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PRESENTATION OF
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
REGULATED INDUSTRIES COMPLAINTS OFFICE

TO THE HOUSE COMMITTEE
ON
HEALTH

TWENTY-NINTH STATE LEGISLATURE
REGULAR SESSION, 2017

TUESDAY, MARCH 14, 2017
8:30 A.M.

TESTIMONY ON SENATE BILL NO. 223 S.D.2
RELATING TO NATUROPATHIC MEDICINE

TO THE HONORABLE DELLA AU BELATTI, CHAIR,
AND TO THE HONORABLE BERTRAND KOBAYASHI, VICE CHAIR,
AND MEMBERS OF THE COMMITTEE:

The Department of Commerce and Consumer Affairs ("Department") appreciates the opportunity to testify on Senate Bill No. 223 S.D.2, Relating to Naturopathic Medicine. My name is Daria Loy-Goto and I am the Complaints and Enforcement Officer for the Department's Regulated Industries Complaints Office ("RICO"). RICO offers enforcement-related comments on the bill.

Senate Bill No. 223 S.D.2 authorizes naturopathic physicians to prescribe testosterone consistent with naturopathic medical practice. The bill also provides that a violation of Chapter 329, Hawaii Revised Statutes ("HRS"), by a

Testimony on Senate Bill No. 223 S.D.2

March 14, 2017

Page 2

naturopathic physician is an added basis for discipline under §455-11, HRS, and has a defective effective date of January 7, 2059.

RICO defers to the Board of Naturopathic Medicine on the issue of the authority of naturopathic physicians to prescribe testosterone. The additional grounds for discipline in Section 5 of the bill, however, will ensure that RICO can pursue disciplinary action against naturopathic physicians who violate Chapter 329, HRS, when prescribing testosterone.

Thank you for the opportunity to testify on Senate Bill No. 223 S.D.2. I will be happy to answer any questions the Committee may have.

**PRESENTATION OF THE
BOARD OF NATUROPATHIC MEDICINE**

TO THE HOUSE COMMITTEE ON HEALTH

TWENTY-NINTH LEGISLATURE
Regular Session of 2017

Tuesday, March 14, 2017
8:30 a.m.

**TESTIMONY ON SENATE BILL NO. 223, S.D. 2, RELATING TO NATUROPATHIC
MEDICINE.**

TO THE HONORABLE DELLA AU BELATTI, CHAIR,
AND MEMBERS OF THE COMMITTEE:

My name is David Kern and I am a naturopathic physician and the Chairperson of the Board of Naturopathic Medicine ("Board"). The Board thanks you for the opportunity to present testimony on Senate Bill No. 223, S.D. 2, Relating to Naturopathic Medicine. The Board is in support of this measure with the exception of the January 7, 2059 effective date.

Senate Bill. No. 223, S.D. 2 authorizes a naturopathic physician to prescribe testosterone, clarifies that naturopathic physicians who violate the Uniform Controlled Substances Act can face disciplinary action, and makes technical, nonsubstantive amendments for the purposes of clarity and consistency.

The Board takes its duties and responsibilities to the people of Hawaii very seriously. Since 1925, licensed naturopathic physicians have been practicing competently. Because naturopathic physicians have a solid education and medical and clinical training and because they are required to pass a national examination, the Board believes that they will prescribe testosterone in a safe manner.

Testimony on Senate Bill No. 223, S.D. 2
Tuesday, March 14, 2017
Page 2

Thank you for the opportunity to provide testimony on Senate Bill No. 223,
S.D.2.



Steelsmith Natural Health Center

438 Hobron Lane, Suite 314, Honolulu, Hawaii 96815

www.SteelsmithHealth.com

(808)943-0330

Testimony in support of SB223 SD2

March 12, 2017

Dear Representative Belatti,

I am writing in support of SB223 SD2 Relating to Naturopathic Medicine and the addition of testosterone to the naturopathic formulary. Testosterone is a controlled substance that has been the only bio-identical hormone that naturopathic physicians cannot prescribe in the state of Hawaii. Naturopathic physicians are known for their expertise in bio-identical hormone replacement therapy and the overwhelming majority of naturopathic physicians licensed in Hawaii have trained in naturopathic medical schools in Oregon, Washington, and Arizona where controlled substances are within the prescriptive authority of naturopathic physicians.

Naturopathic physicians have a clean record regarding prescriptive authority. There have been no disciplinary actions taken by the Board of Naturopathic Medicine, nor any malpractice awards against a naturopathic physician regarding harm from the prescription of any drug included on the naturopathic formulary.

Thank you for your support,

Kristen Coles, ND, LAc

From: info@nhckauai.com
Sent: Sunday, March 12, 2017 9:51 PM
To: HLTtestimony
Subject: Hawaii Society of Naturopathic Physicians in support of SB223 SD2

TO: The House Committee on Health

TWENTY-NINTH HAWAII LEGISLATURE
Regular Session of 2017

Tuesday March 14th , 2017 8:30 AM

TESTIMONY ON SENATE BILL 223 SD2, RELATING TO NATUROPATHIC MEDICINE

DEAR HONORABLE CHAIR BELATTI , VICE CHAIR KOBAYASHI, AND COMMITTEE MEMBERS:

My name is Dr Steve Dubey , Naturopathic Physician and Licensed Acupuncturist, practicing on Kauai for the last 36 years. I am the Vice President of the Hawaii Society of Naturopathic Physicians. Our group is in support of Senate Bill 223 SD2.

We agree that SB 223 be amended as recommended by the Naturopathic Board of Examiners , to include Testosterone (a Class 3N Controlled Substance) , for it to be among the natural medicines we are able to prescribe , and be part of the Naturopathic Formulary.

Modern Naturopathic Physicians are primary Care Providers. Besides passing rigorous Board Examinations for licensing, we are required to satisfy Continuing Education Requirements of 35 total hours Biennially, with 15 of them in Pharmacy.

The Naturopathic Formulary , established in 2010 by our Board, does include many prescription medicines of natural origin such as hormones as well as the so-called "legend" or prescription drugs. Thus Naturopathic physicians in Hawaii , and well as other states (such as Oregon and Washington, Arizona for example) , have the ability to prescribe the majority of medicines commonly prescribed in family practice. We have excellent rapport and support from Pharmacists and our MD colleagues, and overwhelming support from our patients who appreciate the complementary approach of balancing natural therapies and remedies with more conventional medicines.

AS primary care practitioners, we use standard Physical Examination, Laboratory and Radiological assessments, as well as special studies to make a diagnosis. To diagnose a patient deficient in Testosterone and not be able to prescribe that medicine for them is incongruous with our practice and philosophy.

Continuing education is available for all health care practitioners that includes training and certification in the use of evidence based Bio-Identical Hormone Replacement Therapy (BHRT) .

As the life expectancy of our population extends, there are more patients requesting supportive "Age Management Care" - (the newer term for "Anti-Aging Medicine") and BHRT. Testosterone , alongside Thyroid, Estrogens, and Progesterone are among the substances prescribed in this therapy, based on increasingly more accurate biological testing to pinpoint imbalances and deficiencies, thus further insuring safety and efficacy.

I conclude :

Testosterone is listed in the World Health Organization's "Model List of Essential Medicines", 19th edition, published in April of 2015, and should be included in the Hawaii Naturopathic Formulary.

Respectfully submitted,
Thank you

Steve Dubey ND LAc
Vice President,
Hawaii Society of Naturopathic Physicians
3093 Akahi St
Lihue, HI 96766



HAWAII MEDICAL ASSOCIATION

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

FROM:
HAWAII MEDICAL ASSOCIATION
Dr. Chris Flanders, Executive Director
Lauren Zirbel, Community and Government Relations

TO:
COMMITTEE ON HEALTH
Rep. Della Au Belatti, Chair
Rep. Bertrand Kobayashi, Vice Chair

Rep. Sharon E. Har Rep. Chris Todd
Rep. Dee Morikawa Rep. Andria P.L. Tupola
Rep. Marcus R. Oshiro

DATE: Tuesday, March 14, 2017
TIME: 8:30 AM
PLACE: Conference Room 329

Position: OPPOSE

Hawaii Medical Association opposes this legislation.

HMA oppose Naturopathic Physicians being able to prescribe controlled substances, as these drugs are highly addictive and dangerous. The training of Naturopathic Physicians is not consistent with the responsibility of prescribing controlled substances. **Drugs are scheduled because of the amount of harm they can cause and the potential for them to be abused.** Providers who are not properly trained should not prescribe these drugs. Current statute relating to Naturopathic Physicians is very unusual, in that it does not require Naturopathic Physicians to have their prescriptions reviewed by Medical Doctors and that their formulary is extraordinarily broad in comparison to most states where Naturopathic Physicians do not have prescriptive authority. In most states that do allow Naturopathic Physicians to prescribe physicians must review those prescriptions or a more multidisciplinary board must approve the formulary. This article explains why California recently rejected a proposal to remove oversight and expand a very limited formulary for Naturopathic Physicians: <https://www.naturopathicdiaries.com/california-lawmakers-reject-naturopathic-doctors/>

We do not support expanding this formulary and would support substantial reduction of this formulary, as that would be in line with the training of Naturopathic Physicians. Testosterone is a controlled substance because it can be a dangerous drug when used improperly.

HMA OFFICERS

President – Bernard Robinson, MD President-Elect – William Wong, Jr., MD Secretary – Thomas Kosasa, MD
Immediate Past President – Scott McCaffrey, MD Treasurer – Michael Champion, MD
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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. Although the hours of training differ between naturopathic schools the mandatory minimum hours for key subjects are dangerously low.

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.**

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**

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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.

Thank you for the opportunity to provide testimony

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Immediate Past President – Scott McCaffrey, MD Treasurer – Michael Champion, MD
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kobayashi1- Oshiro

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 11, 2017 5:02 PM
To: HLTtestimony
Cc: ramizusawa@gmail.com
Subject: *Submitted testimony for SB203 on Mar 14, 2017 08:30AM*

SB203

Submitted on: 3/11/2017

Testimony for HLT on Mar 14, 2017 08:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Richard Mizusawa	Individual	Support	No

Comments:

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TO THE HOUSE COMMITTEE ON HEALTH

TWENTY-NINTH LEGISLATURE

Regular Session of 2017

Tuesday, March 14, 2017 8:30 am

TESTIMONY ON SENATE BILL 223 SD2, RELATING TO NATUROPATHIC MEDICINE – **In Support**

Dear Committee Chair Representative Belatti,

Testosterone is a controlled substance that is consistent with the practice of naturopathic medicine. Naturopathic physicians are known for their expertise in bio-identical hormone replacement therapy which makes it a disservice to patients treated by naturopathic physicians in Hawaii who could benefit from the medically necessary use of testosterone.

Testosterone deficiency is a hormonal phenomenon that happens in both males and females. Evidence clearly supports that deficiencies in testosterone can lead to an increased risk of obesity, depression, type 2 diabetes, cardiovascular disease, elevated cholesterol, hypertension, and bone loss.

Testosterone deficiency is a medical condition commonly treated in an out-patient, primary care setting. Naturopathic physicians are licensed as primary care physicians in the State of Hawaii and are well equipped to responsibly prescribe this controlled substance.

There have been no disciplinary actions taken by the Board of Naturopathic Medicine for improper use of prescriptive authority, suggesting that naturopathic physicians in the State of Hawaii are prescribing pharmaceutical medications safely and responsibly.

The overwhelming majority of naturopathic physicians licensed in Hawaii have trained in naturopathic medical schools in Oregon, Washington, and Arizona where controlled substances are within the prescriptive authority of naturopathic physicians, and students receive sufficient classroom education and clinical training for their safe and appropriate use. Mahalo for your support of this important measure.

In Health,

Dr. Landon Oponui, ND

Honolulu, HI

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 13, 2017 6:14 AM
To: HLTtestimony
Cc: doctordarrow@gmail.com
Subject: Submitted testimony for SB223 on Mar 14, 2017 08:30AM

SB223

Submitted on: 3/13/2017

Testimony for HLT on Mar 14, 2017 08:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Darrow Hand	Individual	Support	No

Comments: Dear Chair Belatti, Vice Chair Kobayashi & Health Committee Members: I support SB 223 relating to naturopathic medicine. I am a naturopathic physician, practicing on O'ahu. The use of testosterone as a bioidentical hormone is something we learn about in our training and in continuing education courses we take on bioidentical hormones. This bill would allow more patients to get the care they need. Please pass SB223. Mahalo, Darrow Hand, ND

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kobayashi2 - Jessi

From: Kevin Davison <kevdivison@gmail.com>
Sent: Sunday, March 12, 2017 9:15 PM
To: HLTtestimony
Subject: Bill SB223

Dear Representative Belatti,

I am writing in support of SB223 SD2 Relating to Naturopathic Medicine and the addition of testosterone to the naturopathic formulary.

I believe naturopathic physicians are uniquely qualified to provide patients safe and effective health care that includes natural testosterone. Naturopathic physicians already have prescriptive authority for natural hormones such as estrogen, progesterone, dhea, and thyroid. Testosterone would provide and allow for the complete prescriptive authority of the five primary natural hormones.

Mahalo for your support of this important measure

Dr Kevin Davison ND LAc

kobayashi2 - Jessi

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 12, 2017 12:51 PM
To: HLTtestimony
Cc: ihemphi@live.com
Subject: *Submitted testimony for SB223 on Mar 14, 2017 08:30AM*

SB223

Submitted on: 3/12/2017

Testimony for HLT on Mar 14, 2017 08:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Denise Key	Individual	Support	No

Comments:

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Dr. Jack Burke, N.D., L.Ac.
41-044 Aloiloi Street
Waimanalo, HI 96795
(808) 259-6889

Testimony RE: SB223

Dear Chairperson Bellati, Vice Chairperson Kobayashi
and Members of the House Committee on Health

Hearing for SB223, Tuesday, March 14, 2017, 8:30 AM

I wish to ask your support in passing this bill. The bill would allow Naturopathic Physicians to prescribe testosterone to their patients. As a large part of our practice involves the prescription of bio- identical hormones, and testosterone is an important constituent of the hormonal system in both men and women, this bill is very important to the complete practice of our profession, and to the health and public safety of our patients.

Thank you for your consideration of this measure.

Sincerely,

Jack Burke, ND, LAc.

LATE

kobayashi2 - Jessi

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 13, 2017 9:51 PM
To: HLTtestimony
Cc: littlelongon@yahoo.com
Subject: Submitted testimony for SB223 on Mar 14, 2017 08:30AM

SB223

Submitted on: 3/13/2017

Testimony for HLT on Mar 14, 2017 08:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Miles Greenberg	Individual	Support	No

Comments: Honorable Committee on Health Chair Belatti, Vice Chair Kobayashi and Committee members, I am a naturopathic physician practicing on Kauai for 26 years. Hawaii naturopaths have an excellent safety record to date. We have been prescribing hormone replacement therapy for several years without incident. However, testosterone has been the one critical hormone that is currently excluded from our formulary as it is a controlled substance. This bill would only allow us to prescribe this one controlled substance to provide comprehensive prescribing for hormone replacement therapy. Narcotic drugs are excluded from this bill. Please SUPPORT this bill as it will allow naturopathic physicians to better serve their patient population when there is a specific need to add testosterone to their treatment plan. Mahalo.

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