
Health Care & Wellness Committee

HB 2004

Brief Description: Authorizing the indirect supervision of certain health care services provided through naturopathic doctors.

Sponsors: Representative Green.

Brief Summary of Bill

- Allows unlicensed practitioners to practice colon hydrotherapy under the indirect supervision of a licensed naturopath.

Hearing Date: 2/19/09

Staff: Jim Morishima (786-7191)

Background:

Colon Hydrotherapy

Colon hydrotherapy is generally the removal of waste from the large intestine using temperature-controlled water. The procedure is performed using a colonic irrigation device, which is regulated as a class II medical device by the United States Food and Drug Administration.

In 2008, the Washington Court of Appeals affirmed a ruling by the Department of Health (DOH) that "colonic irrigation" constitutes the practice of medicine. Yow v. The Department of Health Unlicensed Practice Program, 147 Wn.App. 807 (2008).

In January of 2009, the DOH completed a sunrise review of the practice of colon hydrotherapy. The DOH recommended in the review that colon hydrotherapy not be regulated as a separate profession. This is partially because the practice of colon hydrotherapy is already regulated in Washington as the practice of medicine and is within the scope of practice of several types of licensed professionals, including allopathic, osteopathic, and naturopathic physicians.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Licensed Naturopaths

Naturopathy is the practice of the art and science of the diagnosis, prevention, and treatment of disorders of the body by stimulation or support of the natural processes of the human body. Naturopaths are licensed by the DOH. In order to obtain a license, a naturopath must complete an approved education program (or equivalent experiential requirements) and pass an examination.

Summary of Bill:

An unlicensed practitioner is authorized to practice colon hydrotherapy if:

- the practitioner is indirectly supervised by a licensed naturopath, which means that the naturopath is not on the premises, but has confirmed that the practitioner is competent to perform the colon hydrotherapy procedure and is in compliance with statutory requirements;
- the practitioner has a written consultation agreement with the naturopath, which must include a monthly review of client cases and files, quarterly inspections of the facilities and equipment used by the practitioner, a written emergency protocol, and a written protocol regarding when a client must be referred to a licensed health care practitioner;
- the colon hydrotherapy procedure consists only of the application of filtered, temperature-controlled water (with no drugs, herbs, chemicals, or other substances in the water) into the large intestine for purposes of removing waste;
- the practitioner uses equipment in original working order that is approved by the United States Food and Drug Administration;
- the practitioner maintains in a readily retrievable manner documentation of all training received in the performance of colon hydrotherapy;
- the practitioner uses standard universal precautions for preventing the spread of disease; and
- the client signs, and receives a copy of, a client disclosure form approved by the Secretary of Health.

Violation of the requirements relating to colon hydrotherapy is a misdemeanor.

Appropriation: None.

Fiscal Note: Requested 2/13/09.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.