
SENATE BILL 5581

State of Washington

57th Legislature

2001 Regular Session

By Senators Thibaudeau, Roach, Costa and Kohl-Welles

Read first time 01/26/2001. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to naturopathic physicians; amending RCW
2 18.36A.010, 18.36A.020, 18.36A.030, 18.36A.040, 18.36A.050, 18.36A.070,
3 18.06.050, 18.74.010, 18.120.020, 18.130.040, and 43.70.470; adding new
4 sections to chapter 18.36A RCW; adding a new section to chapter 19.68
5 RCW; creating a new section; and providing an effective date.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 **Sec. 1.** RCW 18.36A.010 and 1987 c 447 s 1 are each amended to read
8 as follows:

9 The legislature finds that it is necessary to regulate the practice
10 of ((naturopaths)) naturopathic physicians in order to protect the
11 public health, safety, and welfare. It is the legislature's intent
12 that only individuals who meet and maintain minimum standards of
13 competence and conduct may provide service to the public.

14 **Sec. 2.** RCW 18.36A.020 and 1991 c 3 s 87 are each amended to read
15 as follows:

16 Unless the context clearly requires otherwise, the definitions in
17 this section apply throughout this chapter.

18 (1) "Department" means the department of health.

1 (2) "Secretary" means the secretary of health or the secretary's
2 designee.

3 (3) "~~((Naturopath))~~ Naturopathic physician" means an individual
4 licensed under this chapter.

5 (4) "Committee" means the Washington state naturopathic practice
6 advisory committee.

7 (5) "Educational program" means ((a)) an accredited program
8 preparing persons for the practice of ((naturopathy)) naturopathic
9 medicine.

10 (6) "Nutrition and food science" means the prevention and treatment
11 of disease or other human conditions through the use of foods, water,
12 herbs, roots, bark, or natural food elements.

13 (7) "Manual manipulation" or "mechanotherapy" means manipulation of
14 a part or the whole of the body by hand or by mechanical means.

15 (8) "Physical modalities" means use of physical, chemical,
16 electrical, and other noninvasive modalities including, but not limited
17 to heat, cold, air, light, water in any of its forms, sound, massage,
18 and therapeutic exercise.

19 (9) "Homeopathy" means a system of medicine based on the use of
20 infinitesimal doses of medicines capable of producing symptoms similar
21 to those of the disease treated, as listed in the homeopathic
22 pharmacopeia of the United States.

23 (10) (~~("Medicines of mineral, animal, and botanical origin" means~~
24 ~~medicines derived from animal organs, tissues, and oils, minerals, and~~
25 ~~plants administered orally and topically, excluding legend drugs with~~
26 ~~the following exceptions: Vitamins, minerals, whole gland thyroid, and~~
27 ~~substances as exemplified in traditional botanical and herbal~~
28 ~~pharmacopoeia, and nondrug contraceptive devices excluding interuterine~~
29 ~~devices. The use of intermuscular injections are limited to vitamin~~
30 ~~B-12 preparations and combinations when clinical and/or laboratory~~
31 ~~evaluation has indicated vitamin B-12 deficiency. The use of~~
32 ~~controlled substances is prohibited.)) "Naturopathic medicines" include
33 legend drugs and drugs in schedules III-V of the uniform controlled
34 substances act consistent with naturopathic medical practice and in
35 accordance with rules adopted by the secretary, excluding controlled
36 substances listed in Schedules I and II of the uniform controlled
37 substances act, chapter 69.50 RCW; vitamins; minerals; botanical
38 medicines; homeopathic medicines; hormones; and other physiologic
39 substances as exemplified in standard naturopathic medical texts,~~

1 journals, and pharmacopeia, including nondrug contraceptive devices.
2 Naturopathic physicians may administer intermuscular, intramuscular,
3 intravenous, subcutaneous, and intradermal injections of substances
4 appropriate to naturopathic medicine, including providing saline
5 infusion for dehydrated patients. The secretary shall determine, by
6 rule, which other substances are appropriate.

7 (11) "Hygiene and immunization" means the use of such preventative
8 techniques as personal hygiene, asepsis, public health, and
9 immunizations, to the extent allowed by rule.

10 (12) "Minor office procedures" means minor surgical care and
11 procedures incident thereto of superficial lacerations, lesions, and
12 abrasions, and the removal of foreign bodies located in superficial
13 structures, not to include the eye; trigger point therapy, dermal
14 stimulation, and allergy testing and treatment; and the use of
15 antiseptics and topical or local anesthetics in connection therewith.

16 (13) "Common diagnostic procedures" means the use of venipuncture
17 ~~((to withdraw blood))~~ consistent with naturopathic medical practice,
18 commonly used diagnostic modalities consistent with naturopathic
19 practice, health history taking, physical examination, radiography,
20 examination of body orifices excluding endoscopy, ~~((and))~~ laboratory
21 medicine ~~((which obtains)), and obtaining~~ samples of human tissues
22 ~~((products)), ~~((including superficial scrapings))~~ but excluding~~
23 ~~((procedures which would require))~~ surgical ~~((incision))~~ excision
24 beyond that which is authorized as minor office procedure.

25 (14) "Suggestion" means techniques including but not limited to
26 counseling, biofeedback, and hypnosis.

27 (15) "Radiography" means the ordering, but not the interpretation,
28 of radiographic diagnostic and other imaging studies and the taking and
29 interpretation of standard radiographs. Radiography includes the
30 ordering, but not the interpretation, of ultrasonic images.

31 **Sec. 3.** RCW 18.36A.030 and 1991 c 3 s 88 are each amended to read
32 as follows:

33 (1) No person may practice naturopathy or naturopathic medicine or
34 represent himself or herself as a ~~((naturopath))~~ naturopathic physician
35 without first applying for and receiving a license from the secretary
36 to practice naturopathy or naturopathic medicine.

37 (2) A person represents himself or herself as a ~~((naturopath))~~
38 naturopathic physician when that person adopts or uses any title or any

1 description of services that incorporates one or more of the following
2 terms or designations: Naturopath, naturopathic physician, natural
3 medicine practitioner, or doctor of naturopathic medicine.

4 **Sec. 4.** RCW 18.36A.040 and 1991 c 3 s 89 are each amended to read
5 as follows:

6 Naturopathic medicine or naturopathy is the practice by
7 ((~~naturopaths~~)) naturopathic physicians of the art and science of the
8 diagnosis, prevention, and treatment of disorders of the body by
9 stimulation or support, or both, of the natural processes of the human
10 body. A ((~~naturopath~~)) naturopathic physician is responsible and
11 accountable to the consumer for the quality of naturopathic care
12 rendered.

13 The practice of naturopathy or naturopathic medicine includes
14 manual manipulation (mechanotherapy), the prescription, administration,
15 dispensing, and use, except for the treatment of malignancies ((~~or~~
16 ~~neoplastic—disease~~)), of nutrition and food science, physical
17 modalities, minor office procedures, homeopathy, certain medicines of
18 mineral, animal, and botanical origin, hygiene and immunization, common
19 diagnostic procedures, and suggestion; however, nothing in this chapter
20 shall prohibit consultation and treatment of a patient in concert with
21 a practitioner licensed under chapter 18.57 or 18.71 RCW. No person
22 licensed under this chapter may employ the term "chiropractic" to
23 describe any services provided by a ((~~naturopath~~)) naturopathic
24 physician under this chapter. No person licensed under this chapter
25 may employ the term "acupuncture" to describe any services provided by
26 a naturopathic physician under this chapter.

27 **Sec. 5.** RCW 18.36A.050 and 1991 c 3 s 90 are each amended to read
28 as follows:

29 Nothing in this chapter shall be construed to prohibit or restrict:

30 (1) The practice of a profession by individuals who are licensed,
31 certified, or registered under other laws of this state who are
32 performing services within their authorized scope of practice;

33 (2) The practice of naturopathic medicine by an individual employed
34 by the government of the United States while the individual is engaged
35 in the performance of duties prescribed for him or her by the laws and
36 regulations of the United States;

1 (3) The practice of naturopathic medicine by students enrolled in
2 a school approved by the secretary. The performance of services shall
3 be pursuant to a course of instruction or assignments from an
4 instructor and under the supervision of the instructor. The instructor
5 shall be a ((naturopath)) naturopathic physician licensed pursuant to
6 this chapter; or

7 (4) The practice of oriental medicine or oriental herbology, or the
8 rendering of other dietary or nutritional advice.

9 **Sec. 6.** RCW 18.36A.070 and 1991 c 3 s 92 are each amended to read
10 as follows:

11 (1) There is hereby created the Washington state naturopathic
12 advisory committee consisting of five members appointed by the
13 secretary who shall advise the secretary concerning the administration
14 of this chapter. Three members of the initial committee shall be
15 persons who would qualify for licensing under this chapter. Their
16 successors shall be ((naturopaths)) naturopathic physicians who are
17 licensed under this chapter. Two members of the committee shall be
18 individuals who are unaffiliated with the profession. For the initial
19 committee, one unaffiliated member and one ((naturopath)) naturopathic
20 physician shall serve four-year terms, one unaffiliated member and one
21 ((naturopath)) naturopathic physician shall serve three-year terms, and
22 one ((naturopath)) naturopathic physician shall serve a two-year term.
23 The term of office for committee members after the initial committee is
24 four years. Any committee member may be removed for just cause
25 including a finding of fact of unprofessional conduct, impaired
26 practice, or more than three unexcused absences. The secretary may
27 appoint a new member to fill any vacancy on the committee for the
28 remainder of the unexpired term.

29 No committee member may serve more than two consecutive terms,
30 whether full or partial.

31 (2) Committee members shall be compensated in accordance with RCW
32 43.03.240 and reimbursed for travel expenses in accordance with RCW
33 43.03.050 and 43.03.060.

34 (3) The committee may elect annually a chair and vice-chair to
35 direct the meetings of the committee. The committee shall meet at
36 least once each year, and may hold additional meetings as called by the
37 secretary or the chair.

1 **Sec. 7.** RCW 18.06.050 and 1991 c 3 s 7 are each amended to read as
2 follows:

3 Any person seeking to be examined shall present to the secretary at
4 least forty-five days before the commencement of the examination:

5 (1) A written application on a form or forms provided by the
6 secretary setting forth under affidavit such information as the
7 secretary may require; and

8 (2) Proof that the candidate has:

9 (a) Successfully completed a course, approved by the secretary, of
10 didactic training in basic sciences and acupuncture over a minimum
11 period of two academic years. The training shall include such subjects
12 as anatomy, physiology, bacteriology, biochemistry, pathology, hygiene,
13 and a survey of western clinical sciences. The basic science classes
14 must be equivalent to those offered at the collegiate level. However,
15 if the applicant is a licensed chiropractor under chapter 18.25 RCW or
16 a ((~~naturopath~~)) naturopathic physician licensed under chapter 18.36A
17 RCW, the requirements of this subsection relating to basic sciences may
18 be reduced by up to one year depending upon the extent of the
19 candidate's qualifications as determined under rules adopted by the
20 secretary;

21 (b) Successfully completed a course, approved by the secretary, of
22 clinical training in acupuncture over a minimum period of one academic
23 year. The training shall include a minimum of: (i) Twenty-nine
24 quarter credits of supervised practice, consisting of at least four
25 hundred separate patient treatments involving a minimum of one hundred
26 different patients, and (ii) one hundred hours or nine quarter credits
27 of observation which shall include case presentation and discussion.

28 NEW SECTION. **Sec. 8.** A new section is added to chapter 18.36A RCW
29 to read as follows:

30 A naturopathic physician may employ persons to assist in the
31 preparation and monitoring of equipment and procedures involved in
32 colonic therapy. The secretary shall adopt rules establishing
33 protocols for the delegation and supervision of colonic therapy,
34 including the qualifications of unlicensed persons performing colonic
35 therapy.

36 NEW SECTION. **Sec. 9.** A new section is added to chapter 18.36A RCW
37 to read as follows:

1 From his or her office, a naturopathic physician may compound,
2 dispense, or sell naturopathic medicines not commonly available by
3 prescription to meet the needs of individual patients on a case-by-case
4 basis, excluding controlled substances or legend drugs. Injectable
5 medications shall not be compounded unless provided for by the
6 secretary in rule under the authority granted in RCW 18.36A.020(10).

7 NEW SECTION. **Sec. 10.** A new section is added to chapter 19.68 RCW
8 to read as follows:

9 A naturopathic physician, licensed under chapter 18.36A RCW, is
10 exempt from this chapter when dispensing or selling naturopathic
11 medicines or products from his or her own office in accordance with the
12 limitations and exclusions in section 9 of this act.

13 **Sec. 11.** RCW 18.74.010 and 1997 c 275 s 8 are each amended to read
14 as follows:

15 Unless the context otherwise requires, the definitions in this
16 section apply throughout this chapter.

17 (1) "Board" means the board of physical therapy created by RCW
18 18.74.020.

19 (2) "Department" means the department of health.

20 (3) "Physical therapy" means the treatment of any bodily or mental
21 condition of any person by the use of the physical, chemical, and other
22 properties of heat, cold, air, light, water, electricity, sound,
23 massage, and therapeutic exercise, which includes posture and
24 rehabilitation procedures; the performance of tests and measurements of
25 neuromuscular function as an aid to the diagnosis or treatment of any
26 human condition; performance of treatments on the basis of test
27 findings after consultation with and periodic review by an authorized
28 health care practitioner except as provided in RCW 18.74.012;
29 supervision of selective forms of treatment by trained supportive
30 personnel; and provision of consultative services for health,
31 education, and community agencies. The use of Roentgen rays and radium
32 for diagnostic and therapeutic purposes, the use of electricity for
33 surgical purposes, including cauterization, and the use of spinal
34 manipulation or manipulative mobilization of the spine and its
35 immediate articulations, are not included under the term "physical
36 therapy" as used in this chapter.

1 (4) "Physical therapist" means a person who practices physical
2 therapy as defined in this chapter but does not include massage
3 operators as defined in RCW 18.108.010.

4 (5) "Secretary" means the secretary of health.

5 (6) Words importing the masculine gender may be applied to females.

6 (7) "Authorized health care practitioner" means and includes
7 licensed physicians, osteopathic physicians, chiropractors,
8 (~~naturopaths~~) naturopathic physicians, podiatric physicians and
9 surgeons, dentists, and advanced registered nurse practitioners:
10 PROVIDED, HOWEVER, That nothing herein shall be construed as altering
11 the scope of practice of such practitioners as defined in their
12 respective licensure laws.

13 **Sec. 12.** RCW 18.120.020 and 2000 c 93 s 15 are each amended to
14 read as follows:

15 The definitions in this section apply throughout this chapter
16 unless the context clearly requires otherwise.

17 (1) "Applicant group" includes any health professional group or
18 organization, any individual, or any other interested party which
19 proposes that any health professional group not presently regulated be
20 regulated or which proposes to substantially increase the scope of
21 practice of the profession.

22 (2) "Certificate" and "certification" mean a voluntary process by
23 which a statutory regulatory entity grants recognition to an individual
24 who (a) has met certain prerequisite qualifications specified by that
25 regulatory entity, and (b) may assume or use "certified" in the title
26 or designation to perform prescribed health professional tasks.

27 (3) "Grandfather clause" means a provision in a regulatory statute
28 applicable to practitioners actively engaged in the regulated health
29 profession prior to the effective date of the regulatory statute which
30 exempts the practitioners from meeting the prerequisite qualifications
31 set forth in the regulatory statute to perform prescribed occupational
32 tasks.

33 (4) "Health professions" means and includes the following health
34 and health-related licensed or regulated professions and occupations:
35 Podiatric medicine and surgery under chapter 18.22 RCW; chiropractic
36 under chapter 18.25 RCW; dental hygiene under chapter 18.29 RCW;
37 dentistry under chapter 18.32 RCW; denturism under chapter 18.30 RCW;
38 dispensing opticians under chapter 18.34 RCW; hearing instruments under

1 chapter 18.35 RCW; (~~naturopaths~~) naturopathic physicians under
2 chapter 18.36A RCW; embalming and funeral directing under chapter 18.39
3 RCW; midwifery under chapter 18.50 RCW; nursing home administration
4 under chapter 18.52 RCW; optometry under chapters 18.53 and 18.54 RCW;
5 ocularists under chapter 18.55 RCW; osteopathic medicine and surgery
6 under chapters 18.57 and 18.57A RCW; pharmacy under chapters 18.64 and
7 18.64A RCW; medicine under chapters 18.71 and 18.71A RCW; emergency
8 medicine under chapter 18.73 RCW; physical therapy under chapter 18.74
9 RCW; practical nurses under chapter 18.79 RCW; psychologists under
10 chapter 18.83 RCW; registered nurses under chapter 18.79 RCW;
11 occupational therapists licensed under chapter 18.59 RCW; respiratory
12 care practitioners licensed under chapter 18.89 RCW; veterinarians and
13 veterinary technicians under chapter 18.92 RCW; health care assistants
14 under chapter 18.135 RCW; massage practitioners under chapter 18.108
15 RCW; acupuncturists licensed under chapter 18.06 RCW; persons
16 registered or certified under chapter 18.19 RCW; dietitians and
17 nutritionists certified by chapter 18.138 RCW; radiologic technicians
18 under chapter 18.84 RCW; and nursing assistants registered or certified
19 under chapter 18.88A RCW.

20 (5) "Inspection" means the periodic examination of practitioners by
21 a state agency in order to ascertain whether the practitioners'
22 occupation is being carried out in a fashion consistent with the public
23 health, safety, and welfare.

24 (6) "Legislative committees of reference" means the standing
25 legislative committees designated by the respective rules committees of
26 the senate and house of representatives to consider proposed
27 legislation to regulate health professions not previously regulated.

28 (7) "License," "licensing," and "licensure" mean permission to
29 engage in a health profession which would otherwise be unlawful in the
30 state in the absence of the permission. A license is granted to those
31 individuals who meet prerequisite qualifications to perform prescribed
32 health professional tasks and for the use of a particular title.

33 (8) "Professional license" means an individual, nontransferable
34 authorization to carry on a health activity based on qualifications
35 which include: (a) Graduation from an accredited or approved program,
36 and (b) acceptable performance on a qualifying examination or series of
37 examinations.

1 (9) "Practitioner" means an individual who (a) has achieved
2 knowledge and skill by practice, and (b) is actively engaged in a
3 specified health profession.

4 (10) "Public member" means an individual who is not, and never was,
5 a member of the health profession being regulated or the spouse of a
6 member, or an individual who does not have and never has had a material
7 financial interest in either the rendering of the health professional
8 service being regulated or an activity directly related to the
9 profession being regulated.

10 (11) "Registration" means the formal notification which, prior to
11 rendering services, a practitioner shall submit to a state agency
12 setting forth the name and address of the practitioner; the location,
13 nature and operation of the health activity to be practiced; and, if
14 required by the regulatory entity, a description of the service to be
15 provided.

16 (12) "Regulatory entity" means any board, commission, agency,
17 division, or other unit or subunit of state government which regulates
18 one or more professions, occupations, industries, businesses, or other
19 endeavors in this state.

20 (13) "State agency" includes every state office, department, board,
21 commission, regulatory entity, and agency of the state, and, where
22 provided by law, programs and activities involving less than the full
23 responsibility of a state agency.

24 **Sec. 13.** RCW 18.130.040 and 1999 c 335 s 10 are each amended to
25 read as follows:

26 (1) This chapter applies only to the secretary and the boards and
27 commissions having jurisdiction in relation to the professions licensed
28 under the chapters specified in this section. This chapter does not
29 apply to any business or profession not licensed under the chapters
30 specified in this section.

31 (2)(a) The secretary has authority under this chapter in relation
32 to the following professions:

33 (i) Dispensing opticians licensed under chapter 18.34 RCW;

34 (ii) (~~Naturopaths~~) Naturopathic physicians licensed under chapter
35 18.36A RCW;

36 (iii) Midwives licensed under chapter 18.50 RCW;

37 (iv) Ocularists licensed under chapter 18.55 RCW;

1 (v) Massage operators and businesses licensed under chapter 18.108
2 RCW;

3 (vi) Dental hygienists licensed under chapter 18.29 RCW;

4 (vii) Acupuncturists licensed under chapter 18.06 RCW;

5 (viii) Radiologic technologists certified and X-ray technicians
6 registered under chapter 18.84 RCW;

7 (ix) Respiratory care practitioners licensed under chapter 18.89
8 RCW;

9 (x) Persons registered or certified under chapter 18.19 RCW;

10 (xi) Persons registered as nursing pool operators under chapter
11 18.52C RCW;

12 (xii) Nursing assistants registered or certified under chapter
13 18.88A RCW;

14 (xiii) Health care assistants certified under chapter 18.135 RCW;

15 (xiv) Dietitians and nutritionists certified under chapter 18.138
16 RCW;

17 (xv) Chemical dependency professionals certified under chapter
18 18.205 RCW;

19 (xvi) Sex offender treatment providers certified under chapter
20 18.155 RCW;

21 (xvii) Persons licensed and certified under chapter 18.73 RCW or
22 RCW 18.71.205;

23 (xviii) Persons registered as adult family home providers and
24 resident managers under RCW 18.48.020;

25 (xix) Denturists licensed under chapter 18.30 RCW;

26 (xx) Orthotists and prosthetists licensed under chapter 18.200 RCW;
27 and

28 (xxi) Surgical technologists registered under chapter 18.215 RCW.

29 (b) The boards and commissions having authority under this chapter
30 are as follows:

31 (i) The podiatric medical board as established in chapter 18.22
32 RCW;

33 (ii) The chiropractic quality assurance commission as established
34 in chapter 18.25 RCW;

35 (iii) The dental quality assurance commission as established in
36 chapter 18.32 RCW;

37 (iv) The board of hearing and speech as established in chapter
38 18.35 RCW;

1 (v) The board of examiners for nursing home administrators as
2 established in chapter 18.52 RCW;

3 (vi) The optometry board as established in chapter 18.54 RCW
4 governing licenses issued under chapter 18.53 RCW;

5 (vii) The board of osteopathic medicine and surgery as established
6 in chapter 18.57 RCW governing licenses issued under chapters 18.57 and
7 18.57A RCW;

8 (viii) The board of pharmacy as established in chapter 18.64 RCW
9 governing licenses issued under chapters 18.64 and 18.64A RCW;

10 (ix) The medical quality assurance commission as established in
11 chapter 18.71 RCW governing licenses and registrations issued under
12 chapters 18.71 and 18.71A RCW;

13 (x) The board of physical therapy as established in chapter 18.74
14 RCW;

15 (xi) The board of occupational therapy practice as established in
16 chapter 18.59 RCW;

17 (xii) The nursing care quality assurance commission as established
18 in chapter 18.79 RCW governing licenses issued under that chapter;

19 (xiii) The examining board of psychology and its disciplinary
20 committee as established in chapter 18.83 RCW; and

21 (xiv) The veterinary board of governors as established in chapter
22 18.92 RCW.

23 (3) In addition to the authority to discipline license holders, the
24 disciplining authority has the authority to grant or deny licenses
25 based on the conditions and criteria established in this chapter and
26 the chapters specified in subsection (2) of this section. This chapter
27 also governs any investigation, hearing, or proceeding relating to
28 denial of licensure or issuance of a license conditioned on the
29 applicant's compliance with an order entered pursuant to RCW 18.130.160
30 by the disciplining authority.

31 (4) All disciplining authorities shall adopt procedures to ensure
32 substantially consistent application of this chapter, the Uniform
33 Disciplinary Act, among the disciplining authorities listed in
34 subsection (2) of this section.

35 **Sec. 14.** RCW 43.70.470 and 1993 c 492 s 277 are each amended to
36 read as follows:

37 The department may establish by rule the conditions of
38 participation in the liability insurance program by retired primary

1 care providers at clinics utilizing retired (~~(physicians [primary care~~
2 ~~providers])~~) primary care providers for the purposes of this section
3 and RCW 43.70.460. These conditions shall include, but not be limited
4 to, the following:

5 (1) The participating primary care provider associated with the
6 clinic shall hold a valid license to practice as a physician under
7 chapter 18.71 or 18.57 RCW, a (~~(naturopath)~~) naturopathic physician
8 under chapter 18.36A RCW, a physician assistant under chapter 18.71A or
9 18.57A RCW, an advanced registered nurse practitioner under chapter
10 18.88 RCW, a dentist under chapter 18.32 RCW, or other health
11 professionals as may be deemed in short supply in the health personnel
12 resource plan under chapter 28B.125 RCW. All primary care providers
13 must be in conformity with current requirements for licensure as a
14 retired primary care provider, including continuing education
15 requirements;

16 (2) The participating primary care provider shall limit the scope
17 of practice in the clinic to primary care. Primary care shall be
18 limited to noninvasive procedures and shall not include obstetrical
19 care, or any specialized care and treatment. Noninvasive procedures
20 include injections, suturing of minor lacerations, and incisions of
21 boils or superficial abscesses. Primary dental care shall be limited
22 to diagnosis, oral hygiene, restoration, and extractions and shall not
23 include orthodontia, or other specialized care and treatment;

24 (3) The provision of liability insurance coverage shall not extend
25 to acts outside the scope of rendering medical services pursuant to
26 this section and RCW 43.70.460;

27 (4) The participating primary care provider shall limit the
28 provision of health care services to primarily low-income persons
29 provided that clinics may, but are not required to, provide means tests
30 for eligibility as a condition for obtaining health care services;

31 (5) The participating primary care provider shall not accept
32 compensation for providing health care services from patients served
33 pursuant to this section and RCW 43.70.460, nor from clinics serving
34 these patients. "Compensation" shall mean any remuneration of value to
35 the participating primary care provider for services provided by the
36 primary care provider, but shall not be construed to include any
37 nominal copayments charged by the clinic, nor reimbursement of related
38 expenses of a participating primary care provider authorized by the
39 clinic in advance of being incurred; and

1 (6) The use of mediation or arbitration for resolving questions of
2 potential liability may be used, however any mediation or arbitration
3 agreement format shall be expressed in terms clear enough for a person
4 with a sixth grade level of education to understand, and on a form no
5 longer than one page in length.

6 NEW SECTION. **Sec. 15.** The department of health shall conduct an
7 analysis of the appropriateness of naturopathic physicians using
8 naturopathic techniques including, but not limited to, auricular, hand
9 therapy, and other practices that may overlap with the acupuncture
10 scope of practice. The secretary of health shall appoint a work group
11 of affected parties which shall identify areas that should require an
12 endorsement to the naturopathic license and what the requirements for
13 such an endorsement should be. The secretary shall report to the
14 legislature on any needed legislative changes. In addition, this
15 report shall include an evaluation of the following:

16 (1) Establishing an endorsement process to allow naturopaths to
17 perform specific acupuncture-related practices if they can demonstrate
18 competency;

19 (2) Increasing the naturopathic scope of practice to include these
20 acupuncture-related practices consistent with naturopathic medicine;
21 and

22 (3) The appropriate level of education, training, and experience
23 needed to support any increase in the scope of practice and any
24 endorsement.

25 The report and proposed legislation shall be provided to the
26 appropriate committees of the legislature by January 14, 2002.

27 NEW SECTION. **Sec. 16.** Sections 1 through 14 of this act take
28 effect July 1, 2002.

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