a naturopathic physician to prescribe controlled substances that are consistent with naturopathic medical practice. Clarifies that narcotic drugs shall not be included within the naturopathic formulary.

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