

California to License Naturopaths

SENATE BILL 907: WHAT WILL IT MEAN FOR CHIROPRACTIC?

California chiropractors will soon share licensing status with yet another group of health care professionals: naturopathic practitioners. Senate Bill 907 was introduced into the California legislature earlier this year by Senator John Burton (D-San Francisco), passed by the Assembly on Aug. 28 and the Senate on Sept. 2, then signed into law by Gov. Gray Davis on Sept. 24. The bill specifies "various standards for the licensure and regulation of naturopathic medicine."

SB 907 gives qualifying California naturopathic doctors (NDs) broad scope-of-practice privileges, such as the ability to order and perform physical and laboratory examinations for diagnostic purposes; order diagnostic imaging studies, including X-ray, ultrasound, mammogram, bone densitometry, and others; and dispense, administer, order, and prescribe or perform hot or cold hydrotherapy, electromagnetic energy, colon hydrotherapy, therapeutic exercise, health education and health counseling.¹ It also gives NDs extensive privileges regarding the administration and prescription of "extracts of food, nutraceuticals, vitamins, amino acids, minerals, enzymes, botanicals and their extracts, botanical medicines, homeopathic medicines, and all dietary supplements as defined by the federal Food, Drug, and Cosmetic Act."¹

Robert Dubin, DC, past president of the California Chiropractic Association (CCA), notes that SB 907 has potential negative ramifications for the state's 10,000-plus doctors of chiropractic:

"This bill [mandates] another licensed health care profession, one in near-direct competition with the DC," contends Dr. Dubin. "The other health care professions, such as MDs and DOs, already have a broad scope of practice, and [are not] affected by this legislation, although they [also] are not in favor of it."²

Adds Dr. Dubin: "We are also concerned that some carriers [will] reimburse the ND for nutritional consultation and supplements, but not the DC, who actually has better training."

"The bottom line is you need a license to practice medicine, even if it's natural medicine. Right now, anyone can call themselves a naturopath in California," says Sally LaMont, of the California Association for Naturopathic Physicians.

Interestingly enough, only approximately 200 of the state's estimated 1,000-2,000 naturopaths are currently eligible for the ND license. The bill only licenses graduates from five accredited naturopathic schools in the United States and Canada.³ Many of the state's current naturopathic practitioners have "insufficient training to perform within the scope outlined by the bill," explains Dr. Dubin, noting that prior to the passage of SB 907, "there was no licensure or scope of practice for naturopaths. Last year, a bill was passed and signed by the governor that allowed the practice of health care by unlicensed individuals⁴ - everything but prescribing meds and doing surgery. This new bill is for graduates of only certain naturopathic schools, such as [Seattle-based] Bastyr."

The outlook for California chiropractors could have been worse, if not for the following exclusion included in the bill's scope-of-practice stipulations:

"A naturopathic doctor may dispense, administer, order, and prescribe or perform the following ... naturopathic physical medicine inclusive of the manual use of massage, stretching, resistance or joint play examination but exclusive [our emphasis] of small amplitude movement at or beyond the end range of normal joint motion."

"CCA managed to gut the language from their bill that allowed them to do what we do, in terms of physical medicine," emphasizes Dr. Dubin.

Raj Pal, PhD, president of the Naturopathic Medical Association of California (NMAC), believes the bill "betrays" natural health by "only licensing naturopathic doctors who graduated from schools [all of which are outside of California] that consider prescription medications and surgery as appropriate naturopathic therapy."⁵

NMAC member Robert Thiel, PhD, NHD notes, "This bill is a threat to chiropractic for several reasons. The first is that the major backers of this bill consider that they are above chiropractors and they are the ones pushing who should be 'primary care physicians.'

"The second is that, in order to secure the ability to have limited prescription rights, this bill places 'naturopathic doctors' under the supervision of a medical doctor in a status similar to that of a nurse practitioner ... this means that if the chiropractic profession ever hopes to expand its scope of practice, the medical profession will have set a precedent to control 'alternative doctors.'

"The best thing for this bill [would have been] that it never become law. ... [It] sets the stage not only for betrayal of real naturopathy, but for the betrayal of the entire natural health movement, including chiropractic."

With the signing of SB 907, California becomes the 12th state to license naturopaths, joining Alaska; Arizona; Connecticut; Hawaii; Maine; Montana; New Hampshire; Oregon; Utah; Vermont; and Washington. In 2002, Kansas passed regulation legislation, but did not sanction licensing or any practice of medicine outside of botanical treatments.³ Currently, a number of other states are considering naturopathic legislation (regulation or licensure), including New York; New Mexico; Kentucky; Arkansas; Missouri; Massachusetts; and North Carolina.⁷

References

1. The full text of the SB 907 is available in Adobe PDF format at www.leginfo.ca.gov/pub/bill/sen/sb_0901-0950/sb_907_bill_20030902_enrolled.pdf.
2. E-mail correspondence with Dr. Dubin, Sept. 16, 2003.
3. Croasdale M. California bill promotes licensing naturopaths. *American Medical News* Web site, Aug. 11, 2003. www.ama-assn.org/sci-pubs/amnews/pick_03/prsc0811.htm.
4. SB 577 (also introduced by Sen. Burton) took effect Jan. 1, 2003. For more information, see www.massagetoday.com/archives/2002/03/02.html.
5. Pal R. "California May Betray the Natural Health Movement." www.classicalnaturopathy.org/
6. E-mail sent to *Dynamic Chiropractic*, Sept. 18, 2003.
7. www.naturalhealth.org/statebystate/states.html.

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