

A Bill for an Act Relating to Naturopathy.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 26H-4, Hawaii Revised Statutes, is amended to read as follows:

“§26H-4 Repeal dates. (a) The following chapters are hereby repealed effective December 31, 1987:

- (1) Chapter 458 (Board of Dispensing Opticians)
- (2) Chapter 459 (Board of Examiners in Optometry)
- (3) Chapter 452 (Board of Massage)
- (4) Chapter 471 (Board of Veterinary Examiners)
- (5) Chapter 441 (Cemeteries and Mortuaries)
- (6) Chapter 463 (Board of Detectives and Guards)
- [(7) Chapter 455 (Board of Examiners in Naturopathy)]

(b) The following chapters are hereby repealed effective December 31, 1988:

- (1) Chapter 465 (Board of Psychology)
- (2) Chapter 468E (Board of Speech Pathology and Audiology)
- (3) Chapter 468K (Travel Agencies)
- (4) Chapter 373 (Commercial Employment Agencies)
- (5) Chapter 442 (Board of Chiropractic Examiners)
- (6) Chapter 448 (Board of Dental Examiners)
- (7) Chapter 436E (Board of Acupuncture)

(c) The following chapters are hereby repealed effective December 31, 1989:

- (1) Chapter 444 (Contractors License Board)
- (2) Chapter 448E (Board of Electricians and Plumbers)
- (3) Chapter 464 (Board of Registration of Professional Engineers, Architects, Surveyors and Landscape Architects)
- (4) Chapter 466 (Board of Public Accountancy)
- (5) Chapter 467 (Real Estate Commission)
- (6) Chapter 439 (Board of Cosmetology)
- (7) Chapter 454 (Mortgage Brokers and Solicitors)
- (8) Chapter 454D (Mortgage and Collection Servicing Agents)

(d) The following chapters are hereby repealed effective December 31, 1990:

- (1) Chapter 447 (Dental Hygienists)
- (2) Chapter 453 (Board of Medical Examiners)
- (3) Chapter 457 (Board of Nursing)
- (4) Chapter 460J (Pest Control Board)
- (5) Chapter 462A (Pilotage)
- (6) Chapter 438 (Board of Barbers)

(e) The following chapters are hereby repealed effective December 31, 1991:

- (1) Chapter 448H (Elevator Mechanics Licensing Board)
- (2) Chapter 451A (Board of Hearing Aid Dealers and Fitters)
- (3) Chapter 457B (Board of Examiners of Nursing Home Administrators)
- (4) Chapter 460 (Board of Osteopathic Examiners)
- (5) Chapter 461 (Board of Pharmacy)
- (6) Chapter 461J (Board of Physical Therapy)
- (7) Chapter 463E (Podiatry)

1992: (f) The following chapters are hereby repealed effective December 31,

- (1) Chapter 437 (Motor Vehicle Industry Licensing Board)
- (2) Chapter 437B (Motor Vehicle Repair Industry Board)
- (3) Chapter 440 (Boxing Commission)[.]

1993: (g) The following chapter is hereby repealed effective December 31,

- (1) Chapter 455 (Board of Examiners in Naturopathy)."

SECTION 2. Chapter 455, Hawaii Revised Statutes, is amended as follows:

1. By amending the definition of "naturopathy" in section 455-1 to read:

"Naturopathy" means the practice of natural medicine, natural therapeutics, and natural procedures, for the purpose of removing toxic conditions from the body and improving the quality, quantity, harmony, balance, and flow of the vital fluids, vital tissues, and vital energy; and the practice of diagnosing, treating, and caring for patients using a system of practice that bases its treatment of physiological functions and abnormal conditions on natural laws governing the human body: utilizing physiological, psychological, and mechanical methods, such as air, water, light, sunshine, heat[,] and cold, earth, phytotherapy, physiotherapy, mechano-therapy, naturopathic corrections and manipulation, and natural methods or modalities, together with natural or homeopathic medicines, natural [processed] foods, and herbs, and nature's remedies. The practice of naturopathy excludes surgery, application of x-rays, and the prescribing or dispensing of prescription drugs."

2. By amending section 455-2 to read:

"**§455-2 Application for examination; fee.** Any person desiring to practice naturopathy shall apply in writing to the board upon a form prepared and furnished by the board and shall include in the application any facts concerning the applicant as the board shall require. At the time of the application each applicant shall pay an examination fee to the department. [If the board contracts with a professional testing agency to prepare, administer, and grade the examination, the payment of the] The examination fee may be paid directly to the testing agency by the department or the examinee. The examination fee shall not be refunded if the applicant fails to pass the examination.

No person shall be licensed to practice naturopathy unless the person has been duly examined and has passed the examination."

3. By amending section 455-3 to read:

"**§455-3 Qualifications of applicants.** Each applicant shall be a graduate of a school, university, or college of naturopathy which has received candidacy status with, or has been accredited by, a regional accrediting association of secondary schools and colleges or has been accredited by a national professional accrediting body approved by the board or the Commission on Accreditation of the Council of Naturopathic Medical Education, incorporated in Washington, D.C.; provided that after January 1, 1990, such school, university, or college shall have been accredited by a professional accrediting agency recognized by the U.S. Department of Education."

4. By amending section 455-6 to read:

**“§455-6 Powers and authority of the board.** 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;
- (3) Develop standards for licensure;
- [(4)] Prepare and administer examinations;
- (5) (4) Issue, renew, suspend, and revoke licenses and fine licensees;
- [(6)] (5) Investigate and conduct hearings regarding any violation of this chapter and any rules of the board;
- [(7)] (6) Maintain a record of its proceedings; and
- [(8)] (7) Do all things necessary to carry out the functions, powers, and duties set forth in this chapter.”

5. By amending section 455-7 to read:

**“§455-7 Examinations.** The board shall conduct examinations not less than twice in each year [in the following subjects: anatomy; histology and embryology; chemistry and toxicology; physiology; bacteriology; hygiene and sanitation; pathology; diagnosis or analysis, including clinical, physical, x-ray, symptomatology, dermatology, and mental diseases; naturopathic theory and practice; obstetrics and gynecology; jurisprudence; clinical practice; biochemistry; therapeutics, including physiotherapy, hydrotherapy, electrotherapy, heliotherapy, phytotherapy, orthopedics; and such other] on subjects as the board may require. If the applicant receives a [minimum score of seventy-five per cent on each part of the] converted score of seventy-five on the entire examination, the applicant shall be considered as having passed the examination. The board shall contract with a professional testing agency to prepare, administer, and grade examinations for licensure. Each applicant shall pass a written examination [by the board or an examination prepared] that has been developed, validated, and tested for reliability by a professional testing agency selected by the board[.] that is able to demonstrate the validity and reliability of the examination. The board shall provide in its rules the passing scores for any examination given or approved by the board.”

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved June 25, 1987.)