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# Wisconsin Legislative Council

## AMENDMENT MEMO

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**2021 Assembly Bill 529**

**Assembly Substitute  
Amendment 1**

### 2021 ASSEMBLY BILL 529

2021 Assembly Bill 529 creates a new licensed occupation for naturopathic medicine, to be administered by a Naturopathic Medicine Examining Board.

The bill creates two categories of licensed naturopathic practice:

- **A licensed naturopathic doctor (ND)** who has a doctoral degree from a U.S. or Canadian program accredited by the Council on Naturopathic Medical Education, and meets other professional requirements. The person may use the titles ND, NMD, naturopathic doctor, or naturopathic medical doctor. A licensed ND may diagnose and treat, order clinical laboratory tests and diagnostic imaging studies, perform minor procedures, prescribe certain drugs, and sign certificates.
- **A licensed limited-scope ND** who has a doctoral degree from a naturopathic medical program completed before 2003, with at least 1,500 training hours, and meets other professional requirements. The person may use the title ND or naturopathic doctor. A licensed limited-scope ND may diagnose and treat and order limited laboratory tests, but may not order diagnostic imaging studies, perform minor procedures, prescribe any drugs, or sign certificates.

A license must be renewed every two years, and continuing education requirements are to be established by administrative rules.

The bill also recognizes a third category of naturopathic practice, which is not licensed. A traditional or lay naturopath is not prohibited from practicing without a license, and the bill does not impose any educational requirements for that practice. Under the bill, a person may provide advice regarding the use of therapy, including herbal medicine, homeopathy, nutrition, or other nondrug or nonsurgical therapy, and may practice within the scope of other credentialing held by the person, such as a registered nurse, acupuncturist, or massage therapist. The person is not prohibited from using the title “naturopath.”

Under the bill, a practitioner in any of the three categories may not use the word “physician” in connection with the person’s title. A practitioner who is a licensed ND or licensed limited-scope ND may use the word “doctor,” but only in conjunction with the word “naturopathic.”

### ASSEMBLY SUBSTITUTE AMENDMENT 1

The substitute amendment largely retains this licensing structure for an ND, with the changes described below.

## **Use of Titles**

The substitute amendment removes the authority for a licensed ND to use the title NMD or naturopathic medical doctor, and removes references to “naturopathic medical doctor” or “naturopathic physician” as used in the context of certain ND practices. The substitute amendment also adds a statement that naturopathic medicine is distinct from the practice of medicine and surgery.

For a traditional or lay naturopath, rather than simply not prohibiting the use of the title, the substitute amendment explicitly states that a practitioner may use the title “naturopath.”

## **Prescribing Authority**

The substitute amendment removes the authority for a licensed ND to prescribe any drugs, but specifies that a licensed ND may recommend, dispense, and administer nonprescription drug products.

## **Licensed Limited-Scope ND**

As noted above, the bill provides that a person may apply for a limited-scope ND license if the person has a doctoral degree from a naturopathic medical program completed before 2003, with at least 1,500 training hours, and meets other professional requirements. The application must be submitted within three years of the bill becoming law.

The substitute amendment revises the application requirements to allow a degree in doctor of naturopathy to be completed before 2013, rather than 2003, and adds a requirement that the person must have continually practiced naturopathic medicine in Wisconsin for at least 10 years immediately prior to the application.

The substitute amendment also removes the 1,500-hour training requirement and specifies that any of the following four options may meet the training requirements:

- At least 250 hours of education in two or more clinical sciences addressing body systems and their interactions, cardiology, psychology, dermatology, endocrinology, EENT, gastroenterology, immunology, urology, proctology, gynecology, neurology, orthopedics, pulmonology, natural childbirth and obstetrics, pediatrics, geriatrics, rheumatology, oncology, and hematology.
- Licensure as a registered nurse under state law as of the date of application.
- At least 250 hours of qualifying training in clinical sciences after completion of a doctor of naturopathy program, or a combination of at least 250 hours of education and subsequent training in clinical sciences.
- Agreement to complete at least 250 hours of qualifying training, or a combination of at least 250 hours of education and subsequent training in clinical sciences, within five years after issuance of an initial license.

Additionally, the substitute amendment requires an application for a limited-scope ND license to be submitted within one year after the board begins accepting applications, rather than within three years after enactment of the law.

## **Board Powers**

The substitute amendment explicitly states that the board may interpret the practices identified under the bill that are included and excluded from the practices and procedures that may be used by an ND. The substitute amendment also explicitly states that the board may not otherwise expand the scope of

practice of a licensed ND or licensed limited-scope ND beyond the practices identified under the bill that may be used by an ND.

The substitute amendment also specifies that in the board's rulemaking for continuing education requirements, the board must accept qualifying training that is completed within five years after issuance of an initial license for a person who has committed to that training under the fourth option to meet the training requirement.

### **Miscellaneous Provisions**

The substitute amendment makes certain other miscellaneous revisions to remove provisions relating to treating sexually transmitted diseases, revise the definition for the practice of chiropractic or spinal adjustments that are outside the scope of practice of an ND, add malpractice insurance requirements for limited-scope NDs, and revise references to accrediting bodies recognized by the U.S. Department of Education.

### **BILL HISTORY**

Representative Jessie Rodriguez introduced Assembly Substitute Amendment 1 on December 22, 2021. On January 12, 2022, the Assembly Committee on Health recommended adoption of the substitute amendment on a vote of Ayes, 15; Noes, 0; and recommended passage of the bill, as amended, on a vote of Ayes, 14; Noes, 1.

MSK:jal