

# SENATE BILL No. 826

February 15, 2018, Introduced by Senators JONES, KOWALL, MARLEAU, GREEN, KNOLLENBERG and WARREN and referred to the Committee on Regulatory Reform.

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16265 and 17708 (MCL 333.16265 and 333.17708), section 17708 as amended by 2016 PA 499, and by adding section 16348a and part 186.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 16265. (1) An individual licensed under this article to  
2 engage in the practice of chiropractic, dentistry, medicine,  
3 optometry, osteopathic medicine and surgery, podiatric medicine and  
4 surgery, psychology, ~~or~~ veterinary medicine, **OR NATUROPATHIC**  
5 **MEDICINE** shall not use the terms "doctor" or "dr." in any written

1 or printed matter or display without adding thereto "of  
2 chiropractic", "of dentistry", "of medicine", "of optometry", "of  
3 osteopathic medicine and surgery", "of podiatric medicine and  
4 surgery", "of psychology", "of veterinary medicine", **"OF**  
5 **NATUROPATHIC MEDICINE"**, or a similar term, respectively.

6 (2) An individual licensed under part 182 shall not use the  
7 terms "doctor" or "dr." without having been granted a doctoral  
8 degree in psychology from a regionally or nationally accredited  
9 college or university.

10 **SEC. 16348A. THE DEPARTMENT SHALL ANNUALLY ESTABLISH A**  
11 **SCHEDULE OF FEES FOR AN INDIVIDUAL LICENSED OR SEEKING A LICENSE AS**  
12 **A NATUROPATHIC PHYSICIAN UNDER PART 186 TO OFFSET THE DEPARTMENT'S**  
13 **ADMINISTRATIVE EXPENSES UNDER THAT PART.**

14 Sec. 17708. (1) "Preceptor" means a pharmacist approved by the  
15 board to direct the training of an intern in an approved pharmacy.

16 (2) "Prescriber" means a licensed dentist, a licensed doctor  
17 of medicine, a licensed doctor of osteopathic medicine and surgery,  
18 a licensed doctor of podiatric medicine and surgery, a licensed  
19 physician's assistant, a licensed optometrist certified under part  
20 174 to administer and prescribe therapeutic pharmaceutical agents,  
21 an advanced practice registered nurse as that term is defined in  
22 section 17201 who meets the requirements of section 17211a, a  
23 licensed veterinarian, **A LICENSED DOCTOR OF NATUROPATHIC MEDICINE,**  
24 or another licensed health professional acting under the delegation  
25 and using, recording, or otherwise indicating the name of the  
26 delegating licensed doctor of medicine or licensed doctor of  
27 osteopathic medicine and surgery.

1           (3) "Prescription" means an order by a prescriber to fill,  
2 compound, or dispense a drug or device written and signed; written  
3 or created in an electronic format, signed, and transmitted by  
4 facsimile; or transmitted electronically or by other means of  
5 communication. An order transmitted in other than written or hard-  
6 copy form must be electronically recorded, printed, or written and  
7 immediately dated by the pharmacist, and that record is considered  
8 the original prescription. In a health facility or agency licensed  
9 under article 17 or other medical institution, an order for a drug  
10 or device in the patient's chart is considered for the purposes of  
11 this definition the original prescription. For purposes of this  
12 part, prescription also includes a standing order issued under  
13 section 17744e. Subject to section 17751(2) and (5), prescription  
14 includes, but is not limited to, an order for a drug, not including  
15 a controlled substance except under circumstances described in  
16 section 17763(e), written and signed; written or created in an  
17 electronic format, signed, and transmitted by facsimile; or  
18 transmitted electronically or by other means of communication by a  
19 physician prescriber, dentist prescriber, or veterinarian  
20 prescriber who is licensed to practice dentistry, medicine,  
21 osteopathic medicine and surgery, or veterinary medicine in another  
22 state.

23           (4) "Prescription drug" means a drug to which 1 or more of the  
24 following apply:

25           (a) The drug is dispensed pursuant to a prescription.

26           (b) The drug bears the federal legend "CAUTION: federal law  
27 prohibits dispensing without prescription" or "Rx only".

1 (c) The drug is designated by the board as a drug that may  
2 only be dispensed pursuant to a prescription.

3 PART 186

4 NATUROPATHIC PHYSICIANS

5 SEC. 18601. (1) FOR PURPOSES OF THIS PART, THE WORDS AND  
6 PHRASES DEFINED IN SECTIONS 18603 TO 18609 HAVE THE MEANINGS  
7 ASCRIBED TO THEM IN THOSE SECTIONS.

8 (2) IN ADDITION TO THE DEFINITIONS IN THIS PART, ARTICLE 1  
9 CONTAINS GENERAL DEFINITIONS AND PRINCIPLES OF CONSTRUCTION  
10 APPLICABLE TO ALL ARTICLES IN THE CODE AND PART 161 CONTAINS  
11 DEFINITIONS APPLICABLE TO THIS PART.

12 SEC. 18603. (1) "APPROVED NATUROPATHIC MEDICAL PROGRAM" MEANS  
13 ANY OF THE FOLLOWING:

14 (A) A NATUROPATHIC MEDICAL EDUCATION PROGRAM THAT IS LOCATED  
15 IN THE UNITED STATES, THAT PROVIDES THE DEGREE OF DOCTOR OF  
16 NATUROPATHY OR DOCTOR OF NATUROPATHIC MEDICINE, AND THAT MEETS ALL  
17 OF THE FOLLOWING REQUIREMENTS:

18 (i) OFFERS GRADUATE-LEVEL FULL-TIME DIDACTIC AND SUPERVISED  
19 CLINICAL TRAINING.

20 (ii) IS ACCREDITED OR HAS ACHIEVED CANDIDACY STATUS FOR  
21 ACCREDITATION BY THE CNME OR AN EQUIVALENT FEDERALLY RECOGNIZED  
22 ACCREDITING BODY FOR NATUROPATHIC MEDICAL PROGRAMS APPROVED BY THE  
23 BOARD.

24 (iii) IS AN INSTITUTION OR PART OF AN INSTITUTION OF HIGHER  
25 EDUCATION THAT IS ACCREDITED OR IS A CANDIDATE FOR ACCREDITATION BY  
26 A REGIONAL OR NATIONAL INSTITUTIONAL ACCREDITING AGENCY RECOGNIZED  
27 BY THE UNITED STATES SECRETARY OF EDUCATION.

1 (B) A NATUROPATHIC MEDICAL EDUCATION PROGRAM OFFERED BY A  
2 DEGREE-GRANTING COLLEGE OR UNIVERSITY THAT WAS IN EXISTENCE BEFORE  
3 THE EXISTENCE OF THE CNME AND THAT MEETS ALL OF THE FOLLOWING  
4 REQUIREMENTS:

5 (i) OFFERED A FULL-TIME STRUCTURED CURRICULUM IN BASIC  
6 SCIENCES AND SUPERVISED PATIENT CARE COMPRISING A DOCTORAL  
7 NATUROPATHIC MEDICAL EDUCATION.

8 (ii) WAS AT LEAST 132 WEEKS IN DURATION AND REQUIRED  
9 COMPLETION OF THE PROGRAM WITHIN A PERIOD OF AT LEAST 35 MONTHS AS  
10 A PREREQUISITE TO GRADUATION.

11 (iii) WAS OFFERED BY A COLLEGE OR UNIVERSITY THAT WAS  
12 REPUTABLE AND IN GOOD STANDING IN THE JUDGMENT OF THE BOARD.

13 (iv) IF THE PROGRAM IS STILL OFFERED, IT IS ACCREDITED BY THE  
14 CNME OR AN EQUIVALENT FEDERALLY RECOGNIZED ACCREDITING BODY FOR  
15 NATUROPATHIC MEDICAL PROGRAMS APPROVED BY THE BOARD.

16 (C) A NATUROPATHIC MEDICAL EDUCATION PROGRAM OFFERED BY A  
17 DIPLOMA-GRANTING, DEGREE-EQUIVALENT COLLEGE OR UNIVERSITY LOCATED  
18 IN CANADA THAT WAS OFFERED BEFORE THE EXISTENCE OF THE CNME AND  
19 THAT MEETS ALL OF THE FOLLOWING REQUIREMENTS:

20 (i) WAS OFFERED BY A COLLEGE OR UNIVERSITY THAT HAD PROVINCIAL  
21 APPROVAL FOR PARTICIPATION IN GOVERNMENT-FUNDED STUDENT AID  
22 PROGRAMS.

23 (ii) OFFERED A FULL-TIME STRUCTURED CURRICULUM IN BASIC  
24 SCIENCES AND SUPERVISED PATIENT CARE COMPRISING A DOCTORAL  
25 NATUROPATHIC MEDICAL EDUCATION.

26 (iii) WAS AT LEAST 132 WEEKS IN DURATION AND REQUIRED  
27 COMPLETION OF THE PROGRAM WITHIN A PERIOD OF AT LEAST 35 MONTHS AS

1 A PREREQUISITE TO GRADUATION.

2 (iv) WAS OFFERED BY A COLLEGE OR UNIVERSITY THAT WAS REPUTABLE  
3 AND IN GOOD STANDING IN THE JUDGMENT OF THE BOARD.

4 (v) IF THE PROGRAM IS STILL OFFERED, IT IS ACCREDITED BY THE  
5 CNME OR AN EQUIVALENT FEDERALLY RECOGNIZED ACCREDITING BODY FOR  
6 NATUROPATHIC MEDICAL PROGRAMS APPROVED BY THE BOARD.

7 (vi) IF THE PROGRAM IS STILL OFFERED, THE COLLEGE OR  
8 UNIVERSITY HAS PROVINCIAL APPROVAL FOR PARTICIPATION IN GOVERNMENT-  
9 FUNDED STUDENT AID PROGRAMS.

10 (D) A NATUROPATHIC MEDICAL EDUCATION PROGRAM OFFERED BY A  
11 DIPLOMA-GRANTING, DEGREE-EQUIVALENT COLLEGE OR UNIVERSITY LOCATED  
12 IN CANADA THAT PROVIDES THE DEGREE OF DOCTOR OF NATUROPATHY OR  
13 DOCTOR OF NATUROPATHIC MEDICINE AND THAT MEETS ALL OF THE FOLLOWING  
14 REQUIREMENTS:

15 (i) OFFERS GRADUATE-LEVEL FULL-TIME DIDACTIC AND SUPERVISED  
16 CLINICAL TRAINING.

17 (ii) IS ACCREDITED OR HAS ACHIEVED CANDIDACY STATUS FOR  
18 ACCREDITATION BY THE CNME OR AN EQUIVALENT FEDERALLY RECOGNIZED  
19 ACCREDITING BODY FOR NATUROPATHIC MEDICAL PROGRAMS APPROVED BY THE  
20 BOARD.

21 (iii) IS OFFERED BY A COLLEGE OR UNIVERSITY THAT HAS  
22 PROVINCIAL APPROVAL FOR PARTICIPATION IN GOVERNMENT-FUNDED STUDENT  
23 AID PROGRAMS.

24 (2) "CNME" MEANS THE COUNCIL ON NATUROPATHIC MEDICAL  
25 EDUCATION.

26 SEC. 18605. "MINOR OFFICE PROCEDURE" MEANS ANY OF THE  
27 FOLLOWING:

1 (A) THE USE OF OPERATIVE, ELECTRICAL, OR OTHER METHODS FOR THE  
2 REPAIR AND CARE INCIDENTAL TO SUPERFICIAL LACERATIONS AND  
3 ABRASIONS, SUPERFICIAL LESIONS, AND THE REMOVAL OF FOREIGN BODIES  
4 LOCATED IN THE SUPERFICIAL TISSUES AND THE USE OF ANTISEPTICS AND  
5 LOCAL TOPICAL ANESTHETICS IN CONNECTION WITH THOSE METHODS.

6 (B) OBTAINING SPECIMENS TO DIAGNOSE, ASSESS, AND TREAT  
7 DISEASE.

8 SEC. 18607. (1) "NATUROPATHIC FORMULARY" OR "FORMULARY" MEANS  
9 THE LIST OF MEDICINES, NONPRESCRIPTION AND PRESCRIPTION, THAT  
10 NATUROPATHIC PHYSICIANS USE IN THE PRACTICE OF THEIR PROFESSION, AS  
11 DETERMINED BY THE FORMULARY COUNCIL AND REVIEWED BY THE BOARD.

12 (2) "NATUROPATHIC FORMULARY COUNCIL" OR "FORMULARY COUNCIL"  
13 MEANS THE FORMULARY COUNCIL CREATED IN SECTION 18625 TO DETERMINE  
14 AND AUTHORIZE THE NATUROPATHIC FORMULARY.

15 (3) "NATUROPATHIC MEDICINE" MEANS A SYSTEM OF PRACTICE THAT IS  
16 BASED ON THE NATURAL HEALING CAPACITY OF INDIVIDUALS FOR THE  
17 DIAGNOSIS, TREATMENT, AND PREVENTION OF DISEASES.

18 (4) "NATUROPATHIC PHYSICIAN" MEANS AN INDIVIDUAL WHO ENGAGES  
19 IN THE PRACTICE OF NATUROPATHIC MEDICINE AND WHO IS REQUIRED TO BE  
20 LICENSED OR OTHERWISE AUTHORIZED UNDER THIS PART TO ENGAGE IN THAT  
21 PRACTICE.

22 SEC. 18609. (1) "PRACTICE OF NATUROPATHIC MEDICINE" MEANS  
23 PERFORMING ANY OF THE TASKS, FUNCTIONS, OR DUTIES THAT ARE  
24 CONSISTENT WITH THE INDIVIDUAL'S NATUROPATHIC EDUCATION AND  
25 TRAINING AND DESCRIBED IN SECTION 18615.

26 (2) "PRESCRIPTION DRUG" MEANS THAT TERM AS DEFINED IN SECTION  
27 17708.

1           SEC. 18611. (1) BEGINNING 1 YEAR AFTER THE EFFECTIVE DATE OF  
2 THIS SECTION, AN INDIVIDUAL SHALL NOT ENGAGE IN THE PRACTICE OF  
3 NATUROPATHIC MEDICINE UNLESS LICENSED OR OTHERWISE AUTHORIZED UNDER  
4 THIS ARTICLE.

5           (2) SUBJECT TO SUBSECTION (3), THE FOLLOWING WORDS, TITLES, OR  
6 LETTERS OR COMBINATION OF THE FOLLOWING WORDS, TITLES, OR LETTERS,  
7 WITH OR WITHOUT QUALIFYING WORDS OR PHRASES, ARE RESTRICTED IN USE  
8 TO ONLY THOSE INDIVIDUALS AUTHORIZED UNDER THIS PART TO USE THE  
9 TERMS AND IN A WAY PRESCRIBED IN THIS PART: "DOCTOR OF NATUROPATHIC  
10 MEDICINE", "DOCTOR OF NATUROPATHY", "NATUROPATHIC PHYSICIAN",  
11 "NATUROPATHIC DOCTOR", "NATUROPATHIC MEDICAL DOCTOR", "NATUROPATHIC  
12 MEDICINE", "N.D.", AND "N.M.D.".

13           (3) IF HE OR SHE DOES NOT USE THE WORD OR TITLE "DOCTOR",  
14 "PHYSICIAN", "MEDICAL DOCTOR", OR "MEDICINE", SUBSECTION (2) DOES  
15 NOT RESTRICT THE USE OF ANY OF THE FOLLOWING WORDS OR TITLES BY AN  
16 INDIVIDUAL DESCRIBED IN SUBSECTION (4) (F) OR (G) IN CONNECTION WITH  
17 HIS OR HER PRACTICE: "NATUROPATHY", "NATUROPATHIC HEALTH CARE",  
18 "NATUROPATH", "NATUROPATHIC PRACTITIONER", OR "TRADITIONAL  
19 NATUROPATHIC PRACTITIONER".

20           (4) IN ADDITION TO THE EXEMPTIONS FROM LICENSURE UNDER SECTION  
21 16171, THIS PART DOES NOT PROHIBIT OR RESTRICT ANY OF THE  
22 FOLLOWING:

23           (A) THE PRACTICE OF A PROFESSION OR OCCUPATION BY AN  
24 INDIVIDUAL WHO IS LICENSED, CERTIFIED, REGISTERED, OR OTHERWISE  
25 AUTHORIZED UNDER THIS ACT OR OTHER LAWS OF THIS STATE AND WHO IS  
26 PERFORMING SERVICES WITHIN HIS OR HER AUTHORIZED SCOPE OF PRACTICE.

27           (B) THE PRACTICE OF NATUROPATHIC MEDICINE BY STUDENTS ENROLLED

1 IN AN APPROVED NATUROPATHIC MEDICAL PROGRAM. THE PERFORMANCE OF  
2 SERVICES MUST BE PURSUANT TO A COURSE OF INSTRUCTION OR ASSIGNMENTS  
3 FROM AN INSTRUCTOR AND UNDER THE SUPERVISION OF THE INSTRUCTOR. THE  
4 INSTRUCTOR MUST BE A NATUROPATHIC PHYSICIAN LICENSED UNDER THIS  
5 PART OR A DULY LICENSED PROFESSIONAL IN THE FIELD OF INSTRUCTION.

6 (C) SELF-CARE BY A PATIENT OR UNCOMPENSATED CARE BY A FRIEND  
7 OR FAMILY MEMBER WHO DOES NOT REPRESENT OR HOLD HIMSELF OR HERSELF  
8 OUT TO BE A NATUROPATHIC PHYSICIAN.

9 (D) AN INDIVIDUAL WHO SELLS VITAMINS AND HERBS FROM PROVIDING  
10 INFORMATION ABOUT HIS OR HER PRODUCTS.

11 (E) AN INDIVIDUAL FROM ADVISING IN THE USE OF A THERAPY,  
12 INCLUDING, BUT NOT LIMITED TO, HERBAL MEDICINE, HOMEOPATHY,  
13 NUTRITION, OR OTHER NONDRUG OR NONSURGICAL THERAPY THAT IS WITHIN  
14 THE SCOPE OF PRACTICE OF NATUROPATHIC PHYSICIANS UNDER THIS PART,  
15 IF ALL OF THE FOLLOWING REQUIREMENTS ARE MET:

16 (i) THE INDIVIDUAL IS NOT A HEALTH PROFESSIONAL AND THE  
17 THERAPY IS WITHIN THAT INDIVIDUAL'S LAWFUL RIGHTS TO PERFORM UNDER  
18 A HEALTH OCCUPATION. IF THE INDIVIDUAL IS A HEALTH PROFESSIONAL,  
19 THE THERAPY MUST BE WITHIN THE SCOPE OF PRACTICE OF THAT HEALTH  
20 PROFESSION UNDER THIS ARTICLE.

21 (ii) THE INDIVIDUAL IS NOT USING A WORD, A TITLE, OR LETTERS  
22 PROTECTED UNDER THIS PART AND DOES NOT REPRESENT OR HOLD HIMSELF OR  
23 HERSELF OUT TO BE A NATUROPATHIC PHYSICIAN.

24 (F) AN INDIVIDUAL WHO IS EDUCATED AND TRAINED IN NATUROPATHY  
25 OR NATUROPATHIC HEALTH CARE AND PROVIDES NATUROPATHIC THERAPY  
26 WITHIN THE SCOPE OF THAT EDUCATION AND TRAINING.

27 (G) AN INDIVIDUAL WHO IS EDUCATED AND TRAINED AS A NATUROPATH,

1 NATUROPATHIC PRACTITIONER, OR TRADITIONAL NATUROPATHIC PRACTITIONER  
2 AND WHO PROVIDES NATUROPATHIC THERAPY WITHIN THE SCOPE OF THAT  
3 EDUCATION AND TRAINING.

4 SEC. 18613. TO BE ELIGIBLE FOR A LICENSE TO ENGAGE IN THE  
5 PRACTICE OF NATUROPATHIC MEDICINE IN THIS STATE, AN APPLICANT SHALL  
6 SUBMIT ALL OF THE FOLLOWING TO THE BOARD, AS APPLICABLE:

7 (A) A COMPLETED APPLICATION FOR LICENSURE.

8 (B) EXCEPT AS OTHERWISE PROVIDED IN SUBDIVISION (C), EVIDENCE  
9 THAT HE OR SHE IS A GRADUATE OF AN APPROVED NATUROPATHIC MEDICAL  
10 PROGRAM AND THAT HE OR SHE HAS SUCCESSFULLY PASSED A COMPETENCY-  
11 BASED NATIONAL NATUROPATHIC PHYSICIANS LICENSING EXAMINATION  
12 ADMINISTERED BY THE NORTH AMERICAN BOARD OF NATUROPATHIC EXAMINERS,  
13 OR BY A SUCCESSOR AGENCY THAT IS NATIONALLY RECOGNIZED TO  
14 ADMINISTER A NATUROPATHIC PHYSICIANS LICENSING EXAMINATION THAT  
15 REPRESENTS FEDERAL STANDARDS OF EDUCATION AND TRAINING AND THAT IS  
16 APPROVED BY THE BOARD.

17 (C) FOR A GRADUATE OF AN APPROVED NATUROPATHIC MEDICAL PROGRAM  
18 DESCRIBED IN SECTION 18603(1)(B) OR (C), EVIDENCE OF SUCCESSFUL  
19 PASSAGE OF A BOARD-APPROVED STATE COMPETENCY EXAMINATION OR  
20 CANADIAN PROVINCIAL EXAMINATION.

21 (D) ANY OTHER INFORMATION OR DOCUMENTS REQUIRED UNDER THIS  
22 ARTICLE OR REQUIRED BY THE BOARD.

23 SEC. 18615. A NATUROPATHIC PHYSICIAN MAY DO ANY OF THE  
24 FOLLOWING, CONSISTENT WITH HIS OR HER NATUROPATHIC EDUCATION AND  
25 TRAINING:

26 (A) ORDER AND PERFORM PHYSICAL AND LABORATORY EXAMINATIONS FOR  
27 DIAGNOSTIC PURPOSES, INCLUDING, BUT NOT LIMITED TO, PHLEBOTOMY,

1 CLINICAL LABORATORY TESTS, ORIFICIAL EXAMINATIONS, OR PHYSIOLOGICAL  
2 FUNCTION TESTS.

3 (B) ORDER DIAGNOSTIC IMAGING STUDIES.

4 (C) DISPENSE, ADMINISTER, ORDER, OR PRESCRIBE OR PERFORM ANY  
5 OF THE FOLLOWING:

6 (i) FOOD, EXTRACTS OF FOOD, NUTRACEUTICALS, VITAMINS, AMINO  
7 ACIDS, MINERALS, ENZYMES, BOTANICALS AND THEIR EXTRACTS, BOTANICAL  
8 MEDICINES, HOMEOPATHIC MEDICINES, ALL DIETARY SUPPLEMENTS, OR  
9 NONPRESCRIPTION DRUGS AS DEFINED BY THE FEDERAL FOOD, DRUG, AND  
10 COSMETIC ACT, 21 USC 301 TO 399H.

11 (ii) PRESCRIPTION OR NONPRESCRIPTION MEDICINES AS DESIGNATED  
12 BY THE NATUROPATHIC FORMULARY COUNCIL.

13 (iii) HOT OR COLD HYDROTHERAPY, NATUROPATHIC PHYSICAL  
14 MEDICINE, ELECTROMAGNETIC ENERGY, OR THERAPEUTIC EXERCISE.

15 (iv) DEVICES, INCLUDING, BUT NOT LIMITED TO, THERAPEUTIC  
16 DEVICES, BARRIER CONTRACEPTION, OR DURABLE MEDICAL EQUIPMENT.

17 (v) HEALTH EDUCATION OR HEALTH COUNSELING.

18 (vi) REPAIR AND CARE INCIDENTAL TO SUPERFICIAL LACERATIONS OR  
19 ABRASIONS.

20 (vii) MUSCULOSKELETAL MANIPULATION.

21 (D) UTILIZE ROUTES OF ADMINISTRATION THAT INCLUDE, BUT ARE NOT  
22 LIMITED TO, ORAL, NASAL, AURICULAR, OCULAR, RECTAL, VAGINAL,  
23 TRANSDERMAL, INTRADERMAL, SUBCUTANEOUS, INTRAVENOUS, OR  
24 INTRAMUSCULAR CONSISTENT WITH HIS OR HER NATUROPATHIC EDUCATION AND  
25 TRAINING.

26 (E) OTHER NATUROPATHIC THERAPIES AS APPROVED BY THE BOARD.

27 SEC. 18617. A NATUROPATHIC PHYSICIAN SHALL NOT DO ANY OF THE

1 FOLLOWING:

2 (A) PRESCRIBE, DISPENSE, OR ADMINISTER ANY CONTROLLED  
3 SUBSTANCE OR DEVICE IDENTIFIED IN THE FEDERAL CONTROLLED SUBSTANCES  
4 ACT, 21 USC 801 TO 971, EXCEPT AS AUTHORIZED UNDER THIS PART.

5 (B) PERFORM SURGICAL PROCEDURES EXCEPT, SUBJECT TO SECTION  
6 18623(F), MINOR OFFICE PROCEDURES.

7 (C) ENGAGE IN THE PRACTICE OF OR CLAIM TO ENGAGE IN THE  
8 PRACTICE OF ANY OTHER HEALTH PROFESSION, INCLUDING, BUT NOT LIMITED  
9 TO, PERFORMING CHIROPRACTIC ADJUSTMENTS, UNLESS LICENSED TO ENGAGE  
10 IN THAT HEALTH PROFESSION UNDER THIS ARTICLE.

11 (D) USE GENERAL OR SPINAL ANESTHETICS.

12 (E) ADMINISTER IONIZING RADIOACTIVE SUBSTANCES FOR THERAPEUTIC  
13 PURPOSES.

14 (F) PERFORM SURGICAL PROCEDURES USING A LASER DEVICE.

15 (G) PERFORM SURGICAL PROCEDURES INVOLVING THE EYE, EAR,  
16 TENDONS, NERVES, VEINS, OR ARTERIES.

17 SEC. 18619. THE DEPARTMENT SHALL ESTABLISH PROCEDURES TO  
18 GOVERN MATTERS, DIRECTLY OR INDIRECTLY, INVOLVING ANY INDIVIDUAL  
19 WHO IS RELATED TO AN EMPLOYEE OR AGENT OF THE DEPARTMENT IN ANY WAY  
20 BY BLOOD OR MARRIAGE.

21 SEC. 18621. THE BOARD OF NATUROPATHIC MEDICINE IS CREATED IN  
22 THE DEPARTMENT. THE BOARD CONSISTS OF THE FOLLOWING 7 MEMBERS, EACH  
23 OF WHOM MUST MEET THE REQUIREMENTS OF PART 161:

24 (A) FOUR NATUROPATHIC PHYSICIANS.

25 (B) ONE PHYSICIAN WHO IS LICENSED UNDER PART 170 OR 175.

26 (C) TWO PUBLIC MEMBERS.

27 SEC. 18623. THE BOARD SHALL DO ALL OF THE FOLLOWING:

1 (A) DETERMINE THE QUALIFICATIONS OF INDIVIDUALS APPLYING FOR  
2 LICENSURE UNDER THIS PART AND DEFINE, BY RULE, THE APPROPRIATE  
3 SCOPE OF PRACTICE OF NATUROPATHIC MEDICINE IN THIS STATE. HOWEVER,  
4 THE SCOPE OF PRACTICE OF NATUROPATHIC MEDICINE MUST NOT EXCEED THE  
5 TASKS, FUNCTIONS, AND DUTIES DESCRIBED IN SECTION 18615.

6 (B) REVIEW THE CONTENT OF RULES AND PROPOSED RULES GOVERNING  
7 THE PRACTICE OF NATUROPATHIC MEDICINE IN THIS STATE.

8 (C) EVALUATE THE CONTENT OF ANY CLINICAL, PRACTICAL, OR  
9 RESIDENCY REQUIREMENT.

10 (D) PROMULGATE RULES FOR EXAMINATION STANDARDS, CONSISTENT  
11 WITH THE STANDARDS UNDER THIS PART, FOR LICENSURE AND WHEN THOSE  
12 EXAMINATIONS WILL BE PROVIDED. IN PROMULGATING RULES UNDER THIS  
13 SUBDIVISION, THE BOARD SHALL ADOPT A COMPETENCY-BASED NATIONAL  
14 EXAMINATION CONSISTENT WITH THE REQUIREMENTS DESCRIBED IN SECTION  
15 18613(1)(B) AND (C) AS THE NATUROPATHIC LICENSING EXAMINATION.

16 (E) SUBJECT TO SECTION 16204, ESTABLISH A MINIMUM AMOUNT AND  
17 KIND OF CONTINUING EDUCATION TO BE REQUIRED ANNUALLY FOR EACH  
18 NATUROPATHIC PHYSICIAN AS A CONDITION FOR LICENSURE RENEWAL.

19 (F) LIMIT THE PERFORMANCE OF MINOR OFFICE PROCEDURES TO A  
20 NATUROPATHIC PHYSICIAN WHO HAS GRADUATED FROM AN APPROVED  
21 NATUROPATHIC MEDICAL PROGRAM THAT INCLUDED MINOR OFFICE PROCEDURES  
22 AS PART OF ITS CURRICULUM OR WHO HAS UP-TO-DATE CERTIFICATION OF  
23 EQUIVALENT TRAINING, AS DETERMINED BY THE BOARD, IF HE OR SHE  
24 GRADUATED FROM AN APPROVED NATUROPATHIC MEDICAL PROGRAM THAT DID  
25 NOT INCLUDE MINOR OFFICE PROCEDURES AS PART OF THE CURRICULUM.

26 (G) LIMIT THE PRESCRIBING AUTHORITY FOR PRESCRIPTION DRUGS TO  
27 A NATUROPATHIC PHYSICIAN WHO HAS GRADUATED FROM AN APPROVED

1 NATUROPATHIC MEDICAL PROGRAM THAT INCLUDED PHARMACOLOGY AS PART OF  
2 ITS CURRICULUM OR WHO HAS UP-TO-DATE CERTIFICATION OF EQUIVALENT  
3 TRAINING, AS DETERMINED BY THE BOARD, IF HE OR SHE GRADUATED FROM  
4 AN APPROVED NATUROPATHIC MEDICAL PROGRAM THAT DID NOT INCLUDE  
5 PHARMACOLOGY AS PART OF THE CURRICULUM.

6 SEC. 18625. (1) THE NATUROPATHIC FORMULARY COUNCIL IS CREATED.  
7 THE FORMULARY COUNCIL IS SEPARATE AND DISTINCT FROM THE BOARD AND  
8 IS COMPOSED OF 5 MEMBERS, AS FOLLOWS:

9 (A) TWO NATUROPATHIC PHYSICIANS APPOINTED BY THE BOARD.

10 (B) TWO PHARMACISTS WHO ARE LICENSED UNDER PART 177, APPOINTED  
11 BY THE BOARD FROM A LIST OF NOMINEES PROVIDED BY THE MICHIGAN BOARD  
12 OF PHARMACY.

13 (C) ONE PHYSICIAN WHO IS LICENSED UNDER PART 170 OR 175. THE  
14 MICHIGAN BOARD OF MEDICINE AND THE MICHIGAN BOARD OF OSTEOPATHIC  
15 MEDICINE AND SURGERY MAY EACH PROVIDE A LIST OF NOMINEES FOR  
16 PURPOSES OF THIS SUBDIVISION, AND THE BOARD SHALL APPOINT THIS  
17 MEMBER FROM 1 OF THOSE LISTS.

18 (2) THE NATUROPATHIC FORMULARY COUNCIL SHALL ESTABLISH A  
19 NATUROPATHIC FORMULARY FOR USE BY NATUROPATHIC PHYSICIANS. WHEN IT  
20 ADOPTS OR REVISES THE FORMULARY, THE FORMULARY COUNCIL SHALL  
21 IMMEDIATELY TRANSMIT THE FORMULARY TO THE BOARD. THE BOARD SHALL  
22 REQUEST THAT THE DEPARTMENT ADOPT THE FORMULARY BY RULE.

23 (3) THE FORMULARY COUNCIL SHALL REVIEW THE NATUROPATHIC  
24 FORMULARY ANNUALLY OR AT ANY TIME AT THE REQUEST OF THE BOARD.

25 (4) THE NATUROPATHIC FORMULARY MUST NOT GO BEYOND THE SCOPE OF  
26 NATURAL MEDICINES OR PRESCRIPTION DRUGS AND DEVICES COVERED BY  
27 APPROVED NATUROPATHIC EDUCATION AND TRAINING OR BOARD-APPROVED

1 CONTINUING EDUCATION.

2 (5) THE NATUROPATHIC FORMULARY MUST NOT INCLUDE MEDICINES OR  
3 DEVICES THAT ARE INCONSISTENT WITH THE TRAINING PROVIDED BY  
4 APPROVED NATUROPATHIC MEDICAL PROGRAMS.

5 (6) THIS SECTION DOES NOT ALLOW A NATUROPATHIC PHYSICIAN TO  
6 DISPENSE, ADMINISTER, OR PRESCRIBE A PRESCRIPTION DRUG, OR A DEVICE  
7 AS DEFINED IN PART 177, UNLESS THAT PRESCRIPTION DRUG OR DEVICE IS  
8 SPECIFICALLY INCLUDED IN THE NATUROPATHIC FORMULARY.

9 SEC. 18627. A NATUROPATHIC PHYSICIAN SHALL OBSERVE AND IS  
10 SUBJECT TO ALL STATE, COUNTY, AND MUNICIPAL RULES, ORDINANCES, OR  
11 REGULATIONS IN REGARD TO THE CONTROL OF CONTAGIOUS AND INFECTIOUS  
12 DISEASES, THE REPORTING OF BIRTHS AND DEATHS, AND ANY AND ALL OTHER  
13 MATTERS PERTAINING TO THE PUBLIC HEALTH IN THE SAME MANNER AS IS  
14 REQUIRED OF OTHER HEALTH PROFESSIONALS UNDER THIS CODE. A VIOLATION  
15 OF ANY STATE, COUNTY, OR MUNICIPAL RULE, ORDINANCE, OR REGULATION  
16 DESCRIBED IN THIS SECTION IS CONSIDERED A VIOLATION OF THIS CODE  
17 SUBJECT TO THE INVESTIGATION AND SANCTION PROVISIONS OF SECTIONS  
18 16221 AND 16226.

19 SEC. 18631. EACH LICENSE GRANTED OR RENEWED UNDER THIS PART  
20 EXPIRES 4 YEARS FOLLOWING THE DATE IT WAS GRANTED OR LAST RENEWED.

21 SEC. 18633. THIS PART DOES NOT REQUIRE NEW OR ADDITIONAL THIRD  
22 PARTY REIMBURSEMENT OR MANDATED WORKER'S COMPENSATION BENEFITS FOR  
23 SERVICES RENDERED BY AN INDIVIDUAL WHO IS LICENSED UNDER THIS PART.

24 Enacting section 1. This amendatory act takes effect 90 days  
25 after the date it is enacted into law.