

AMENDED IN ASSEMBLY JUNE 12, 2012

AMENDED IN SENATE MAY 14, 2012

AMENDED IN SENATE APRIL 9, 2012

**SENATE BILL**

**No. 1446**

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**Introduced by Senator Negrete McLeod**

February 24, 2012

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An act to amend Sections 3640 and 3640.7 of, *and to add Section 3640.8 to*, the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

SB 1446, as amended, Negrete McLeod. Naturopathic doctors.

Existing law, the Naturopathic Doctors Act, provides for the licensure and regulation of naturopathic doctors by the Naturopathic Medicine Committee in the Osteopathic Medical Board of California. Existing law authorizes a naturopathic doctor to perform various tasks, including dispensing, administering, ordering, and prescribing nutraceuticals, vitamins, amino acids, and minerals, among other substances. Existing law authorizes a naturopathic doctor to furnish or order drugs when, among other requirements, the drugs are ordered or furnished under physician supervision. Existing law authorizes a naturopathic doctor to independently prescribe epinephrine and natural synthetic hormones, as specified.

This bill would also authorize a naturopathic doctor to furnish nutraceuticals, vitamins, amino acids, and minerals, among other substances, and to independently prescribe nutraceuticals, vitamins, amino acids, and minerals, among other substances, that require a prescription because they are injectable solutions administered by intramuscular or intravenous routes. *The bill would require a*

*naturopathic doctor, in order to qualify for intravenous therapy administration, to demonstrate that he or she has complied with specified requirements, including the successful completion of specified coursework by a provider approved by the committee.*

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 3640 of the Business and Professions  
2 Code is amended to read:

3 3640. (a) A naturopathic doctor may order and perform  
4 physical and laboratory examinations for diagnostic purposes,  
5 including, but not limited to, phlebotomy, clinical laboratory tests,  
6 speculum examinations, orificial examinations, and physiological  
7 function tests.

8 (b) A naturopathic doctor may order diagnostic imaging studies,  
9 including X-ray, ultrasound, mammogram, bone densitometry,  
10 and others, consistent with naturopathic training as determined by  
11 the committee, but shall refer the studies to an appropriately  
12 licensed health care professional to conduct the study and interpret  
13 the results.

14 (c) A naturopathic doctor may dispense, administer, order,  
15 prescribe, and furnish or perform the following:

16 (1) Food, extracts of food, nutraceuticals, vitamins, amino acids,  
17 minerals, enzymes, botanicals and their extracts, botanical  
18 medicines, homeopathic medicines, all dietary supplements and  
19 nonprescription drugs as defined by the federal Food, Drug, and  
20 Cosmetic Act, consistent with the routes of administration  
21 identified in subdivision (d).

22 (2) Hot or cold hydrotherapy; naturopathic physical medicine  
23 inclusive of the manual use of massage, stretching, resistance, or  
24 joint play examination but exclusive of small amplitude movement  
25 at or beyond the end range of normal joint motion; electromagnetic  
26 energy; colon hydrotherapy; and therapeutic exercise.

27 (3) Devices, including, but not limited to, therapeutic devices,  
28 barrier contraception, and durable medical equipment.

29 (4) Health education and health counseling.

30 (5) Repair and care incidental to superficial lacerations and  
31 abrasions, except suturing.

1 (6) Removal of foreign bodies located in the superficial tissues.

2 (d) A naturopathic doctor may utilize routes of administration  
3 that include oral, nasal, auricular, ocular, rectal, vaginal,  
4 transdermal, intradermal, subcutaneous, intravenous, and  
5 intramuscular.

6 (e) The committee may establish regulations regarding ocular  
7 or intravenous routes of administration that are consistent with the  
8 education and training of a naturopathic doctor.

9 (f) Nothing in this section shall exempt a naturopathic doctor  
10 from meeting applicable licensure requirements for the performance  
11 of clinical laboratory tests, including the requirements imposed  
12 under Chapter 3 (commencing with Section 1200).

13 SEC. 2. Section 3640.7 of the Business and Professions Code  
14 is amended to read:

15 3640.7. Notwithstanding the requirements of Section 3640.5  
16 or any other provision of this chapter, a naturopathic doctor may  
17 independently prescribe the following:

18 (a) Epinephrine to treat anaphylaxis.

19 (b) Natural and synthetic hormones.

20 (c) Any of the substances ~~listed in paragraph (1) of subdivision~~  
21 ~~(e) of Section 3640~~ that require a prescription because they are  
22 injectable solutions administered by intramuscular or intravenous  
23 routes, *including vitamins, minerals, amino acids and glutathione,*  
24 *2,3-Dimercapto-1-propanesulfonic acid (DMPS),*  
25 *ethylenediaminetetraacetic acid (EDTA), botanicals and their*  
26 *extracts, homeopathic medicines, electrolytes, sugars, and diluents.*

27 SEC. 3. Section 3640.8 is added to the Business and Professions  
28 Code, to read:

29 3640.8. (a) *To qualify to administer intravenous (IV) therapy*  
30 *in his or her practice pursuant to Section 3640.7, a naturopathic*  
31 *doctor shall demonstrate that he or she has complied with both of*  
32 *the following requirements:*

33 (1) *Has a current naturopathic doctor's license in this state.*

34 (2) *Has completed a qualifying course on IV therapy from a*  
35 *course provider approved by the committee.*

36 (b) *The qualifying course shall consist of a minimum of 25*  
37 *classroom hours on IV administration through injection of*  
38 *applicable naturopathic formulary substances, of which at least*  
39 *14 classroom hours shall be identified as practicum. At a minimum,*  
40 *the qualifying course shall have covered all of the following topics:*

- 1     (1) *Evaluation of laboratory results, including, but not limited*  
2 *to, the fluid status, cardiovascular status, and kidney function of*  
3 *the patient.*
- 4     (2) *The use of IV fluids, including, but not limited to, osmolarity*  
5 *calculations, diluents, and admixtures pertinent to IV therapeutics.*
- 6     (3) *Sterile techniques and admixing.*
- 7     (4) *Vein and site selection, site preparation, and insertion*  
8 *techniques.*
- 9     (5) *Complications with therapies, nutrient and drug interactions,*  
10 *errors and adverse reactions, reporting errors to appropriate*  
11 *agencies, error prevention, and followup with patient*  
12 *complications.*
- 13     (6) *Emergency protocols, management, and referral.*
- 14     (7) *Pharmacology, indications, preparation, and IV*  
15 *administration of vitamins, minerals, amino acids and glutathione,*  
16 *2,3-Dimercapto-1-propanesulfonic acid (DMPS),*  
17 *ethylenediaminetetraacetic acid (EDTA), botanicals and their*  
18 *extracts, homeopathic medicines, electrolytes, sugars, and diluents.*
- 19     (8) *Practicum, including, but not limited to, the following:*
- 20     (A) *Observation of at least 10 IV setups, including*  
21 *administration and management.*
- 22     (B) *Successful completion of at least 10 IV setups, including*  
23 *administration and management.*
- 24     (9) *Successful completion of an examination with 70 percent or*  
25 *greater correct answers to a minimum of 50 questions, where 10*  
26 *percent or more of the questions have direct content to the*  
27 *California formulary.*
- 28     (c) *For the purposes of the qualifying course required by this*  
29 *section, one classroom hour is defined as 50 minutes out of each*  
30 *60-minute segment and may include time devoted to examinations.*  
31 *No credit shall be granted for distance education, including, but*  
32 *not limited to, correspondence courses, Internet courses, or video*  
33 *or remote television offerings.*
- 34     (d) *Pursuant to subdivision (e) of Section 3640, the committee*  
35 *may establish regulations regarding IV administration that are*  
36 *consistent with the education and training of a naturopathic doctor.*

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