

**MINUTES**

**MONTANA SENATE  
52nd LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON PUBLIC HEALTH, WELFARE & SAFETY**

**Call to Order:** By Senator Dorothy Eck, on January 18, 1991, at 1:02 p.m.

**ROLL CALL**

**Members Present:**

Dorothy Eck, Chairman (D)  
Eve Franklin, Vice Chairman (D)  
James Burnett (R)  
Thomas Hager (R)  
Judy Jacobson (D)  
Bob Pipinich (D)  
David Rye (R)  
Thomas Towe (D)

**Members Excused:** None

**Staff Present:** Tom Gomez (Legislative Council)  
Christine Mangiantini (Committee Secretary)

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Announcements/Discussion:**

**HEARING ON SENATE BILL 66**

**Presentation and Opening Statement by Sponsor:**

Senator Mike Halligan opened by saying that the intent of SB 66 is to license naturopathic physicians in Montana. He stated that this bill is exactly like every other licensure bill brought before the legislature. Senator Halligan continued by noting that naturopathic physicians have attended colleges accredited by their national organization and said public safety considerations have been addressed in the legislation. He said the proponents have worked on this bill for over six years and he feels the legislation is balanced and that the proponents are willing to work with the medical community to make the bill more acceptable.

**Proponents' Testimony:**

The chairman recognized the proponents of the bill and called for the first witness.

Dr. Michael Bergkamp, N.D., President of the Montana Association of Naturopathic Physicians, testified in favor of the measure. Dr. Bergkamp said in his practice he concentrates on health--keeping his patients from entering the stage of disease. He said he has practiced for 10 years in Montana and closed by saying the only way to guarantee the public a choice in health care is to pursue licensing of naturopathic physicians.

The second witness to testify in favor of SB 66 was Dr. Konrad Kail, N.D., President of the American Association of Naturopathic Physicians and a board member of the Arizona Naturopathic Association. Dr. Kail referred to graph's during his presentation which were viewed by the committee from an overhead projector. Dr. Kail compared the difference between the dietetic professional and naturopathic physicians by saying that dietetic instruction is based on dietary care for patients in hospitals and institutional care that has to do with providing diet. While naturopathic physicians approach the clinical application to study both the diagnosis and treatment of the disease and all basic sciences that are relevant to it. He continued by noting some of the differences between conventional medicine and naturopathic medicine by saying conventional medicine deals primarily with pharmaceutical and surgical experiences. Naturopathic medicine deals more with natural and less evasive techniques. He noted that conventional medicine has a distinct crisis orientation and imposes little training to preventative measures. He said naturopathic physicians have specific education in prevention, health promotion and health maintenance which provides the core of making lifestyle changes in the patients. He said naturopathic physicians are the only primary care practitioners who meet the Surgeon General's recommendations for nutrition counseling.

The third witness to testify in favor of SB 66 was Dr. Russell Jaffe, M.D., Director of the Princeton BioCenter and Fellow, Health Studies Collegium. See Exhibit #1 for a copy of his remarks.

The fourth witness to testify in favor of SB 66 was Dr. Gilbert Milner, M.D., former professor at the University of Florida College of Medicine. See Exhibit's #2, #3, #4, #5 for reference materials used in his remarks. Dr. Milner practices child psychiatry in Spokane, Washington. He established a collegial relationship with naturopathic physicians because they were both serving the same clientele. In each case he found the collegial relationship to be well grounded in treatment, diagnosis, and were openly ready to confer and refer patients at appropriate times. Licensure of naturopathic physicians in Washington has provided him with the assurance that the professional he is meeting with is well qualified, coming from a school that meets the kind of criteria that is necessary for naturopathic practice.

The fifth witness to testify in favor of SB 66 was Mr. Dave Fuller who stated that he has become a believer in naturopathic medicines. Three years ago Lewis and Clark county adopted naturopathic medicine as a covered expense under the medical plan. This was requested by county employees. Utilization of naturopathic medicine has increased every year. Mr. Fuller said medical costs have decreased because of it. Mr. Fuller continued by saying the time has come for regulation. The public interest demands some licensing and regulation. He said he has found his experiences very positive in utilizing naturopathic physician services.

The sixth witness to testify in favor of SB 66 was Dr. Nancy Aagenes, N.D., Chair of the Legislative Affairs committee of the Montana Association of Naturopathic Physicians. See Exhibit #6 for reference materials passed out during her comments. She noted that many of the committee members constituents want to be patients of naturopathic physicians and they are prepared through education and commitment to treat human beings. She suggested pluralistic medical systems exist harmoniously in Europe and Canada. She said they are taught caution, taught red flag's in medical school and taught to refer. To sincerely resist quackery the public should demand the licensing of naturopathic physicians. She said the industry would be remiss if they did not bring this bill before the legislature. She said the committee is not being asked to make a medical decision but this is a public policy matter. She said the legislature is being asked to set minimum standards so that no one can use the title naturopathic physician unless they meet certain standards. Require naturopathic physicians what you would ask of any other professional--examination and peer review. She said she cannot receive her malpractice insurance without a license. She closed by saying the naturopathic community awaits the affirmative action of the committee.

The seventh witness to testify in favor of SB 66 was Darlene J. Golas, licensed social worker in Hamilton, MT. She became introduced to naturopathic medicine 15 years ago when she accidentally blinded herself in the left eye. She was working at that time as a physicians assistant. She said she was told that there was nothing she could do to regenerate the damaged nerve tissue in her blind eye. She then checked with naturopathic physicians in Seattle for recourse. She said she was completely impressed with the information, diagnosis and treatment. Each year her eye was healing further and the scar within her eye was shrinking. She has passed drivers exams in Montana and Washington since then. She currently works with Viet Nam era veterans in Ravalli county. She has worked in Montana with six naturopathic physicians over the years and sees the advantage of self-empowering health care by putting the responsibility in the hands of the patient, instead of going to the doctor for healing. The patients are advised and guided.

She has referred Viet Nam era veterans to naturopathic physicians for assistance in sleeping and has found the results positive.

Opponents' Testimony:

The chairman thanked the proponents for their testimony and opened the hearing for testimony from those in opposition to SB 66.

The first witness to testify in opposition to SB 66 was Lorette Meske, M.D. Internal Medicine. Exhibit #7 is a copy of her remarks.

The second witness to testify in opposition to SB 66 was Sharon Diezinger, representing the Montana Nurses Association. Ms. Diezinger stated that they gave great consideration to watching this issue from the sidelines. After reviewing the bill the legislative committee met and asked her to express concerns about the sanctions of licensure to this small group of practitioners. She said Nancy Aagenes has extended to the Montana Nurses Association a commitment to negotiate any portions of the bill that would make it more acceptable and they are willing to work with her on that invitation. One issue of concern is less requirements for birth attendants. They are not testifying on the merit or non-merit of naturopathic medicine but those areas in the realm of conventional medicine and that a maintenance of standards equal to those continue to exist.

The third witness to testify in opposition to SB 66 was Cindy Lewis, Montana Dietetic Association. Exhibit #8 is a copy of her remarks.

The fourth witness to testify in opposition to SB 66 was Dr. Brian McGuire, Anesthesiologist in private practice. He commended the efforts of the naturopaths to promote nutrition, stress reduction and lifestyle changes, he does not believe that licensure is necessary for the practice. He cannot support the bill because the scope of practice is too open-ended. In addition the naturopaths wish to deliver babies, provide immunizations, provide for therapeutic ultrasound and blood tests, among other things. He thinks this is a license to practice medicine. He thinks the literature that has been distributed contains a number of inaccuracies. Dr. McGuire submitted to the committee Exhibits #9 and #10, which he referred to in his remarks.

The fifth witness to testify in opposition to SB 66 was Mr. Jerome Loendorf, representing the Montana Medical Association. Mr. Loendorf stated that the bill protects the name 'naturopaths' and protects the right of certain people to use it. Section 5 states that it is not intended to prevent anyone else from practicing naturopathic medicine. The effect of the provision is to merely protect a name. He said the scientific basis argument can never identify what specific diseases a naturopathic physician treats with what specific natural substances or therapies. He said most conditions are treated effectively today by conventional medicine. He said if you attempt to skirt science you just put the public at risk. He said he was not against naturopaths but would like to see a study from a major university in this country that would go through and analyze naturopathy.

The sixth witness to testify in opposition to SB 66 was Steve Browning, representing the Montana Hospital Association. Mr. Browning commented that the Association has always expressed concern about the licensing of new health care professions. They think it is imperative that before new health care professions are licensed that there be abundant proof of the efficacy of the professions.

The seventh witness to testify in opposition to SB 66 was Ms. Bonnie Tippy, representing the Montana Chiropractic Association. Exhibit # 11 is a copy of her remarks.

#### Questions From Committee Members:

The chairman asked for questions from committee members and recognized Senator Towe.

Senator Towe addressed Mr. Loendorf and asked about adequate evidence of the effectiveness of the naturopathic practice.

Mr. Loendorf responded that he was unconvinced by the proponents testimony because of the lack of information. He said not specific studies have ever been identified.

Senator Towe asked Dr. Jaffe to address the issue of studies on naturopathic medicine.

Dr. Jaffe responded that he took the textbooks and peer review literature off the shelves of the library and in his office and the list was very long. He said the literature does exist. He said he was a skeptic of this field based upon his medical training. He said he has found abundant world literature and would be happy to present supplementary information about the field. He referred to the textbook of Natural Medicine, the textbook and journal of Natural Products that is in its 50th year of publication. He said the scientists on the board are world renowned.

The chairman asked Dr. Jaffe to highlight blind studies that have been verified.

Dr. Jaffe agreed to provide the information.

The chair recognized Senator Rye who asked Dr. Jaffe if there were a dozen witch doctors in Montana if he would defend the freedom of choice for people to choose those witch doctors.

Dr. Jaffe responded that he was very specific that competently trained, peer reviewed professionals should be available in the freedom of choice domain and he distinguished what he called witch doctors and those who have the gift of god, he would not recommend the licensure of those individuals. He continued by saying that he would recommend the licensure of naturopathic physicians. He said that if he had been trained in medical school in natural therapeutics, in counseling, he would have been a better doctor. He said he received four hours of nutritional training out of the 4,827 hours of his medical education.

The chairman recognized Senator Rye for a follow-up question. He asked the medical doctors in the audience if they objected to the naturopaths using the word 'doctor' in front of their name.

Dr. Meske responded that she did not have any particular objection to that use except in the case where the public does not know what that means. She said naturopathic physicians are here and will stay here. She said her medical society objects to putting a seal of approval on the practice which she believes has not been proven to be effective.

The chair recognized Senator Towe who raised the question about a study. He said the researcher just handed him a study done pursuant to a resolution regarding the Sunrise Committee.

Mr. Loendorf said he was unfamiliar with the document. He said he did not have the report. He said he was talking about having a scientific study performed.

Senator Towe asked Cindy Lewis about insufficient criteria in the statute limiting the practice of naturopathic medicine.

Ms. Lewis said her concern is that in 1987 the legislature passed the Sunrise Act which stated criteria very specifically for people who wanted to be licensed. Her concern is that this group does not meet the criteria because they have shown no proof. She said the group needed to prove that the unregulated practice was directly and immediately endangered the public safety and welfare and it needed to provide proof that the public is not protected by other means.

Senator Towe said he looked at licensing requirements for dieticians and found only an educational requirement.

Ms. Lewis said there is well established criteria for a dietician. When dieticians tried to be licensed several years ago one of the things they had to prove very clearly was that the public health, safety and welfare was being harmed by the unregulated practice of nutrition.

The chairman recognized Senator Jacobson who asked about approved schools and accreditation.

Dr. Kail responded that one of the two schools is fully accredited. The National College of Naturopathic Medicine is in accreditation process which is a multi-year process where the school has to show intent to complete certain steps. Another site visit is scheduled in the spring of 1991. They are in process and have candidate status.

Senator Jacobson had a follow-up question about accreditation.

Dr. Kail responded that the peer review process is comprised of a group of naturopathic physicians that come from various institutions. This is a body that has approval from the Department of Education. This is a short-term approval because of the accrediting process by the Department of Education.

The chairman recognized Senator Franklin for a question about clinical education.

Dr. Aagenes responded that the traditional roots of her profession are closely aligned with the profession of chiropractors, many chiropractors do x-rays in their offices. She said they are trained in radiology but noted that she did not think any of her colleagues would read x-rays without referring to a radiologist. Dr. Aagenes said she was willing to work to draw the language tighter but is not willing to back away from the things they are educated to do.

Senator Franklin asked a question in regard to child birth clinical experience.

Dr. Nancy Dunne said she is a member of the American College of Naturopathic Obstetrician and licensed by the state of Oregon with a certificate of competency in natural child birth. The number of hours of experience is in the range of 180 to 220 academic hours and attendance at 50 births supervised by a licensed practitioner. They must also attend 50 clients from prenatal to post natal care, that is the basic level of membership.

Senator Franklin had a follow-up question with regard to immunizations.

Dr. Kail responded that conventional immunizations are referenced in the proposed legislation. The professional paper in the field calls for informed consent. In Arizona the law states that it is the patients or the guardians choice. He feels the patients need to be given the pro's and con's and also the viable alternatives.

Senator Franklin asked about public health law and child immunizations.

Dr. Kail responded that most statutes that enable naturopathic medical licensure mandate that they carry out the public health laws. He believes naturopathic physicians should be licensed to administer those immunizations.

Senator Jacobson asked about a part of the bill referring to prescribing, dispensing or administering a legend drug.

Dr. Bergkamp responded that he met yesterday with a member of the pharmacy board who had similar questions. He said Oregon had an explicit list of drugs that could be used. He continued by saying natural antibiotics are not prescription items. He said the local pharmacist can fill the prescription, at least that is what is happening in the other states. He said the pharmacy was concerned about dispensing, which they cannot do. Herbs from China are real medicines they can be received from a doctor. They are only available through a professional, we would like to restrict that even more by saying through a licensed professional that has met certain qualifications.

Closing by Sponsor:

There being no further questions the chairman recognized Senator Halligan to close on SB 66.

Senator Halligan remarked that in the 1920's before all of the drugs were available, people practiced natural medicine. He said there were 10,000 naturopathic physicians in the United States, and 20 medical colleges. We are moving back toward diet and those common sense sorts of things but still using the traditional medical professionals. The traditional medical professionals who understand naturopathic procedures understand they can play a role in the preventive side. It is our job to make the policy decision. This bill is about cooperation, there are exemptions in the bill to allow dieticians to practice, to allow nurses and chiropractors to do their own jobs. It is not an attempt to limit their practice.

Naturopathic physicians are taught when to refer a patient to the regular medical doctor. That is the important balance of this bill, it is not an open-ended bill, the limitations are there.

There being no further business the chairman moved to adjourn the hearing. There being no objection the motion carried.

ADJOURNMENT

Adjournment At: 3:00 p.m.



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SENATOR DOROTHY ECK, Chairman



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CHRISTINE MANGIANTINI, Secretary

DE/cm



WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 18 day of January, 1991.

Name: Michael Berglund

Address: 516 Fuller Wadena

Telephone Number: 442-2081

Representing whom?  
MANA

Appearing on which proposal?  
5B66

Do you: Support?  Amend?  Oppose?

Comments:  
see minutes





## Testimony of

**Dr. Russell M. Jaffe, MD, PhD, FCAP (CP/CC), FASCP, FCAN, FAIAIS**

on behalf of Senate Bill 66, 52nd Montana Legislature

**Madame Chairman and Senators of the Committee:** It is my privilege to testify before you as a physician on behalf of this bill to license naturopathic doctors. First I would like to present my professional background and then support passage of this legislation as vital to the interests of Montana citizens.

**Background on Dr. Jaffe:** My medical schooling includes an MD (with honors) and a PhD (in Biochemistry and Medical Science) from Boston University Medical Center (BUMC) in 1972. After an Internship in Medicine done at University Hospital in Boston (BUMC's academic teaching hospital) I was awarded a United States Public Health Service Commission and was assigned to the Clinical Center of the National Institutes of Health (NIH) where a Residency in Clinical Pathology lead to Board certification in laboratory medicine in 1975 and to subspecialty board certification in Chemical Pathology in 1977. From 1975-1979 I was a permanent Senior Staff Physician at NIH. During my tenure at NIH my group developed novel laboratory procedures including a high specificity early colon cancer screening test; specialized tests of blood clotting that help link changes in stress with the stickiness of blood platelets with risk of heart disease; research on the reversibility of coronary artery disease and atherosclerosis; a test to detect blood loss from the intestine; methods for preservation of blood platelets; and fundamental research on the mechanism by which structural proteins (collagen) activate blood platelets. For this work The J. D. Lane (USPHS) Annual Research Award,

the Merck, Sharpe, and Dohme Excellence in Research Award, NIH Meritorious Service Awards have been awarded. My publications include over 40 peer reviewed articles and a roughly equal number of invited papers, abstracts, symposia addresses and books. Since leaving government service I have worked for a healthier America as Fellow of the Health Studies Collegium and through private sector initiatives including projects or reports to The Governor's Office of the State of California; The Board of Agriculture of the State of Hawaii; and The Health Insurance Association of America. Since 1987 I have been Medical Director of Serammune Physicians Laboratory, provider of a state-of-the-art blood test of immune reactions of blood cells. Since 1989 I have also been Director of the Princeton BioCenter, a 20 year old foundation sponsored research institute. I am an elected Fellow of several medical professional societies including the American Society of Clinical Pathologist (ASCP), the American College of Physicians (ACN), and the American In Vitro Allergy Immunology Society (AIAIS). My qualification for being here is simply that I provide continuing education lectures to over 5,000 medical and naturopathic doctors through invited lectures to professional societies and graduate schools. While I am sure that many of the people who appear before you are distinguished and represent large constituencies, I provide myself and my family's experience as the basis for my remarks.

**Reasons why Dr. Jaffe testifies on behalf of this bill:**

1. Montana citizens deserve freedom of choice
2. Naturopathic doctors are competently, scientifically, and clinically well trained
3. This bill can help contain costs of medical care
4. Competition in the physicians market is healthy
5. People look to you Senators for protection
6. Naturopathic medicine is being used and unregulated environments invite problems
7. There is a need for professional peer review

Addressing each of these points in turn...

### **1. Montana citizens deserve freedom of choice**

As American citizens, your constituents deserve to have the freedom to choose among safe and effective forms of health care. This is a basic, constitutional right which is as important in health care as in any aspect of life. People with health needs should have the choice of their health care provider -- as they currently do among allopathic (conventional), osteopathic, chiropractic, and podiatric doctors.

### **2. Naturopathic physicians are competently, scientifically, and clinically well trained**

One of the key questions about this bill is the safety and efficacy of naturopathic medicine. While more study always needs be done (or so we scientists almost always say), there is enough scientific literature to satisfy me that the answer to this question of safety and efficacy is that **naturopathic practice is as safe and effective<sup>1,2</sup>**, within its scope of practice, as allopathic medical practice, podiatric practice, osteopathic practice, optometric practice, and chiropractic practice. Studies have shown that naturopathic doctors spend more time per patient visit and that patient outcomes are at least comparable between naturopathic and other doctors, within proper scopes of practice.

One measure of the safety and efficacy issue is the low cost of malpractice insurance for naturopathic doctors compared with medical doctors. For example, a naturopathic doctor pays about \$2,000 which is less than one third of the \$7,000 premium that a General medical doctor pays in malpractice fees (HIAA, AANP, and WANP, personal communications). In addition, in a four year study by Master Insurance Trust the incidence of naturopathic doctors having malpractice claims made against them was lower than for comparable medical doctors.

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1. Pizzorno, J and Murry, M Textbook of Natural Medicine, Bastyr Press, 1987.

2. Bergner, P Toward documenting the cost effectiveness of naturopathic medicine. AANP Quarterly Newsletter. 1989; 5: 32-35.

In my lectures before naturopathic students I find no difference in level of ability or enthusiasm from that of medical students. If anything, naturopathic students seem more highly motivated and clear in their intent to serve people than medical students. In my continuing education lectures, the attentiveness of the audience and the quality of questions asked is comparable between naturopathic and medical doctors. In my collaborative research in biochemistry, immunology, and toxicology, I find no difference in depth of knowledge of the scientific literature between naturopathic and medical scientists.

Further the curricula for training of naturopathic and other medical doctors are quite similar. The following chart compares naturopathic and allopathic practice.

### CURRICULA COMPARISON BETWEEN NATUROPATHIC AND ALLOPATHIC MEDICAL STUDENTS

TRAINING CATEGORY	NCNM <sup>3</sup>	JBC <sup>4</sup>	AAMC <sup>5</sup> AVERAGE <sup>6</sup>
Basic & Pre-Clinical Sciences	2070 hours	1891 hours	1678 hours
Clinical Clerkships	1974 hours	1959 hours	3455 hours
Natural Therapeutics	492 hours	335 hours	0 hours
Therapeutic Nutrition	144 hours	138 hours	12 hours
<u>Counseling</u>	<u>144 hours</u>	<u>158 hours</u>	<u>6 hours</u>
 TOTALS	 4824 hours	 4481 hours	 5151 hours

3. NCNM = NATIONAL COLLEGE OF NATUROPATHIC MEDICINE, PORTLAND, ORE.

4. JBC = JOHN BASTYR COLLEGE OF NATUROPATHIC MEDICINE, SEATTLE, WA.

5. AAMC = AMERICAN ASSOCIATION OF MEDICAL COLLEGES, WASHINGTON, DC

6. OF 106 ALLOPATHIC MEDICAL COLLEGES

Further, as a person who enjoys the minute details of scientific investigation and the process of scientific discovery, I assure you that naturopathic medicine is as well grounded today in contemporary science as allopathic medicine. In both areas, great stride yet need be made.

Some of my medical colleagues oppose this bill on grounds that naturopathic medicine is not scientifically documented. As someone who ought to know better, I respectfully submit that those who oppose this bill on that supposed grounds, are unaware of the facts.

In conclusion naturopathic medicine is as scientifically grounded and well documented as other medical disciplines.

### 3. This bill can help contain costs of medical care

We are all painfully aware the costs of medical care continue to rise in spite of heroic efforts to contain them. At the same time peoples confidence in medical professionals is at an all time low.<sup>7</sup> As my grandmother used to say, "The rents are going up and the ceilings are coming down."

By following Surgeon General's Richmond<sup>8</sup> and Koop<sup>9</sup> and also Secretary of Health and Human Services Sullivan's<sup>10</sup> recommendation to employ preventive health approaches; to seek and treat the cause not the consequence of a health problem; to apply low risk / high gain approaches first, naturopathic and other prevention-oriented physicians have been shown to be cost effective in their provision of care<sup>11</sup>. A large part of this derives from naturopathic doctors use of less

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7. Califano, J 'Billions blown on health', New York Times 14 April 1989

8. Richmond J US Surgeon Generals report on healthy Americans, DHHS, US Govt Print Off, 1978.

9. Koop, C E. U.S. Surgeon Generals report on nutrition and health, U S Govt Printing Office, 1988

10. Sullivan L Health 2000 Report, DHHS, US Govt Printing Office, 1990

11. Hawaii State Auditor, "Study of proposed mandatory health insurance for naturopathic care." Leg Aud, State of Hawaii, December 1989, p12.

expensive diagnostic technologies to achieve comparable, equivalent results.

#### **4. Competition in the physicians market is healthy**

It is my experience that competition is healthy, useful, and timely.

#### **5. People look to you Senators for protection**

You have been selected by your fellow citizens to represent their interests. In my conversations with airport personnel, hotel employees, and legislative staff it is clear that citizens want competent professionals to regulate their professions behavior. People also want the choice available from amongst various professional choices for their care. This is what I hear from Glacier National Park to Bozman; from Billings to Kalispell; from Helena to Arlie.

#### **6. Naturopathic medicine is being used and unregulated environments invite problems**

This brings me to a companion point: naturopathic doctors are practicing in this state. They are currently unregulated. There are people who present themselves as naturopaths without proper training. I call upon you to protect people from harm by enacting this legislation.

#### **7. There is a need for professional peer review**

I urge you to include proper standards and practices as well as proper peer review in the legislation in order to provide choice to caring, cost effect competent care to yourselves and your fellow citizens.

I am grateful for your attention and the courtesy of listening to my remarks.

free copies

# WHOLISTIC FAMILY MEDICINE

Ben & Linda Hole, M.D.

SENATE HEALTH & WELFARE  
EXHIBIT NO. 2  
DATE 1-18-91  
BILL NO. SB66

1-17-91

To Montana State Legislature: re Senate Bill #66

Dear Sirs and Ladies,

I have been a medical doctor for 27 years. I was trained at Stanford and am board certified in diagnostic radiology.

For the past 8 years I have had the pleasure of professional association with Naturopathic physicians whom I have learned to admire, trust and respect. I believe they bring a valuable and fresh approach to patient care, an approach that is complimentary and certainly not antagonistic to conventional medical practices. I believe your Montana citizens would benefit greatly by a change in your state laws that will allow a better access to naturopathic medicine.

I encourage you to affirm senate bill #66.

Respectfully,

Ben Hole, M.D.

William F. Corell, M.D.

Family Practice • Holistic & Preventive Medicine

S. 3424 Grand Blvd. • Spokane, WA 99203-2621 • (509) 838-5800

SENATE HEALTH & WELFARE

EXHIBIT NO. 3

DATE 1-18-91

BILL NO. SB 66

January 17, 1991

Montana Legislature  
Senate Health Committee

RE: Senate Bill 66  
Naturopathic Health Care Practice Act

Dear Health Committee Members:

I am a family practitioner, having been licensed to practice in the state of Washington since 1979. During the last 10 years of my practice, I have been involved in integrating traditional medical care with a more naturally oriented practice. As a result, I have had numerous opportunities of interacting with naturopathic physicians, and this experience has been most favorable. I would strongly support licensure for naturopathic physicians, as I believe this provides distinct advantages for physicians and patients in the state of Montana. I have developed a profound respect for most of the naturopaths with whom I have had contact. Their education at this point time is appropriate and adequate for the situations that they deal with. I have found them to be clinically effective in a number of practice situations which have not responded well to medication or surgery, from a traditional medical standpoint. Finally, the integrity of most of the naturopathic physicians whom I have encountered has been beyond reproach. I have found my interactions with naturopathic physicians to be an enhancement to my practice, and an expansion of patient choice. As a result, I feel complimented by naturopaths, rather than threatened by them.

I understand that many M.D.'s in Montana have not had an opportunity to work directly with naturopathic physicians, and as a result, may feel uncomfortable in providing licensure for naturopaths. I would offer my 10 years positive experience working with naturopaths as a reassurance in this regard. I would also suggest that licensure is the best way to provide quality assurance, to make sure that medical care, both traditional and naturopathic, is of the highest possible caliber. Therefore, I strongly support the licensure of naturopathic physicians in the state of Montana. If I can provide further details, please do not hesitate to contact me. Enclosed is my curriculum vitae for your review.

Thank you for your attention in this matter.

Sincerely yours,



William F. Corell, M.D.

WC/jm

Enclosure

dictated but not read

William F. Corell, M.D.  
Family Practice • Holistic & Preventive Medicine

S. 3424 Grand Blvd. • Spokane, WA 99203-2621 • (509) 838-5800

## CURRICULUM VITAE

- 1966 Central High School, LaCrosse, Wisconsin  
Valedictorian
- 1966-70 Yale College, B.S. cum laude
- 1969-70 "Electrical Correlates to the Lipid Phase Change"  
(Sole Investigator)
- 1970 "Field Demonstration of Polarotaxis in the Fish  
Zenarchopterus" (Research Assistant)  
References: Waterman, T.H. et.al.  
J. Exp. Zool. 180: 33-54, 1972  
Biol. Bull. 143: 112-126, 1972
- 1971 "Lipid Synthesis in the Neonatal Rat Brain"  
(Principal investigator)
- 1971 "Human Neonatal Behavioral Correlations with  
Maternal Labor Patterns"  
(Research Assistant)
- 1972 "Early Diagnostic and Prognostic Indicators in  
Acute Renal Failure"  
(Principal Investigator)
- 1973 Recipient, U.S. Public Health Fellowship  
The Health Care Delivery System of  
Yugoslavia
- 1970-74 Stanford University School of Medicine, M.D.
- 1974-75 Intern, Internal Medicine  
Mt. Zion Hospital and Medical Center  
San Francisco, CA
- 1975-77 Resident, Stanford University Medical Center  
-Otolaryngology, Year I  
- Surgery, Year II
- 1977-79 Resident, University of California Davis  
Department of Family Practice
- 1978-79 Chief Resident, University of California, Davis  
Department of Family Practice

1979-82 Staff Physician, INA Health Plan, Spokane, WA  
1979-85 Clinical Staff, University of Washington  
Department of Family Practice  
1982 Co-founder, Wellness Associates, Spokane, WA  
1983-84 Medical Director, Wellness Associates, Spokane, WA  
1985-Present Solo Practice, Family Practice, Holistic &  
Preventive Medicine, Spokane, WA  
1984-87 Medical Director, The Tamarack Center, Spokane, WA  
Residential treatment center for disturbed  
adolescents  
1987-88 Medical Director, Hope Clinic, Bellevue, WA  
Specializing in childhood & adult learning  
disabilities  
1988-1990 Medical Director, Care Unit at Garden Terrace,  
Spokane, WA  
In-patient Drug & Alcohol Detox & Rehab Program  
1989-Present Staff Physician, Sacred Heart Medical Center Health  
Management Clinic, Spokane, WA

Community and Public Service:

Spokane County Medical Society:

1982-Present: Grievance Committee  
1982-Present: Health & Public Awareness Committee  
1984-Present: Chairman, Health & Public Awareness Committee  
1985-Present: Peer Review Committee  
1983-Present: Herpes Support Group - Advisory Board  
1984-1985 District 81: Health Occupation Advisory Committee  
1982-Present Physicians for Social Responsibility  
1984-1985 Treasurer  
1982-1983 A.H.M.I. Founding Member, Treasurer  
1984 Colville Diet Center, Medical Advisor

Dr. Corell has been instrumental in advancing principles of Wellness Medicine in the city of Spokane. He maintains a busy private practice while remaining active as a lecturer and consultant. His specific areas of expertise include nutritional therapy, allergy & clinical ecology, stress management, acupuncture, and oriental medicine.

Exhibit 5

(6)  
B 66

1-18-91

SB66

WITNESS STATEMENT

Completed by a person testifying or a person who wants testimony entered into the record.

On 18<sup>th</sup> day of JANUARY, 1991.

DAVE FULLER

Box 1724 - Helena, 59623

Telephone number: 447-8304

Concerning whom?

LEWIS & CLARK COUNTY COMMISSION

Concerning which proposal?

SB-66

Support? X Amend? \_\_\_\_\_ Oppose? \_\_\_\_\_

SENATE HEALTH & WELFARE

EXHIBIT NO. 6

DATE 1-18-91

BILL NO. SB 66



MASTER  
INSURANCE  
TRUST

Administered by  
Master  
Administrative  
Service, Inc.

December 17, 1990

Nancy Aagenes, N.D.  
1820 Harrison  
Butte, MT 59701

Re: Medical-Professional Liability Insurance--*Naturopathic Physicians*

Dear Dr. Aagenes,

As we discussed this morning over the phone, we are not able to provide coverage to naturopathic physicians in the state of Montana at this time because the state of Montana does not yet license naturopathic physicians. However, we have been placing this coverage, with very low loss experience I might add, for the past five years in the eight states where naturopathic medicine is currently licensed.

Because our experience has shown naturopathic medicine to be a preferred liability risk, we are interested in accommodating as many qualified naturopathic physicians as possible. We recently consulted with a member of the NPLEX board in an effort to analyze whether there would indeed be a possibility of offering coverage to those naturopathic physicians practicing in states where they are not yet able to be licensed. Our conclusion, however, was that we will need to wait until your state grants you licensure before you are insurable.

Let me reiterate how impressed we have been with our experience with naturopathic medicine. Our parent organization is a specialty brokerage firm emphasizing group coverages for physicians & surgeons, clinics, and hospitals in all 50 states. Our clients total over 60,000 physicians. This experience enables us to judge our naturopathic "block of business" as a clearly superior liability risk. From a lay perspective, we attribute this largely to the non-invasiveness of naturopathic medicine, and the generally high quality physician/patient relationships that this type of medicine dictates.

Should you have any further questions, please do not hesitate to call. We also appreciate your efforts to keep us informed of your state's position toward naturopathic licensure.

Sincerely,

Jeffrey D. Brunken  
Program Manager

JDB:jj

P.O. Box 23430  
San Jose, CA 95133-2  
408-365-3799

# Toward Documenting the Cost-Effectiveness of Naturopathic Medicine

by Paul Bergner

SENATE HEALTH & WELFARE

EXHIBIT NO. 6

DATE 1-18-91

BILL NO. SB 66

*Editor's Note: For the past year, the Public Affairs Department of the AANP has been researching information on the cost-effectiveness of naturopathic medicine. We have compiled information on both costs and effectiveness and devised approaches to legislators and regulators, insurance companies, self-insuring corporations, the press and the public. We are now developing a series of information sheets and brochures which will help you, your patients and your state associations. Some will be available for the first time at the AANP Convention. With this issue, we have asked AANP consultant Paul Bergner, of Bergner Communications, to share some of this information with you. We invite your own insights and information to strengthen the case for cost savings and effective treatments of naturopathic medicine. If you have specific feedback, please contact Bergner Communications, PO Box 33080, Portland, OR 97233.*

## Ten Reasons Why Naturopathic Medicine Reduces Health Costs

1. Naturopathic physicians are trained and licensed to practice primary care medicine. Studies show that a primary care physician gatekeeper reduces the high costs of specialist medicine.

2. Naturopathic treatments are inherently less expensive than those likely to be recommended by a conventional physician, and many naturopathic treatments have no costs associated with them at all. This sentence is taken verbatim from the report of an insurance auditor for the State of Hawaii. The full report, which concludes that there is no evidence that naturopathic medicine increases health costs, is available from the AANP. The most common naturopathic treatments—clinical nutrition, lifestyle modification, homeopathy, botanical medicine, physiotherapy, and counseling—usually involve no more than the charge for a few office visits.

3. Naturopathic practice reduces the incidence of unnecessary surgical procedures. Naturopathic physicians support the legitimate use of surgery, but are unlikely to recommend it when it is not necessary. Government and industry cost-containment experts have isolated unnecessary medical procedures and tests as a major contributor to the unusually high cost of U.S. health care. Experts estimate that between 20% and 33% of surgical procedures performed in the U.S. are unnecessary or inappropriate. (See sidebar: "What the experts say about the incidence of expensive and unnecessary surgery in the U.S.") Naturopathic physicians are more likely than conventional doctors to explain non-surgical options to patients. When nutritional or other alternatives are available, naturopathic physicians are more likely to know about them than are conventional MDs, most of whom have never had a single course in therapeutic nutrition or behavioral counseling.

### What some experts say about the incidence of expensive and unnecessary surgery in the U.S.

Government and industry cost-containment experts have isolated unnecessary medical procedures and tests as a major contributor to the costs of health care in the U.S.

Dr. Marsha Angell of the *New England Journal of Medicine*, for instance, states: "Much of medical care in this country is unnecessary, is of no demonstrated value to those who receive it, and some of it is harmful."

How much is "much" depends on who you ask. Joseph Califano Jr, former Secretary of Health, Education, and Welfare, who is now in charge of Chrysler corporation health benefits programs, suggests that at least 25% of surgical procedures are unnecessary, including "...half the coronary bypasses, most Caesarean sections, and a significant number of other procedures." Studies done for the insurance industry by the Santa Monica California based Rand corporation suggest that roughly one-third of the nation's health care dollars are being spent on ineffective or unproductive care that does not contribute to a patient's diagnosis or recovery.

These figures fit with the economic data; reducing medical procedures and tests by one-third would put our costs in line with those of other developed countries.

4. Naturopathic medicine reduces the incidence of unnecessary medical tests. Although fully trained in modern laboratory and other diagnosis, naturopathic physicians order fewer such tests than their conventional medical counterparts. Experts have estimated that about half the laboratory or other diagnostic tests ordered by MDs in the U.S. are inappropriate, and do not contribute to the diagnosis or treatment of the patient. The main reason for such tests is "defensive medicine," where a conventional doctor orders the test to protect against a possible lawsuit. This psychology is not a factor with naturopathic physicians, who are rarely sued. (see sidebar: "Malpractice and the costs of defensive medicine.")

## Malpractice & the costs of defensive medicine. Malpractice Facts

• Malpractice costs the U.S. \$28 billion a year in premiums and the costs of defensive medicine. This adds up to about \$400,000 per physician (MD) in indirect costs.

• About one MD in five is sued for malpractice each year.

• Malpractice suits against naturopathic physicians are extremely rare. Master Insurance Trust reports that in a four-year history insuring about 50 licensed naturopathic physicians, only four incidents were reported, and nothing was paid in judgments or settlements.

• The low incidence of lawsuits creates a climate in which naturopathic physicians do not have to practice expensive defensive medicine.

### Sources:

1. Joseph Califano. "Billions Blown on Health."
2. *New York Times*. April 12, 1989
3. The American Medical Association
4. The AANP.

5. Naturopathic physicians do not have to pass on high malpractice insurance charges to their patients. (see sidebar: "Malpractice Rates for Various Physicians.")

6. Naturopathic medicine does not lead to a high rate of iatrogenic (doctor-induced) disease. The costs of iatrogenic disease are significant. As many as a third of those admitted to the hospital will have an iatrogenic disease while there, resulting in a longer stay. About 2% of drug prescriptions result in adverse drug reaction requiring hospitalization. These reactions account for from 4-10% of all hospital admissions. One source suggests that adverse drug reactions alone add \$5 billion annually to health costs in the U.S. Assuming that iatrogenic disease rates are directly proportional to malpractice rates, it is safe to say that naturopathic methods result in a low incidence of expensive iatrogenic disease.

7. Naturopathic medicine reduces the incidence of related and secondary illnesses by removing the cause of a disease. A child with otitis media, for instance, may have the ear problem treated symptomatically with antibiotics, but continue to get respiratory and other infections. Removing an offending food, or otherwise strengthening lowered resistance, can resolve the otitis media as well as the recurrent infections. Or an adult suffering from hypertension due to a sedentary lifestyle and poor diet may also have chronic constipation, hemorrhoids, and insomnia, all of which would be treated separately, with separate charges, by conventional medicine. But naturopathic treatments for hypertension methods can at the same time improve all the other effects of the sedentary lifestyle, for the charge of a single treatment.

8. When treating acute illness, naturopathic physicians also reduce the incidence and cost of long term chronic illness. Some naturopathic methods of treating acute disease are themselves

## Annual Malpractice Insurance Rates

Md General Practitioner	\$ 7,000
Obstetrics/Gynecology	\$23,000
Pediatrics	\$ 4,800
Surgery	\$18,000
Naturopathic Physician	\$ 2,000

Note: Costs can vary widely from region to region  
Sources: The American Medical Association; the AANP

## More For Your Money

Naturopathic physicians spend more time with their patients—time well spent to uncover the causes of illness, help modify lifestyle, and prevent expensive chronic disease.

### Average Minutes Per Procedure

	Medical Doctor (Family Practice)	Naturopathic Physician
New Patient		
Intermediate	9	40
Comprehensive	39	80
Established Patient		
Limited	12	22
Intermediate	18	33
Extensive	25	47

### Sources:

Journal of the American Medical Association (260:16.2411)  
Insurance Committee: Washington Association of Naturopathic Physicians.

preventive for long term disease. Strengthening of general resistance through diet and lifestyle modifications, counseling, and other naturopathic therapies can resolve an immediate problem while at the same time preventing future problems from arising.

9. Naturopathic physicians reduce the incidence of expensive chronic disease by treating general poor health even before a specific disease develops. One study shows that more than half of patients visiting an MD do not receive a diagnosis, yet feel sick. Without a diagnosis, the MD cannot give treatments, until the patient's health declines further and some diagnosable disease develops. Many unnecessary tests are performed on such patients, contributing nothing to their health. Naturopathic physicians, on the other hand, can prescribe general health building treatments and lifestyle modifications for such patients, reducing the incidence and costs of future chronic disease.

10. Naturopathic medicine is by nature time-intensive rather than procedure-intensive. The medical reimbursement structure in the U.S. pays the most for procedures and the least for patient interview, examination, history-taking, counseling, and education. Naturopathic physicians spend from two to five times more time with a patient than does an MD, time spent in examination and counseling that can reduce long term illness and get at the real cause of disease. (see above sidebar: "More for your Money.") ♦

# Is Naturopathic Medicine Scientific?

by Paul Bergner

Critics of naturopathic medicine often contend that it is not scientific, is untested and unproven, is ideologically opposed to science, and is therefore not reliable. Where expert and objective bodies of scientists, educators, or regulators have examined this question, however, they have concluded that naturopathic medicine, as practiced by the licensable professionals in the U.S., in fact has a scientific basis, albeit different from that of orthodox medicine.

In 1977, the government of the Netherlands appointed a committee of scientists and physicians to study the question of regulation of alternative medicine, including naturopathic medicine. After four years of evaluating the scientific basis of the alternative disciplines, the committee concluded:

"The commission believes that the division between alternative and orthodox medicine is not of a scientific nature, but owes its origin and its continued existence to both politico-social and scientific factors."

The report continues: "Alternative medicine (specifically including naturopathic medicine and homeopathy) is such an important factor in health care in the Netherlands, both from a qualitative and quantitative point of view, that government policy cannot disregard it." The commission recommended that information on alternative therapies be taught in conventional medical schools, that the government support alternative teaching institutions financially and fund research into alternative therapies, and that insurance reimbursement be mandatory for naturopathic and homeopathic medicine. The commission also drew a clear distinction between the practice of alternative systems of medicine and charlatany.

In studying the scientific basis of naturopathic medical education, the Oregon Office of Educational Policy and Planning (OEPP), which is responsible for regulating academic degrees in Oregon, tested the quality of the board examinations in that state. In a letter to the National Council Against Health Fraud, OEPP Administrator David Young describes the evaluation thus:

*...we had 17 sections of the state (naturopathic medical board) examinations subjected to a blind review by 17 specialists: senior clinical and basic science faculty at a conventional school of medicine. Their evaluations showed that it would not be possible for an individual to pass all of the tests—which is necessary for licensure—without having a comprehensive foundation in the biological and biomedical sciences...In other words...[a naturopathic medical college] has no choice but to prepare NDs with a biological and biomedical education of the same breadth and depth that prepares an MD to be a primary care physician. Naturopathic medicine, under state regulation in Oregon, diverges from other forms of primary medical care at that point where professionals in common possession of scientific facts conscientiously disagree on how best to use their shared knowledge in treating patients.*

The regional accrediting body in the Pacific Northwest reached a similar conclusion after evaluating the naturopathic program at Bastyr College in Seattle in 1987. Their evaluation committee report of May 13-14, 1987 states: "Bastyr College's philosophic adherence to building its curriculum on a solid foundation of science and scientific understanding is commendable and lends additional credibility not only to the institution but also the profession."

Researchers who have reviewed the scientific basis of naturopathic medicine have had no problem in finding peer reviewed journal articles that support naturopathic methods. One text which surveyed the scientific basis for about 100 naturopathic procedures and treatments found more than 4,000 scientific references to support those methods.

A study done at the University of Minnesota Medical School, and funded in part by the Minnesota Medical Foundation, did a brief survey of the scientific background to naturopathic medicine in the U.S. and produced more than 148 scientific references supporting naturopathic practice. The report stated that, although definitive clinical trials were generally lacking for naturopathic methods, suggestive scientific studies and scientific rationales were available for many naturopathic practices. The report suggested further study and concluded that the naturopathic approach has value for certain types of patients.

In each of the three main areas of medicine — diagnosis, prevention, and treatment — naturopathic medicine has a scientific foundation.

Naturopathic physicians use the same methods of clinical, physical and laboratory diagnosis as conventional general practitioners, as shown by the Oregon board examinations mentioned above. These may be supplemented by less quantifiable naturopathic methods, which attempt to assess such nebulous but highly important areas such as the patient's vitality, the underlying susceptibility to disease, or subclinical weaknesses in systems. In the area of prevention, naturopathic physicians utilize the same body of knowledge as an MD in judging the course a disease may be expected to take. They are trained to give immunizations when allowed by law. Like any general practitioner, they are trained to make referrals to MD specialists or other health care professionals when appropriate. Most important, naturopathic physicians are highly trained in clinical nutrition and lifestyle modification for the prevention of disease. In these areas, which are thoroughly supported by science, naturopathic physicians are better trained than MD general practitioners (the majority of whom have not taken a single course in nutrition), family practice specialists, or registered dietitians. Naturopathic physicians are the only primary care medical professionals in the U.S. meeting the recommendations of the Surgeon General for education in nutrition and dietary counseling.

Certain naturopathic treatment methods are well supported by conventional science. The most important of these is clinical nutrition. The 1988 Surgeon General's report on nutrition and health specifically called for improved education of health care

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***"Naturopathic physicians are the only primary care medical professionals in the U.S. meeting the recommendations of the Surgeon General for education in nutrition and dietary counseling."***

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professionals in therapeutic nutrition. Such treatments are supported by a large body of scientific knowledge, reflected in a number of scientific journals devoted specifically to that subject. Other naturopathic therapeutic methods, such as exercise therapy, physiotherapy, and manipulation for musculoskeletal problems are also well supported by science.

Although some parts of naturopathic medicine are the subject of scientific controversy and investigation, those therapeutic practices which have been retained in the evolution of naturopathic medicine in the U.S. in this century have some scientific basis. Homeopathy, for instance, has at least twenty controlled studies, including several double-blind, placebo-controlled clinical trials, showing the effectiveness of microdoses of substances. Oriental medicine also has extensive descriptive and uncontrolled trials which suggest effectiveness. Most such practices are in fact accepted in other countries, such as Germany, France, and England, and are practiced there by conventional scientifically-trained MDs.

Note that many conventional medical procedures routinely administered throughout the U.S. likewise lack definitive proof of clinical effectiveness. Some have actually been proven to be unsafe or to lack effect, but remain in use. The coronary bypass operation, for instance, has been scientifically proven to be neither safe nor efficacious for about half the people it is performed on, but the inappropriate use continues unabated. The Congressional Office of Technology Assessment cites research showing that only 10-20% of medical procedures (as opposed to drugs) have been proven safe and efficacious by controlled studies. There is in fact no requirement that any surgical procedure be proven safe or efficacious before it is performed in the U.S.

Naturopathic methods will benefit from more formal study for many of the same reasons that the 80-90 percent of conventional procedures that have not been formally studied would benefit. Unfortunately, only a small percentage of medical methods can be evaluated in a double-blind method. The value of bedrest, the effects of chemotherapy, splinting methods for broken bones, the surgical removal on an organ, or methods of suggestive or mental healing cannot be evaluated with the double-blind method. Medical traditions and bodies of clinical knowledge accumulated over centuries may not require extensive testing. In many cases the tools of one scientific paradigm are inappropriate to measure the outcomes of another. The scientific tools of analytical biochemistry are inappropriate to measure the outcomes of Jungian analysis; experimental clinical trials are inappropriate for the science of ecology. Naturopathic healing sciences contain, in addition to some material overlapping with conventional medicine, elements resembling those of ecology and Jungian psychology which require a different kind of tool to measure outcomes.

Political, sociological and economic reasons also effect the level of research done into naturopathic methods. Priorities for research, whether private, corporate, or public, are usually determined by members of the conventional medical profession who are unfamiliar with and uninterested in naturopathic methods. Corporations are unlikely to fund research because naturopathic methods are generally not patentable, and offer no chance to recoup research and development costs. Furthermore, most of the standards of modern medical science have grown up around the need to evaluate NEW methods, and those with a high inherent potential to do harm. Proving the safety and efficacy of an entirely new drug or procedure takes a much higher priority in the scientific community than evaluating well-established traditional methods without the potential for life-threatening side-effects. Only relatively recently, with rising incidence of chronic degenerative disease and spiraling medical costs, have university and government researchers begun to assess traditional naturopathic methods such as diet and lifestyle modification. Where such research exists, the clear trend is to confirm the validity of naturopathic practice.

Above all, naturopathic medicine is not "anti-science" as some critics would claim. The modern profession contains in microcosm most of the elements of the scientific medical establishment. Controlled studies are done at the naturopathic colleges; students are taught how to read and interpret the peer reviewed scientific literature; scientific materials are taught in the curriculum; some naturopathic physicians devote themselves primarily to research; board examinations focus on scientific issues of protecting the public from harm; most doctors are subjected to peer review; and a scientific journal has been developed. These activities are not done on the scale of the research into conventional medicine, mainly because of the relative small size of the naturopathic profession, and problems of funding. The naturopathic involvement with science differs from that of conventional medicine in scale and emphasis, not in ideological opposition to science itself. ♦

References available on request.  
Bergner Communications  
PO 33080 Portland, OR 97233



# Naturopathic Medical Education

## Nutrition and Lifestyle Modification

*"Diseases of dietary excess and imbalance ... now rank among the leading causes of illness and death in the U.S., and generate substantial health care costs."*  
U.S. Surgeon General's Report (1988)

*"Improved nutrition training of physicians and other health professionals is needed. Training should emphasize basic principles of nutrition, the role of diet in health promotion and disease prevention, nutrition assessment methodologies and their interpretation, therapeutic aspects of dietary intervention, (and) behavioral aspects of dietary counseling..."*  
U.S. Surgeon General's Report (1988)

Such training, in both classroom and clinical settings, has been part of the core curriculum of naturopathic physicians since the profession was organized in the United States in 1902. Naturopathic physicians are the only licensed primary health care providers with extensive training in therapeutic diets and preventive nutrition.

Coursework Recommended by U.S. Surgeon General	Naturopathic Physician	Registered Dietician	Medical Doctor
Biochemistry and physiology	345	120	398
Basic nutrition, nutrition assessment and interpretation	72	108	21
Diet and disease; Therapeutic diets	128	72	0 <sup>1</sup>
Counseling	150	36	0 <sup>2</sup>
Internship	1300 <sup>3</sup>	900 <sup>4</sup>	0 <sup>5</sup>
National/State Exams	yes	yes	no <sup>6</sup>
<b>TOTALS</b>	<b>1995</b>	<b>1236</b>	<b>419</b>

### NOTES:

1. Not taught in most schools.
2. MD's receive about 96 hours of psychiatric clerkship, not likely to include behaviorally-oriented counseling.
3. Consists of dietary evaluation or treatment of most patients.
4. May be performed in food management rather than clinical nutrition
5. Medical internship does not normally include training in diet and disease.
6. Less than 4% of tests are in nutritional areas, mostly in biochemistry, physiology, and pediatrics.

### SOURCES:

- The Surgeon General's Report on Nutrition and Health. 1988.
- The 1987 curricula of Bastyr College, Seattle, and National College of Naturopathic Medicine, Portland, Oregon.
- The American Dietetic Association.
- The 1988 catalogue of Oregon State University, Corvallis.
- Nutrition Education in U.S. Medical Schools. National Academy Press. 1985.
- The 1987 Curriculum Directory of the Association of American Medical Colleges. Medical school hours are averages for Johns Hopkins, Mayo, Yale, and Stanford medical schools.
- Naturopathic Physicians, Registered Dieticians, and Medical Doctors may take nutrition electives above and beyond this core curriculum.

For more information or referrals:

American Association of Naturopathic Physicians  
P.O. Box 20386  
Seattle, WA 98102  
(206) 323-7610

# Naturopathic and Major Medical Schools

## Comparative Curricula

	National College of Naturopathic Medicine	Bastyr College (Naturopathic)	Johns Hopkins	Mayo	Yale	Stanford
<b>Basic and Clinical Sciences Including:</b> Anatomy, Cell Biology, Physiology, Pathology, Neurosciences Clinical/ Physical Diagnosis, Histology, Genetics, Biochemistry, Pharmacology, Lab Diagnosis, Pharmacognosy, Biostatistics, Epidemiology, Public Health, History, Philosophy, Ethics, Research and other coursework.	<b>2070</b>	<b>1891</b>	1794	1640	1457	1401
<b>Clerkships* and Allopathic Therapeutics</b> including lecture and clinical instruction in Dermatology, Family Medicine, Psychiatry, Medicine, Radiology, Pediatrics, Obstetrics, Gynecology, Neurology, Surgery**, Ophthalmology, and clinical electives.	<b>1974</b>	<b>1959</b>	3260	3080	2040 (+ thesis)	3840
<b>Naturopathic Therapeutics</b> including Botanical Medicine, Homeopathy, Oriental Medicine, Hydrotherapy, Naturopathic Manipulative Therapy.	<b>492</b>	<b>335</b>	0	0	0	0
<b>Therapeutic Nutrition</b>	<b>144</b>	<b>138</b>	17	elective	elective	elective
<b>Counseling</b>	<b>144</b>	<b>158</b>	0 (included under psychiatry above)	0	0	0
<b>TOTALS</b>	<b>4824</b>	<b>4481</b>	5071	4720	3497 (+ thesis)	5241

\*Clerkships are estimated to be 40 hours per week of mixed lecture and clinical training.

\*\*Naturopathic physicians study minor surgery only.

Sources: 1988 *Curriculum Directory* of the Association of American Medical Colleges;  
1988 catalogues of National College of Naturopathic Medicine and Bastyr College

For Information or Referrals:

American Association of Naturopathic Physicians  
P.O. Box 20386  
Seattle, WA 98102  
(206) 323-7610

## FACTORS CONTRIBUTING TO PREMATURE DEATH (%)

CAUSE	HEALTH SYSTEM	LIFE STYLE	ENVIRONMENT	BIOLOGY
HEART DISEASE	12	54	9	28
CANCER	10	37	24	29
CEREBROVASCULAR DISEASE	7	50	22	21
ALL OTHER ACCIDENTS	14	51	51	4
INFLUENZA AND PNEUMONIA	19	23	20	39
MOTOR VEHICLE ACCIDENTS	12	69	19	0.6
DIABETES	6	26	0	68
CIRRHOSIS OF LIVER	3	70	9	18
ARTERIOCLEROSIS	18	49	9	26
SUICIDE	3	60	35	2
AVERAGE	10.8	48.5	19.3	26.3

SOURCE: CENTERS FOR DISEASE CONTROL, PUBLIC HEALTH SERVICE: TEN LEADING CAUSES OF DEATH IN THE UNITED STATES, 1975.

Exhibit 6a

1-18-91

SB 66

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 18<sup>th</sup> day of January, 1991.

Name: DARLENE J. GOCAS L.S.W.

Address: 286 MOOSE HOLLOW  
VICTOR, MT 59875

Telephone Number: 961-4164

Representing whom?

SELF

Appearing on which proposal?

SB 66

Do you: Support?  Amend?  Oppose?

Comments:

see attached

did it  
testify  
answered ?'s, Exhibit  
6b  
1-18-91  
SB 66

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 18 day of Jan, 1991.

Name: Nancy Dunne ND

Address: 2107 Park St  
Missoula MT

Telephone Number: 728-8544

Representing whom?  
MANP

Appearing on which proposal?  
SB 66

Do you: Support? X Amend?      Oppose?     

Comments:  
I can testify to questions  
specifically concerning ND's and  
the specialty of Naturopathic  
OB (obstetrics)

✓ PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY



LORETTE I. MESKE, M.D.  
INTERNAL MEDICINE  
1 MEDICAL PARK DRIVE  
HELENA MONTANA 59601  
406-442-6977

SENATE HEALTH & WELFARE  
EXHIBIT NO. 7  
DATE 1-18-91  
BILL NO. SB 66

(8)

January 17, 1991

Legislative Committee Testimony  
Response to Application for Licensure  
by the MT Association of Naturopathic  
Physicians

The intent of this testimony is to provide an opposing statement regarding the application for licensure by the Montana Association of Naturopaths. I am testifying on behalf of, and as President of the Lewis & Clark County Medical Society.

There are several points in this bill which I would like to address. The first is the claim that Naturopathic practice is harmless, and thus should be licensed with minimal restrictions. Even in the established medical field there is no such thing as a treatment without the potential for side effects. The notion that the government should license the practice of a particular field just because someone claims it is harmless is absurd. One first should be able to state that the particular practice being licensed is a useful and necessary service, and also that it does what it claims to do. I think that there are many instances in which the practice of naturopathy can be shown to have the potential for harm. For example, naturopaths are currently using many herbal and natural medications that do in fact have potential side effects, some serious, such as high dose vitamin supplements, glandular extracts such as thyroid hormone, and potassium supplements. Furthermore many of these treatments have no proven benefits. The bill before you also requests licensure for the use of routine immunizations, local anesthetics, natural antibiotics, nutrition counselling, as well as electrocardiography, x-rays, diagnostic ultrasound procedures, and "other non-invasive diagnostic procedures". While these things are in many cases relatively harmless, they do have serious potential risks. Even if the risk of a serious side effect is uncommon, I think that there needs to be proof of adequate training in the choice of treatment, the interpretation of diagnostic tests, and the proper management of complications. While both naturopathic schools and medical schools offer a four year training program with what superficially appears to be a similar course structure, I think that the content of the courses taken needs to be examined in the former case. I also think that this comparison ignores the numerous hours spent by medical students in actual clinical training in teaching hospitals, as well as the well-known long hours spent in residency training for a minimum of three years and up to seven or eight years following the four-year medical school program.

The second issue I would like to discuss is whether in fact naturopathic treatments are of benefit. The foundation of medical practice is that we must show with a reasonable degree of certainty that how we treat patients is effective. Certainly many of the things that we do fall in the category of the "art" of medicine, and there are admittedly some things in conventional medical practice that are without merit. However, the continual scientific scrutiny of the things we do to patients obliges us to reevaluate our practices and to conform to effective practice standards. Organized medicine has a well-established peer review process to ensure that this takes place in the majority of cases. No such structure exists within the naturopathic community, to my knowledge. In addition, most of what we do to patients is a result of meticulous research done in a scientific setting by hordes of clinical researchers. There is no comparable research or investigative foundation behind naturopathic practice. Much of the practice of naturopathy is based on anecdotal observations, or case-by-case reporting, and this is simply not a valid way to practice medicine. There is a very well-documented placebo response to many of the things that we do to patients, including just talking to them. Many patients will improve whether or not they are given therapeutic agents. This makes it imperative that we conscientiously document in a research setting what is effective and what is wishful thinking. While there is much to be said for a more humanistic approach to the practice of medicine, I think we are obligated to give our patients an honest deal as well as compassion. Some of naturopathy certainly may prove to be legitimate, but I think the proof should come before the licensing, rather than the other way around.

A third, and most important point is that so-called harmless but potentially inappropriate treatment by an inadequately trained person may delay the diagnosis of serious diseases and the institution of legitimate treatment.

One criticism of the medical profession is that we oppose naturopathic licensure for financial or so-called "turf" reasons. I would like to assure you that this is not the case. There are over 1200 licensed physicians in Montana, and only approximately 12 naturopaths would be eligible for licensure if this bill is passed. This scarcely would have an impact on the medical profession in any financial sense. I believe that the impetus for the opposition to naturopathic licensure is based on a concern for the welfare and well-being of the citizens of Montana.

The general public, while becoming more knowledgeable regarding medical care, still relies on government agencies to regulate medical practice. The Montana seal of approval, in the form of licensure, assures the public that what they are paying for actually works and won't hurt them, to whatever degree that is reasonably possible. I honestly don't think that this has been adequately demonstrated by the naturopaths, and speaking on behalf of the Lewis & Clark County Medical Society, I would ask you not to pass this bill.



Lorette I. Meske, M.D.  
President, Lewis & Clark County Medical Society

Exhibit 7a  
1-18-91  
SB 66

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 1 day of 18, 1991.

Name: Sharon Neizer

Address: 3604 5<sup>th</sup> Ave So

Telephone Number: 453-1525

Representing whom?  
Mt. Nurses Assoc

Appearing on which proposal?  
SB 66

Do you: Support?  Amend?  Oppose?

Comments:  
See minutes

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 18 day of January, 1991.

Name: Cindy Lewis

Address: 816 Flowerree

Helena, MT 59601

Telephone Number: (406) 444-2116

Representing whom?  
Montana Dietetic Assoc.

Appearing on which proposal?  
Senate Bill 66

Do you: Support?  Amend?  Oppose?

Comments:  
Prepared statement left in committee  
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P.O. Box 1197  
Helena, Montana 59624

**Montana Dietetic Association**

**Testimony in Opposition to Senate Bill 66 - January 18, 1991**

SENATE HEALTH & WELFARE

EXHIBIT NO. 8

DATE 01-18-91

BILL NO. SB 66

Madam Chair, members of the committee, my name is Cindy Lewis. I am a licensed nutritionist employed by St. Peter's Community Hospital in Helena. I represent the Montana Dietetic Association and speak on behalf of its 200 members in the State of Montana.

The position of the Montana Dietetic Association continues to be that naturopathic physicians do not have the academic training nor the clinical experience to provide "nutrition counseling and dietary therapy" as proposed in Section 4.(2)(b) of Senate Bill 66.

State law (37-25-101, MCA) provides that "nutritional assessment: and counseling affects the public healthy, safety, and welfare". The Montana Dietetic Association believes that nutrition is vital to public health and that inappropriate counseling can often create a greater hazard than no counseling at all. To provide counseling to those with acute nutritional or medical needs can be counter to recognized medical treatment and may deter the patient from seeking proper nutritional counseling or medical treatment.

Dietitians across the nation are concerned about the health risks of "food fads", nutritional misinformation, and extreme and inappropriate nutrition advice given by untrained people. The majority of the public recognize the dangers of diets and fads, particularly for children. The public depends on the credentials and approvals provided by public agencies to guide them in their dietary choices. This committee and the Legislature must be extremely cautious in extending the public seal of approval to people and practices that are not based on medical and scientific research.

Perhaps more importantly for this committee, however, is the fact that there has been no demonstrated need for their licensure in the State of Montana. This bill does not fulfill the stated purposes of licensing the this state, e.g.

- There is **no** proof that the unregulated practice of naturopathy directly and immediately endangers the public health, safety and welfare.

- There is **no** proof that the public is not protected by other means.

- There is **no** proof that a majority of the public lacks the knowledge or experience to evaluate whether the practitioner is competent.

The proponents profess to want to prevent harm to the public, yet have never shown interest in working with other health care professionals to educate the public or rid the state of health care quacks or charlatans. The bill would therefore appear to be totally self-serving.

We are finally, concerned about health care costs. Licensure will give the states blessing to a method of health care which we feel has no scientific basis and not only may be ineffective, but potentially harmful. In so doing it opens the door for demands on already strained health care budgets. Some insurers have already been pressured into providing

In conclusion, Madam Chair, the Montana Dietetic Association and its 200 members throughout the State are opposed to legitimizing of a group of health care practitioners not adequately trained in present nutritional practices to assess, evaluate, and counsel on nutritional needs for the people of Montana.

We are opposed to legitimizing and licensing a group of less than 20 individuals who have **not** met the burden of proving that regulation is necessary under the criteria stated in the Sunrise Act passed by the Montana legislature in 1987.

Thank you Madam Chair and members of the Committee. I would be happy to answer any questions you may have later.

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 18 day of January, 1991.

Name: Brian D. McGuire, M.D.

Address: 1400 Poly Dr. #4  
Billings, MT.

Telephone Number: 252-8184

Representing whom?  
Montana Medical Association

Appearing on which proposal?  
Sen. Bill 66

Do you: Support?  Amend?  Oppose?

Comments:  
The bill provides essentially an expanded scope of practice for which their curriculum does not prepare them such as cardiology, prescribing antibiotics. Diathermy is a modality which can burn a patient and has number of contraindications.

The statements made by naturopaths are often untrue, such as "we are now specialized in everyday health problems that are not immediately life threatening and in the treatment of chronic disease"

When creating medical conditions and easing diagnostic and therapeutic modalities widely used by doctors of medicine, that states practitioners should hold to the same standard as other physicians. There is no way a naturopath meets that standard.

## Montana Association of Naturopathic Physicians

Michael Bergkamp, N.D.  
President  
516 Fuller Avenue  
Helena, MT 59601  
442-2091, office  
449-6930, home

Nancy Aagenes, N.D.  
Chair, Legislative Affairs Comm.  
1820 Harrison Avenue  
Butte, MT 59701  
723-6609, office  
442-8508, home

Judith Carlson  
Lobbyist  
408 Washington Drive  
Helena, MT 59601  
442-7462

July 7, 1990

The Honorable John Cobb, Chairman  
Legislative Audit Committee  
Capitol Station  
Helena, MT 59601

Dear Representative Cobb,

Enclosed is the application for licensing review of naturopathic physicians. In preparation of this application we tried to err on the side of brevity. While the application covers basic information needed by the committee, we are often asked questions not covered by the nature of a generic application. Therefore, I have taken the liberty of answering questions legislators ask us repeatedly.

1. Are you real doctors? Can you sincerely claim to do what a medical doctor does?

Yes, I am a real doctor. But I am not a "medical doctor". Somewhere along the line Americans got the idea that there was only one kind of doctor, only one kind of medicine. To my knowledge, there is no other country in the world with such a narrow and singular view of medicine. I do not claim to do what a medical doctor does. My medicine is different. Both involve primary care, diagnosis and treatment. I am carefully trained to know the limits of my education. I am taught daily for years, the "red flags" — the things we are alerted to recognize and refer to M.D.s because conventional medicine is the best treatment for some conditions. Often these are traumas, or acute exacerbations of existing problems. We are more specialized in everyday health problems that are not immediately life threatening, and in the treatment of chronic disease.

A medical doctor and I may disagree about where to draw those lines. The scope of their practice has no boundaries under their licensing law. There is nothing which limits their

*they are asking for that kind of latitude*

practice legally. We are not asking for that kind of latitude. For any practitioner we find that approach to be unrealistically broad. Appropriately, our proposal limits us to our education and bars us from practices such as prescribing drugs or doing major surgery. ?

We seek this license because we want recognition of a legal atmosphere in which we can practice our medicine without fear of reprisal. Our patients deserve this protection as well.

This question implies the primary obstacle to our licensure. While other professional groups may oppose us, the bulk of opposition reflects a few medical doctors who influence others to follow their lead. These groups are educated to submit to that leadership. We are not. In other states when that opposition fell away, the political roadblock to naturopathic licensure was removed.

I append here a memo from the Washington State Medical Society to the legislature of that state written when Washington's naturopathic practice act came up for sunset review in 1987. (Appendix A.) The renewed law in Washington state passed the House with two dissenting votes and the Senate with only one. This agreement was possible after thoughtful professional dialogue between the two state associations (medical and naturopathic) in Washington. Again we offer to sit down with medical doctors in Montana and work with them on any specific objections they have to this bill. (We are sending this letter to the Montana Medical Association and to the State Board of Medical Examiners. If your personal physician, or doctors in your district have questions or want more information we welcome the communication.)

2. Are you going to want third party payments? Are you going to cost us money?

This bill is about licensure, not about insurance. Licensure is a separate and important matter. And yes, we will eventually want to be reimbursed fairly by insurance companies. But we will not cost you money; we will save you money. It is well documented that the naturopathic physician's emphasis on health promotion and primary care medicine, rather than surgery and specialization, is the most effective long term method of managing excessive and unnecessary spending on medical care regardless of the provider. <sup>1,2,3,4,5,6</sup>

Naturopathic medicine is cost effective. In one study commissioned through the Hawaii State Legislative Auditor, twenty-four insurance underwriters were reviewed and either no costs or up to \$.03 per month were added to the premium on non-group plans. They add nothing to the cost for group coverage.<sup>7</sup> The Hawaii report went on to state that some insurance carriers feel plans that include naturopathic services will save money.<sup>8</sup> Presently Lewis and Clark and Missoula counties include naturopathic medical coverage in their group plans. While there is copious additional data about this savings, it is not appropriately included here because this is a licensure and not an insurance bill.

3. Is this a turf battle? Are you trying to keep others out?

Historically it is true that licensure is protective to the group it is designed to regulate. That is part of the reason we seek it. But we do not ask that you limit anyone else in the practice of

his/her profession whether or not he/she holds any license at all. All we ask is that certain terms (naturopathic medicine and naturopathic physician) be defined exclusively and that no one be allowed to use these terms without meeting standards. We believe this legislation is protective to the public. We acknowledge that it would also protect the tremendous investment we have in our education and our practices.

4. Do you have the stamina for the legislative licensure battles?

This is our fourth time before you seeking licensure. We will continue to come back for as long as it takes.

We very much appreciate your attention and questions. We are eager for your scrutiny.

Sincerely,



Dr. Nancy Aagenes  
Legislative Chair  
Montana Association of Naturopathic Physicians

#### Footnotes

1. Robbins, Anthony, "How to Control U.S. Health Costs" Scientific American, December 1989.
2. National Academy of Sciences, Committee on Diet and Health, Diet and Health National Academy Press, 1989.
3. U.S. Surgeon General, Report on Nutrition and Health, 1988.
4. Califano, Joseph, "Billions Blown on Health", New York Times April 14, 1989.
5. Report of the National Leadership Commission on Health Care, For the Health of a Nation—A Shared Responsibility, Administration Press Perspectives.
6. Brooke, Robert. The Rand Corporation. Santa Monica CA 90406.
7. The Hawaii State Auditor, "Study of Proposed Mandatory Health Insurance for Naturopathic Care." Legislative Auditor, State of Hawaii, December 1989, page 12.
8. *ibid.*

**Application to Legislative Audit Committee  
on behalf of  
The Montana Association of Naturopathic Physicians**

**1. How will the unregulated practice of the occupation or profession create a direct, immediate hazard to the public health, safety, or welfare?**

Naturopathic physicians are trained as general practice primary care physicians. ND's training in the basic and clinical sciences is equal to that of major medical schools in the U.S. (Appendix B.)

Naturopathic medicine has aspects of the practice of medicine as defined in MCA 37-3-102, though it is philosophically and therapeutically distinct from conventional medicine and thus unregulated by that statute. Inappropriate practice could obviously cause immediate hazard to the public health, safety or welfare.

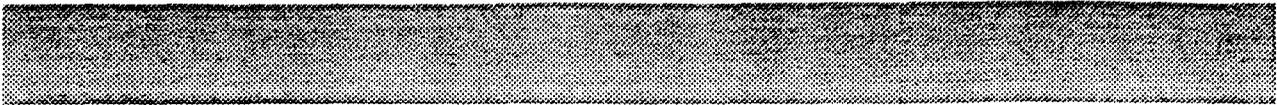
Naturopathic medicine is now unregulated by Montana. There are no enforced educational or practice standards. Presently anyone can claim to be a naturopathic physician. Examples can be provided to the committee of individuals who are not graduates of naturopathic medical colleges, but who have claimed to practice naturopathic medicine. Reports are made to us from all parts of Montana. The public has no protection from such unqualified individuals misrepresenting themselves as naturopathic physicians.

Lack of licensing presently inhibits full cooperation between naturopathic medicine and other health care systems. (It restricts naturopathic physicians' ability to consult with other health professionals and to make use of community diagnostic and treatment services. This affects the quality of care we can provide our patients.

Finally, if the practice of naturopathy is recognized then safe, cost effective treatments that work will be available to more people. Helping people find their healing is the sincere goal of the Montana Association of Naturopathic Physicians.

**2. How will licensing protect the public beyond means presently available?**

Licensure will provide a simple way for the public to identify qualified naturopathic physicians. No means currently exist. Only individuals who have graduated from an approved naturopathic medical college and have passed a licensure exam will be qualified for licensure.



### 3. How will licensing improve the quality of service of your occupation or profession and to what degree will it be improved?

The quality of service of naturopathic medicine will be improved by greater access to naturopathic physicians. We will have greater access to community diagnostic and treatment services, such as laboratory work and diagnostic x-rays.

The scope of practice of naturopathic medicine will be defined, allowing other health professionals to recognize and cooperate with our services in the best interest of all patients. This improved quality of service is evident by the experience of states now licensing naturopathic physicians.

Requiring continuing education insures that qualified ND's stay qualified.

### 4. How will the public benefit from the proposed regulation of the occupation or profession?

- Naturopathic medicine as part of the Montana health care system will offer safe cost effective therapies that work, and do so without harmful side effects.
- The public will be protected from unqualified individuals misrepresenting themselves as naturopathic physicians.
- The naturopathic profession's quality of care will improve.
- More naturopathic physicians will be encouraged to practice in Montana, increasing the availability of these services.
- Interprofessional cooperation will be facilitated for the public benefit.
- The public's freedom of choice in health care alternatives will be strengthened and expanded.
- The naturopathic profession's use of patient lifestyle education, prevention emphasis, and natural therapies promotes public health. Naturopathic medicine cooperates with nature's healing principles and does no harm. Defining and regulating this safe, educated, cost effective traditional system of medicine can only benefit the public.

### 5. What public support has been shown for the proposed licensure?

Patients of naturopathic physicians enthusiastically support licensure. At the hearing on this licensure bill in 1989, many unsolicited people came to testify in favor. Not one member of the public, solicited or not, opposed this bill. The only opposition was from organized special interest groups. People want naturopathic medicine licensed to insure its availability and to facilitate insurance reimbursement. Other health care professionals want a defined standard for naturopathic medicine.

**6. To what degree (if any) will licensing facilitate clients' access to reimbursement for government assistance programs?**

This bill does not affect reimbursement for government assistance programs.

**7. What occupations or professions are similar or closely related to the one proposed for licensure?**

Aspects of the professions of medicine, osteopathy, chiropractic, physical therapy, and nutrition/dietetics share some modalities, though naturopathic medicine remains distinct. Naturopathic physicians are the only profession fully trained in medical science and medical diagnostics who use natural therapeutics, such as plant medicines and therapeutic nutrition.

**8. How is the scope of practice readily identified and easily distinguished from the scope of practice of other professions and occupations?**

The scope of practice is readily identified by the terms naturopathic medicine, naturopathic physician, naturopathic health care, naturopath, naturopathy, or N.D.. These terms would be restricted to use by naturopathic physicians. Naturopathic medicine's scope of practice is distinguished from other professions by the profession's philosophic principles and its emphasis on natural therapies. Naturopathic physicians treat many of the same conditions as other health professionals, but with approaches unique to naturopathic medicine such as homeopathic and botanical medicines.

**9. What effects (if any) will licensing have on the scope of practice of other professions and occupation (whether regulated or not)?**

Naturopathic licensure will neither affect nor restrict the scope of practice of any other licensed profession. Even individuals in unregulated professions will not be prohibited from practice. Naturopathic licensure will simply restrict the use of the terms naturopathic medicine, naturopathic physician, naturopath, and N.D., and also define qualifications for licensure.

**10. How many existing practitioners are there in Montana and approximately how many people would be licensed in each of the next five years?**

There are a minimum of twelve practitioners qualified for licensure in Montana. Approximately two to four additional new licenses will be issued in each of the next five years.

**11. To what degree (if any) will licensing exclude existing practitioners or otherwise reduce the number of practitioners in Montana?**

To the best of our knowledge, there are at least seven individuals advertising as naturopathic practitioners who would not qualify for licensure. These individuals may continue to practice health care as long as they do not use the restricted terms such as naturopathic physician or naturopathic medicine.

**12. How much will licensing increase the cost of services to the public?**

Licensing will not increase cost. Licensing and administration costs will be paid by individual practitioners whose increase in practice size will compensate for licensing fees without an increase in service fees. When third party reimbursement is addressed, cost to insurers is expected to decrease (See cover letter.)

**13. How many Montanans are likely to use the services of your occupation or profession?**

The Montana Association currently estimates a minimum of 10,000 Montanans choose naturopathic services at least once per year. This number is expected to increase yearly as more naturopathic physicians are licensed. Experience shows the size of each practice grows approximately 10% annually.

**14. What percent of the public presently have the knowledge or experience to evaluate a practitioner's competence?**

The percent of the public capable of evaluating a practitioner's experience is difficult to estimate. Most people have the sense to know whether a treatment is reasonable and effective. Few people will take the time to investigate any practitioner's education or credentials. People do ask about our licensure. They expect the state to define minimum education and testing standards.

**15. Briefly describe the proposed qualifications for licensure in the areas of education, experience, written and oral examinations, professional and other references, and reciprocity licensing.**

(a) Graduation from an approved naturopathic medical college accredited by or with a curriculum equivalent to the accreditation standards of the Council on Naturopathic Medical Education (CNME) which is for accrediting naturopathic medical programs.

(The CNME standards require a minimum of a four year postgraduate medical school education. Admission requirements are comparable to those of conventional medical schools.)

question 15 continued:

(b) Experience requirements based on CNME standards for clinical clerkships and two years of supervised practice in naturopathic clinics.

(c) Naturopathics Physicians Licensing Examination (NPLEX) is utilized by all other naturopathic licensing boards. This legislation recommends NPLEX which is a series of 14 exams in medical and clinical science. The board will require professional and personal references to insure sound moral character. The legislation proposes that Montana endorse other states' naturopathic licensure if that state's licensing standards are equivalent.

**16. Describe any proposed requirements for continuing education. Please indicate how these requirements will be monitored and how such continuing education requirements can be met by licensees.**

The legislation requires annual continuing education for licensure renewal. The board will approve continuing education programs now widely available from naturopathic medical colleges, professional associations and professional seminars. Like other professional boards, the board will review approved continuing education credits before renewing licenses.

**17. What specialized skill or training is required for the practice of the occupation or profession?**

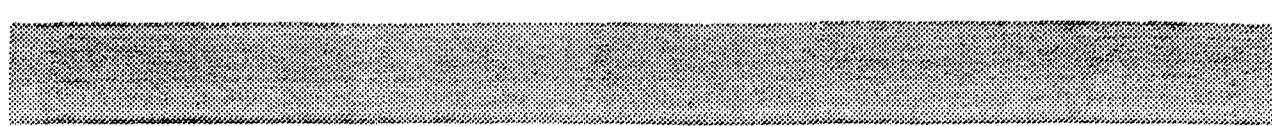
Naturopathic physicians are primary care physicians doing diagnosis and treatment of individuals. Medical school training is essential. See attached curriculum. (Appendix C.)

**18. What nationally recognized standards of education and training are there?**

The U.S. Department of Education recognizes the Council on Naturopathic Medical Education (CNME) as the national agency for accreditation of naturopathic medical curriculum. The CNME requires four years of graduate level study in medical sciences and naturopathic therapeutics.

**19. How do you justify the proposed qualifications for obtaining a license?**

The proposed qualifications are comparable to other states' naturopathic licensing qualifications and are necessary to ensure minimum standards by naturopathic physicians providing primary health care. The requirements are similar to those for licensure to practice medicine.



**20. What does the occupational or professional group have in the area of an established code of ethics, a voluntary certification program, or other measures to ensure a minimum quality of service?**

Each doctor ascribed to an oath regarding ethical practice at his/her graduation (Appendix D.) The Montana Association of Naturopathic Physicians and the National American Association of Naturopathic Physicians require licensure credentials for membership. The MANP and AANP require for active membership, that members have a degree from a college of naturopathic medicine accredited by the CNME or recognized by the AANP or hold a license to practice naturopathic medicine in a state with a licensing statute recognized by the AANP. There are also naturopathic specialty societies affiliated with the AANP which have additional requirements.

**21. Describe the proposed makeup of the licensing board and the qualifications for membership on the board.**

The legislation proposes a three-member board composed of two naturopathic physicians and one public member. The naturopathic physicians will be Montana residents for at least three years licensed in Montana. All shall be appointed by the governor and confirmed by the senate. Section 9 of proposed bill covers this.

**22. Describe how any complaints received by the board will be investigated including the use of any peer reviews or other use of professional societies.**

Complaints will be received through the Department of Commerce. The Department will initially investigate the complaint by correspondence or telephone and report the findings to the board for review. The board may pursue further investigation or schedule a complaint hearing. Section 20 of proposed bill describes the process.

**23. How and when will each of the following types of disciplinary procedures be used (if at all): Revoke license, Suspend license, Censure, Letter of reprimand**

The board will determine the nature, circumstances and severity of violation. Details of this will be determined by the board and modeled after acceptable practice with other professions. Disciplinary procedures will be used including: revoked license, suspended license, censure or letter of reprimand. Board disciplinary action will be subject to appeal and review under the Montana Administrative Procedures Act. Sections 20, 21 and 22 of proposed bill discuss the proposed process.

24. Estimate the yearly cost to the state to administer the licensing program. You may wish to consider board member travel and per diem expenses, personnel costs to administer day to day functions, materials, testing costs, investigation costs, etc. For new licensing boards consider all costs. For existing boards, show present costs and then show additional costs for the new occupation or profession.

Please see accompanying fiscal note on SB 133 submitted in January 1989 (Appendix E.) The present proposal is essentially the same. The MANP notes the proposal intends the board to use the NPLEX examination which is nationally prepared and administered. The NPLEX 1989 examination was \$275 to which the board would add an application and processing fee for department time and material. MANP also estimates the need for department personal to be .25 FTE the first fiscal year of implementing the legislation and 0.1 FTE in ensuing years.

25. List the proposed fees to cover the cost of the licensing program along with an estimate of the number of each type to be collected. Licensing fees to consider include application fees, examination fees, original license fees, and license renewal fees. Please indicate if renewal of the license is intended to be annual, biannual or some other time frame.

	Cost	Numbers in:	1991	1992
New license application fee	\$200		14	3
License examination (NPLEX)	\$300		2	3
Original license fee for current Montana practitioners	\$300		14	2
License renewal fee	\$250		0	14
Yearly revenue		\$7060	\$4250	
Less NPLEX fee		<u>-\$550</u>	<u>-\$825</u>	
Board & Dept. operating costs		\$6510	\$3425	
Department operation 41% of board total		<u>-\$2669</u>	<u>-\$1404</u>	
Board operation		3841	2021	



# Washington State Medical Association

Exhibit # 10  
1-18-91 SB 66

Governmental Affairs Office, 410 East 11th Avenue, Suite 210, P.O. Box 2376, Olympia, Washington 98507-2376  
206) 352-4848 1-800-562-4546

Rick L. Johnson, MD  
President

Ralph A. Johnson, MD  
President-Elect

Edmund W. Gray, MD  
Immediate Past President

Thomas D. Mahony, MD  
Vice-President

Marvin R. Young, MD  
Secretary-Treasurer

Thomas J. Curry  
Executive Director

April 17, 1987

TO: Members of the Washington State Legislature

FROM: Ed Larsen, Director of Governmental Affairs

SUBJECT: Amendment H-3147/87 to SSB 5219 - the Naturopathic Practice Act

Draft amendment H-3147/87 to SSB 5219 is a comprehensive revision to the Naturopathic Practice Act. This revision is the product of extensive negotiations between the Washington State Medical Association and the Naturopaths. This substitute meets our concerns and with its adoption we no longer oppose passage of the naturopath's bill. We wish to thank the Naturopath's Association for their willingness to negotiate our differences in good faith and feel the end product is a workable, enforceable licensure act which defines a scope of practice for naturopaths which is in keeping with their education and professional preparation.

EL:pw

# COMPARATIVE CURRICULA

## Naturopathic and Major Medical Schools

Appendix B

Exhibit # 10  
1-18-91 SB 66

	National College of Naturopathic Medicine	Bastyr College (Naturopathic)	Johns Hopkins	Mayo	Yale	Stanford
<b>Basic and Clinical Sciences Including:</b> Anatomy, Cell Biology, Physiology, Pathology, Neurosciences Clinical/Physical Diagnosis, Histology, Genetics, Biochemistry, Pharmacology, Lab Diagnosis, Pharmacognosy, Biostatistics, Epidemiology, Public Health, History, Philosophy, Ethics, Research and other coursework.	<b>2070</b>	<b>1891</b>	1794	1640	1457	1401
<b>Clerkships* and Allopathic Therapeutics</b> including lecture and clinical instruction in Dermatology, Family Medicine, Psychiatry, Medicine, Radiology, Pediatrics, Obstetrics, Gynecology, Neurology, Surgery**, Ophthalmology, and clinical electives.	<b>1974</b>	<b>1959</b>	3260	3080	2040 (+ thesis)	3840
<b>Naturopathic Therapeutics</b> including Botanical Medicine, Homeopathy, Oriental Medicine, Hydrotherapy, Naturopathic Manipulative Therapy.	<b>492</b>	<b>335</b>	0	0	0	0
<b>Therapeutic Nutrition</b>	<b>144</b>	<b>138</b>	17	elective	elective	elective
<b>Counseling</b>	<b>144</b>	<b>158</b>	0 (included under psychiatry above)	0	0	0
<b>TOTALS</b>	<b>4824</b>	<b>4481</b>	5071	4720	3497 (+ thesis)	5241

\*Clerkships are estimated to be 40 hours per week of mixed lecture and clinical training

\*\*Naturopathic physicians study minor surgery only.

Sources: 1988 *Curriculum Directory* of the Association of American Medical Colleges;  
1988 catalogues of National College of Naturopathic Medicine and Bastyr College

For Information or Referrals:

American Association of Naturopathic Physicians  
P.O. Box 20386  
Seattle, WA 98102  
(206) 323-7610

# SYNOPSIS OF CURRICULUM

# SYNOPSIS OF CURRICULUM

## Second Year

Course #	Course Title	Cr. Hrs.	Contact Hours
<b>FALL TERM</b>			
CPD 501	Clinical/Physical Diagnosis I	6	72
PDL 501	Physical Diagnosis Lab I	2	24
PTH 501	Pathology I	5	60
LAB 501	Lab Diagnosis I	3	36
DIM 501	Diagnostic Imaging I	2	24
MAN 501	Bodywork III	1	12
PSY 501	Medical Psychology	3	36
IMG 506	Immunology	3	36
PHG 523	Pharmacognosy I	2	24
CHI 531	Chinese Medicine I	3	36
<i>Term totals</i>			
		30	360

## WINTER TERM

CPD 502	Clinical/Physical Diagnosis II	6	72
PDL 502	Physical Diagnosis Lab II	2	24
PTH 502	Pathology II	5	60
LAB 502	Lab Diagnosis II	3	36
DIM 502	Diagnostic Imaging II	2	24
PBH 507	Public Health	2	24
MAN 510	Orthopedics I	1	12
MAN 511	Manipulation I	2	24
HOM 534	Homeopathy I	3	36
BMM 551	Botanical Materia Medica I	2	24
<i>Term totals</i>			
		28	336

## SPRING TERM

CPD 503	Clinical/Physical Diagnosis III	6	72
PDL 503	Physical Diagnosis Lab III	2	24
PTH 503	Pathology III	3	36
LAB 503	Laboratory Diagnosis III	3	36
DIM 503	Diagnostic Imaging III	2	24
FEM 512	First Aid/Emergency Med.	2	24
MAN 512	Orthopedics II	1	12
MAN 513	Manipulation II	2	24
PHM 521	Pharmacology I	2	24
NUT 524	Nutrition I	3	36
BMM 552	Botanical Materia Medica II	2	24
<i>Term totals</i>			
		28	336

Electives

4

48

*Year totals*

90

1080

## First Year

Course #	Course Title	Cr. Hrs.	Contact Hours
<b>FALL TERM</b>			
BMA 401	Anatomy I	4	48
CAL 401	Gross Anatomy Lab I	3	36
BMH 401	Histology	5	60
BMP 401	Physiology I	7	84
BCH 421	Biochemistry I	5	60
HIS 432	History of Medicine	2	24
PHL 432	Naturopathy as a Holistic Philosophy	3	36
<i>Term totals</i>			
		29	348

## WINTER TERM

BMA 402	Anatomy II	6	72
CAL 402	Gross Anatomy Lab II	3	36
BMP 402	Physiology II	7	84
BCH 422	Biochemistry II	5	60
COU 433	Skills of Communication	2	24
RES 434	Research in Health Sciences I	1	12
NTH 441	Intro. Nat. Therapeutics I	2	24
MAN 400	Bodywork I	2	24
<i>Term totals</i>			
		28	336

## SPRING TERM

BMA 403	Anatomy III/Embryology/Neurosciences/Neuroanatomy Lab	8	96
ANA 403	Living Anatomy	2	24
BMP 403	Physiology III	7	84
MCB 405	Microbiology	5	60
PTH 411	Intro. to Pathology	2	24
RES 435	Research in Health Sciences II	1	12
NTH 442	Intro. Nat. Therapeutics II	2	24
MAN 401	Bodywork II	1	12
<i>Term totals</i>			
		28	336

Electives

4

48

*Year totals*

89

1068

## SYNOPSIS OF CURRICULUM

## Fourth Year

Course #	Course Title	Cr. Hrs.	Contact Hours
CER 791	Summer Holiday Clinic	10	120
<b>FALL TERM</b>			
OSE 701	Eye, Ear, Nose and Throat	2	24
OSE 703	Endocrinology	2	24
PMN 704	Practice Management I	1	12
OSD 705	Dermatology	1.5	18
HSX 742	Human Sexuality	2	24
CER 792	Clinic Externship	24	288
	<i>Term totals</i>	32.5	390

**WINTER TERM**

OSG 701	Gastroenterology	2	24
OSP 701	Proctology	1	12
OSN 702	Neurology	2	24
PMN 705	Practice Management II	1	12
OSU 706	Urology	1	12
CER 707	Geriatrics	1	12
CER 793	Clinic Externship	24	288
	<i>Term totals</i>	32	382

**SPRING TERM**

OSO 708	Oncology	2	24
BUS 761	Business/Office Procedures	2	24
CER 794	Clinic Externship	24	288
	<i>Term totals</i>	28	336
	Electives	9	108
	<i>Year totals</i>	111.5	1338

**TOTALS FOR DEGREE PROGRAM**

Total required classroom instruction	251	3012
Total electives, minimum	26	312
Total clinic externship/preceptorship	125	1500
Total hours of instruction	402	4824

## SYNOPSIS OF CURRICULUM

## Third Year

Course #	Course Title	Cr. Hrs.	Contact Hours
<b>FALL TERM</b>			
OSG 601	Gynecology	3	36
XRA 603	X-ray Technique	1	12
HYD 607	Hydrotherapy I	3	36
MAN 610	Orthopedics III	1	12
MAN 611	Manipulation III	2	24
PHS 612	Physiotherapy I	2	24
NUT 621	Nutrition II	3	36
PHM 622	Pharmacology II	2	24
COU 633	Psych. Modalities Health Care	3	36
BMM 653	Botanical Materia Medica III	2	24
CER 691	Clinic Externship	14	168
	<i>Term totals</i>	36	432

**WINTER TERM**

PHG 624	Pharmacognosy II	2	24
MAN 612	Orthopedics IV	1	12
MAN 613	Manipulation IV	1	12
NUT 622	Nutrition III	3	36
OBS 602	Obstetrics I	3	36
OSO 613	Office Orthopedics	4	48
PED 605	Pediatrics I	2	24
PHS 613	Physiotherapy II	2	24
PTM 641	Doctor Patient Relations	2	24
CER 692	Clinic Externship	14	168
	<i>Term totals</i>	34	408

**SPRING TERM**

IMG 608	Genetics	1	12
ENV 608	Environmental Med.	2	24
EXC 616	Preventive/Therapeutic Exercise	2	24
MNS 655	Minor Surgery	3	36
NUT 623	Nutrition IV	3	36
OSC 604	Cardiovascular/Respiratory	3	36
PED 606	Pediatrics II	2	24
LAW 662	Jurisprudence	1.5	18
CER 693	Clinic Externship	15	180
	<i>Term totals</i>	32.5	390
	Electives	9	108
	<i>Year totals</i>	111.5	1338

# NATUROPATHIC OATH

Exhibit # 10  
1-18-91 SB 66

I affirm the following:

I will impart knowledge of life, health and healing, by precept, lecture, and every other method of service to those in need.

I will employ individualized treatment according to my ability and judgement following the principles of Naturopathic Medicine:

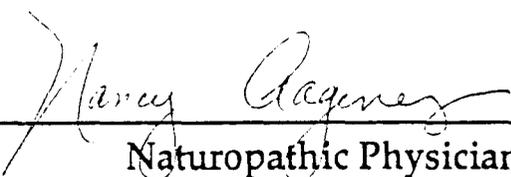
Do no harm;  
Promote the inherent healing power of nature;  
Address the cause of illness;  
Treat the whole person;  
Support health-giving lifestyles;  
and, I will conduct my life with integrity according to these principles.

I dedicate myself to refine my skills in the healing arts through experience, reflection, and wisdom, to provide the highest quality healthcare possible.

I will use my skills, knowledge, and influence to establish and preserve a world of health on our planet for present and future generations.

Whatever I am privileged to witness, whether professionally or privately which should not be divulged, I will keep confidential.

May my conscience and these witnesses hold me to the precepts of this oath.

  
\_\_\_\_\_  
Naturopathic Physician  
John Bastyr College of Naturopathic Medicine

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:**

**Section 1. Short title.** This chapter may be cited as the "Naturopathic Health Care Practice Act."

**Section 2. Legislative finding --purpose.**

(1) The legislature finds that a significant number of Montanans choose naturopathic medicine for their health care needs and declares that naturopathic medicine is a distinct health care profession that affects the public health, safety, and welfare and provides freedom of choice in health care.

(2) The purpose of this chapter is to provide standards for the licensing and regulation of naturopathic physicians in order to protect the public health, safety, and welfare; to ensure that naturopathic health care by qualified physicians is available to the people of Montana; and to provide a means of identifying qualified naturopathic physicians.

**Section 3. Definitions.** Unless the context requires otherwise, in this chapter the following definitions apply:

(1) "Approved naturopathic medical college" means a college or program granting the degree of Doctor of Naturopathy or Naturopathic Medicine that:

(a) is accredited by the Council on Naturopathic Medical Education or another such accrediting agency recognized by the Federal government,

(b) has candidate for accreditation status with such accrediting agency, or

(c) has been approved by the board, upon investigation which found that college or program to meet education standards equivalent to those established by the above accrediting agency.

(d) For the initial purpose of one year from effective date of [this act] to allow the board to review and approve naturopathic medical colleges and for its purpose of temporary certificates as stated in Section 14, Subsection 3 of [this act], the department and the board shall recognize as approved naturopathic medical colleges, the following college or program degrees:

- Western State College-School of Naturopathy
- National College of Drugless Physicians
- Los Angeles College of Chiropractic and Naturopathy
- American School of Naturopathy
- Pacific College of Naturopathic Physicians
- and any school that has ever been accepted by a state for licensure

purpose.

(2) "Board" means the board of naturopathic physicians.

(3) "Department" means the department of commerce provided for in Title 2, chapter 15, part 18.

(4) "Homeopathic preparations" means medicines prepared according to the Homeopathic Pharmacopoeia of the United States.

(5) (a) "Minor surgery" means the use of:

(i) operative, electrical, or other methods for the surgical repair and care incidental to superficial lacerations and abrasions, superficial lesions, and the removal of foreign bodies located in the superficial tissues; and

(ii) antiseptics and local anesthetics in connection with such methods.

(b) Minor surgery does not include general or spinal anesthetics,

major surgery, surgery of the body cavities, or specialized surgeries, such as plastic surgery, surgery involving the eyes, or surgery involving major tendons, ligaments, nerves or blood vessels.

(6) "Natural antibiotics" means antimicrobial, antifungal, and antiprotozoal agents which are naturally occurring substances or manufactured substances that are substantially indetental to such naturally occurring substances.

*asked for  
further  
clarification*

(7) "Naturopathic medicine," "naturopathic health care" or "naturopathy" mean a system of primary health care practiced by naturopathic physicians for the prevention, diagnosis and treatment of human health conditions, injury and disease. Its purpose is to maintain or restore health by the support and stimulation of the individual's inherent self-healing processes. This is accomplished through education and the use of natural medicines and therapies.

healing processes. This is accomplished through education and the use of natural medicines and therapies.

(8) "Naturopathic obstetrics" means the specialty practice of obstetrics and natural childbirth that includes the use of obstetrical natural substances, ophthalmic antibiotics, obstetrical emergency medicines, and minor surgery. The term does not include a forceps delivery, general or spinal anesthesia, or a Caesarean section.

(9) "Naturopathic physical medicine" shall mean the therapeutic use of the physical agents of air, water, heat, cold, sound, light, gravity, and electromagnetic non-ionizing radiation; and the physical modalities of electrotherapy, diathermy, ultrasound, ultraviolet light, hydrotherapy, naturopathic manipulative therapy, and therapeutic exercise.

(10) "Naturopathic physician" means a person authorized and licensed to practice naturopathic health care under this chapter.

(11) "Topical medicines" shall mean topical analgesics, anesthetics, antiseptics, scabicides, anti-fungals, and anti-bacterials.

#### **Section 4. Practice of naturopathic health care.**

(1) Naturopathic physicians shall be authorized to practice naturopathic medicine as a limited practice of medicine as defined in MCA 37-3-102 with the following restrictions.

A naturopathic physician may not:

(a) prescribe, dispense or administer any legend drug as defined in MCA 50-31-301(7) except those natural or topical medicines authorized by Section 4 (2) or Section 10 (1) (b) of [this act.]

(b) administer ionizing radioactive substances for therapeutic purposes.

(c) perform surgical procedures except those procedures authorized by this chapter.

(d) claim to practice any licensed health care profession or system of treatment other than naturopathic medicine unless holding a separate license in that profession.

(2) Naturopathic physicians shall be authorized to prescribe, dispense in accordance with MCA 37-2-101 and MCA 37-2-104, and administer for preventative and therapeutic purposes the following natural or topical medicines and therapies:

Food, food extracts, vitamins, minerals, enzymes, whole gland thyroid, plant and animal substances, botanical medicines, homeopathic preparations, natural antibiotics, immunizations, topical medicines, counseling, nutritional counseling and dietary therapy, naturopathic physical medicine, therapeutic devices, non-prescription drugs, barrier devices for contraception, naturopathic obstetrics and minor surgery.

(3) Naturopathic physicians shall be authorized to perform or order for diagnostic purposes physical and orificial examinations, x-rays, electrocardiograms, ultrasound, phlebotomy, clinical laboratory tests and examinations, physiological function tests, and other non-invasive diagnostic procedures commonly used by physicians in general practice as authorized by Section 10 (1) (b) of [this act].

**Section 5. License required -- titles restricted -- enjoining unlawful practice.**

(1) Any person <sup>not</sup> ~~no~~ licensed pursuant to this chapter who represents himself to the public as a naturopathic physician or naturopath, or claims in any way that he practices naturopathic medicine, naturopathy or naturopathic health care shall be guilty of a

misdemeanor.

(2) (a) (i) A naturopathic physician may use the prefix "Dr." or "doctor" as a title.

(ii) A naturopathic physician may use any or all of the following: the terms "doctor of naturopathy," "doctor of naturopathic medicine," "naturopath," or "naturopathic physician," or the abbreviation "N.D." when used to imply any of the above titles.

(b) The titles and abbreviations in subsection (2)(a)(ii) identify naturopathic physicians and are restricted to their use. A person who uses these titles without being licensed pursuant to this chapter shall be guilty of a misdemeanor.

(3) Violation of this chapter may be enjoined by the district court on petition by the board.

#### **Section 6. Exemptions.**

(1) This chapter recognizes that many of the therapies used by naturopathic physicians, such as the use of nutritional supplements, herbs, foods, and such physical forces as heat, cold, water, touch, and light, are not the exclusive privilege of naturopathic physicians and as such their use by individuals is not prohibited by [sections 1 through 9 and 11 through 24].

(2) This chapter does not restrict or apply to:

(a) The scope of practice of any other professions licensed, certified, or registered under the laws of this state; or

(b) Students of naturopathic medicine who are currently enrolled in an approved naturopathic medical college and who gratuitously diagnose and treat disease under the direct supervision of a naturopathic physician or other health care practitioner

regulated under the laws of this state as long as the student's activity is within the scope of practice of such supervising practitioner and is limited to activity consistent with the scope of practice described in this chapter.

(c) Apply to any naturopathic physician duly licensed in another state, territory, or the District of Columbia, if such state, territory, or the District of Columbia requires credentials equivalent to those of this chapter, when incidentally called into this state for consultation with a naturopathic physician.

**Section 7. Certification for specialty practice -- requirements.**

(1) A naturopathic physician may not practice naturopathic obstetrics without first obtaining from the board a certificate of specialty practice. The board shall adopt rules setting forth the requirements to be met in order to certify naturopathic physicians for the specialty practice of naturopathic obstetrics.

(2) To be certified for the specialty practice of naturopathic obstetrics, a naturopathic physician shall:

(a) pass either a national standardized supplemental examination in naturopathic obstetrics provided by the national naturopathic profession licensing organization or other specialty examination approved by the board;

(b) complete a minimum of 100 hours in any one or in any combination of the following upon approval by the board;

- (i) course work in naturopathic obstetrics;
- (ii) an internship in naturopathic obstetrics; or
- (iii) a preceptorship in naturopathic obstetrics; and

(c) have assisted in a minimum of 40 supervised births, including prenatal and postnatal care, under the direct supervision of a licensed naturopathic, medical, or osteopathic physician with specialty training in obstetrics or natural childbirth.

**Section 8. Public health duties of naturopathic physicians.** Naturopathic physicians <sup>shall</sup> have the same authority and responsibility as other licensed physicians with regard to public health laws, reportable diseases and conditions, communicable disease control and prevention, recording of vital statistics, health and physical examinations, and local boards of health, except that such authority is limited to activities consistent with the scope of practice described in this chapter.

**Section 9. Board of naturopathic physicians.**

(1) There is a board of naturopathic physicians.

(2) The board consists of three members appointed by the governor. Members serve for staggered terms of 4 years, commencing on September 1 of the year of appointment. Appointments made when the legislature is not in session may be confirmed at the next session. Upon notice and hearing, a member may be removed by the governor for neglect of duty, incompetence, or unprofessional or dishonorable conduct.

(3) (a) The members are:

(i) one member of the public; and

(ii) two naturopathic physicians who have been residents of Montana three

(3) years prior to being appointed. These members must be licensed under this chapter, except during the initial transition ~~of~~ period of one (1) year after the effective date of this chapter when the naturopathic physicians on the board must have a temporary certificate

Exhibit 10a

1-18-91

SB66

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 18 day of January, 1991.

Name: Jerome T. Loendorf

Address: Holmdel, N.J.

Telephone Number: 442-6350

Representing whom?

N.J. Medical Assn

Appearing on which proposal?

SB 66

Do you: Support?  Amend?  Oppose?

Comments:

See minutes

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 18 day of January, 1991.

Name: Steve Browning

Address: Box 1697  
Helena, MT 59624

Telephone Number: 449-6220

Representing whom?  
Montana Hospital Association (MHA)

Appearing on which proposal?  
SB 66

Do you: Support?        Amend?        Oppose? X

Comments:  
MHA opposes licencing of new state  
health care professions absent the  
existence of compelling evidence  
of need for licensure which is  
lacking in this instance.

*Whitney*

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 18 day of Jan, 1991.

Name: Barrie L. Tracy

Address: 1215 11<sup>th</sup> Ave. / PO Box 6276 Helena MT 59604

Telephone Number: 406-442-7275

Representing whom?  
The Montana Chiropractic Association

Appearing on which proposal?  
SB66

Do you: Support?  Amend?  Oppose?

Comments:  
Please see prepared committee testimony

SENATE HEALTH & WELFARE  
EXHIBIT NO. 11  
DATE 1-18-91  
BILL NO. SB 66

Testimony

Senate Bill 66

Date: January 18, 1990

Submitted by: The Montana Chiropractic Association

Contact: Bonnie Tippy/442-7275

Whenever a licensure bill is heard regarding an alternative health care provider, other providers giving testimony in opposition to the licensure are oftentimes accused of creating a "turf battle." Frankly, many times this is the case. But, today, I ask this committee to understand a very legitimate concern on the part of Montana's chiropractors regarding this particular licensure bill. This concern has to do with citizen safety, and the too broad scope of this legislation concerning spinal manipulation.

I am distributing to the committee copies of course curriculum at Northwestern College of Chiropractic. Highlighted are courses, both classroom and clinical, related to spinal manipulation. These hours total 2075. There is good reason for this very extensive amount of time. While spinal manipulation is a highly effective form of health care, it takes a great deal of training to do it effectively and without potential harm to patients. We do not believe that Naturopaths have sufficient education in the area of manipulation to meet these two very important goals. We respectfully request that this committee amend this bill on page 5, section 9, subsection b, in order to eliminate "naturopathic manipulative therapy."

We generally support and applaud the efforts of the Naturopaths to become licensed, and believe that they are a viable alternative health care provider. However, again, we know that the scope of this bill is simply too broad to ensure patient safety.

## Course List

The required curriculum for the Doctor of Chiropractic Degree is composed of a sequence of courses offered in ten 15-week trimesters for a total of 4,402 contact hours, exclusive of elective courses of study.

Course titles marked by \* denote credits applicable to the Bachelor of Science in Human Biology.

Course titles by # indicate clinical experiences in the College's public clinics.

### Trimester 1, 15 Weeks (Offered Fall and Spring Terms)

Course Number	Title	Hours Per Week			Clock Hours	
		Lect.	Lab.	Clin.	Credits	Hours
10010	Health Science Technology	1.00	0.00	0	1.00	15.00
11010	*Biochemistry 1	4.00	2.00	0	5.00	90.00
13010	*Gross Anatomy 1	3.00	5.00	0	5.50	120.00
14010	*Embryology 1	2.00	0.00	0	2.00	30.00
15010	*Histology 1	3.00	1.50	0	3.75	67.50
20010	Normal Radiographic Anatomy	0.50	2.00	0	1.50	37.50
22510	Professional Issues in Human Sexuality (Seminar)	0.00	0.00	0	1.00	10.00
31010	Chiropractic Principles and Practice 1	1.00	0.00	0	1.00	15.00
32010	*Professional Literature	1.00	0.00	0	1.00	15.00
33010	Chiropractic Methods 1 — Palpation	0.00	2.00	0	1.00	30.00
34010	Spine and Pelvis	3.00	0.00	0	3.00	45.00
	Totals	18.50	12.50	0	25.75	475.00



**Trimester 2, 15 Weeks**  
(Offered Spring and Summer Terms)

Course Number	Title	Hours Per Week			Credits	Clock Hours
		Lect.	Lab.	Clin.		
11120	*Physiology 1	4.00	1.00	0	4.50	75.00
12120	*Peripheral Nervous System	4.00	0.00	0	4.00	60.00
13120	*Gross Anatomy 2	4.00	3.00	0	5.50	105.00
14120	*Embryology 2	2.00	0.00	0	2.00	30.00
15120	*Histology 2	3.00	1.50	0	3.75	67.50
31120	Chiropractic Principles and Practice 2	2.00	0.00	0	2.00	30.00
33120	Chiropractic Methods 2—Spinal Analysis	2.00	2.00	0	3.00	60.00
Totals		21.00	7.50	0	24.75	427.50

**Trimester 3, 15 Weeks**  
(Offered Summer and Fall Terms)

Course Number	Title	Hours Per Week			Credits	Clock Hours
		Lect.	Lab.	Clin.		
11230	*Physiology 2	4.00	1.00	0	4.50	75.00
11330	*Biochemistry 2	2.00	0.00	0	2.00	30.00
12230	*Central Nervous System	3.00	0.00	0	3.00	45.00
17030	*Pathology 1	3.00	0.00	0	3.00	45.00
20130	Skeletal Radiology 1—Measurements and Congenital Anomalies	2.00	1.00	0	2.50	45.00
21030	Physical Diagnosis	3.00	2.00	0	4.00	75.00
33230	Chiropractic Methods 3—Occipit. Cervical, Thoracic	1.50	2.50	0	2.75	60.00
35030	Principles of Physiotherapy	1.50	0.50	0	1.75	30.00
36030	Neuromusculoskeletal 1—General	3.00	1.00	0	3.50	60.00
Totals		23.00	8.00	0	27.00	465.00

**Trimester 4, 15 Weeks**  
(Offered Fall and Spring Terms)

Course Number	Title	Hours Per Week			Credits	Clock Hours
		Lect.	Lab.	Clin.		
16040	*Microbiology	4.00	4.00	0	6.00	120.00
17140	*Pathology 2 (Spring Term)	3.00	0.00	0	3.00	45.00
20240	Skeletal Radiology 2—Trauma and Arthritis	2.00	1.00	0	2.50	45.00
21140	CNS—Neurodiagnosis	2.50	1.00	0	3.00	52.50
22040	Chiropractic Science	4.00	0.00	0	4.00	60.00
33340	Chiropractic Methods 4—Lumbar, Pelvis, Sacral	1.50	2.50	0	2.75	60.00
36140	Neuromusculoskeletal 2—Spinal	4.00	2.00	0	5.00	90.00
Totals		20.50	11.00	0	26.00	472.50

**Trimester 5, 15 Weeks**  
(Offered Each Term)

Course Number	Title	Hours Per Week			Credits	Clock Hours
		Lect.	Lab.	Clin.		
17140	*Pathology 2 (Spring Term)	3.00	0.00	0	3.00	45.00
20350	Skeletal Radiology 3—Neoplasms and Miscellaneous Diseases	2.00	1.00	0	2.50	40.00
21250	Physical Diagnosis—EENT	2.00	1.00	0	2.50	45.00
24050	Clinical Pathology 1	2.00	3.00	0	3.50	75.00
25150	*Infectious Diseases	2.00	0.00	0	2.00	30.00
25250	*Public Health	2.00	0.00	0	2.00	30.00
33450	Chiropractic Methods 5—Upper Extremities, Soft Tissue	1.50	2.50	0	2.75	60.00
34150	Technique Practicum 1—Spinal	0.00	2.00	0	1.00	30.00
36250	Neuromusculoskeletal 3—Extremities	4.00	2.00	0	5.00	90.00
36350	*Principles of Nutrition	4.00	0.00	0	4.00	60.00
41050	Clinical Chiropractic 1	1.00	0.00	0	1.00	15.00
Totals		23.50	12.50	0	27.25	490.00

### Trimester 6, 15 Weeks (Offered Each Term)

Course Number	Title	Hours Per Week			Credits	Clock Hours	
		Lect.	Lab.	Clin.		Hours	Hours
20460	X-Ray Physics	3.00	0.00	0	3.00	45.00	45.00
20660	Radiology of the Abdomen	1.00	0.50	0	1.25	22.50	22.50
23360	Respiratory System	2.00	1.50	0	2.75	52.50	52.50
23460	Cardiology	2.00	1.50	0	2.75	52.50	52.50
23560	Gastrointestinal and Genitourinary Systems	5.00	1.00	0	5.50	90.00	90.00
24160	Clinical Pathology 2	3.50	1.00	0	4.00	67.50	67.50
33560	Chiropractic Methods 6—Soft Tissue	1.50	2.50	0	2.75	60.00	60.00
34260	Technique Practicum 2—Spinal and Extremities	0.00	2.00	0	1.00	30.00	30.00
35160	Clinical Physiotherapy	1.50	1.50	0	2.25	45.00	45.00
41060	Student Clinic 1	1.00	0.00	4.00	3.00	75.00	75.00
42060	Clinical Chiropractic 2	1.00	0.00	0	1.00	15.00	15.00
Totals		21.50	11.50	4.00	29.25	555.00	555.00

### Trimester 7, 15 Weeks (Offered Each Term)

Course Number	Title	Hours Per Week			Credits	Clock Hours	
		Lect.	Lab.	Clin.		Hours	Hours
20570	Radiographic Technology	1.00	2.00	0	2.00	45.00	45.00
20770	Radiology of the Chest	1.00	1.00	0	1.50	30.00	30.00
23570	Gynecology	2.00	0.50	0	2.25	37.50	37.50
23670	Endocrinology	2.00	0.00	0	2.00	30.00	30.00
25380	Obstetrics	2.00	0.00	0	2.00	30.00	30.00
25570	Emergency Procedures/Minor Surgery	1.50	2.00	0	2.50	52.50	52.50
26170	Mental Health 1	3.00	0.00	0	3.00	45.00	45.00
33670	Chiropractic Methods 7—Integrated Review	0.00	2.00	0	1.00	30.00	30.00
36470	Clinical Nutrition	3.00	0.00	0	3.00	45.00	45.00
41170	Student Clinic 2	1.00	0.00	4.00	3.00	75.00	75.00
42170	Clinical Chiropractic 3	2.00	0.00	0	2.00	30.00	30.00
43180	Practice Management 1	2.00	0.00	0	2.00	30.00	30.00
Totals		20.50	7.50	4.00	26.25	470.00	470.00

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### Trimester 8, 15 Weeks (Offered Each Term)

Course Number	Title	Hours Per Week			Credits	Clock Hours	
		Lect.	Lab.	Clin.		Hours	Hours
25690	Geriatrics	2.00	0.00	0	2.00	30.00	30.00
25980	Toxicology/Pharmacology	2.00	0.00	0	2.00	30.00	30.00
26280	Mental Health 2	3.00	0.00	0	3.00	45.00	45.00
41280	#Internship 1	0.00	0.00	18.00	9.50	288.00	288.00
42280	#Clinical Case Studies 1	0.00	0.00	1.00	1.00	17.00	17.00
Totals		7.00	0.00	19.00	17.50	410.00	410.00

### Trimester 9, 15 Weeks (Offered Each Term)

Course Number	Title	Hours Per Week			Credits	Clock Hours	
		Lect.	Lab.	Clin.		Hours	Hours
23890	Dermatology	1.00	0.00	0	1.00	15.00	15.00
25490	Pediatrics	2.00	0.00	0	2.00	30.00	30.00
41390	#Internship 2	0.00	0.00	18.00	9.50	288.00	288.00
42390	#Clinical Case Studies 2	0.00	0.00	1.00	1.00	17.00	17.00
43290	Practice Management 2	3.00	0.00	0	3.00	45.00	45.00
47190	Legal Aspects of Chiropractic Practice	2.00	0.00	0	2.00	30.00	30.00
Totals		8.00	0.00	19.00	18.50	425.00	425.00

### Trimester 10, 15 Weeks (Offered Each Term)

Course Number	Title	Hours Per Week			Credits	Clock Hours	
		Lect.	Lab.	Clin.		Hours	Hours
41400	#Internship 3 or Externship	0.00	0.00	20-40	10-20	300-600	300-600
or 41500							

Total — Manipulation = 660 hrs — 31.5 credits  
Clinic = 1115-1415 hours — 41-51 credits

1 of 3

DATE: Friday, January 18, 1991

COMMITTEE ON senate committee on public health, welfare & safety

SB 66

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppose
KONRAD KAIC, N.D.	MT. NATUROPATHIC MED ASSOC	SB 66	<input checked="" type="checkbox"/>	<input type="checkbox"/>
G. L. Miller M.D.	Physician private practice	SB 66	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Brent Mathies ND	Montana Assoc of Naturopathic Phys	SB 66	<input checked="" type="checkbox"/>	<input type="checkbox"/>
John DeLano	MMA		<input type="checkbox"/>	<input checked="" type="checkbox"/>
DARLENE J. COCASTE S.W.	SELF	SB 66	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Nancy Aaynes, ND	MT ASSE Naturo Phys	SB 66	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Nancy Dunne ND	M.A.N.P.	SB 66	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Hillary Dine, ND, CA	MANP	SB 66	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Leone T. Loendorf	nat. med. Assn	SB 66	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mona Mersten, MD, DHAAP	MANP	SB 66	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Shelby Thomas	self	SB 66	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Michael Bergman ND, CA	M.A.N.P.	SB 66	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Anna M. Wright	Self	SB 66	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BILLY + LOUISE OSTBY	OURSELVES	SB 66	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Terry Krantz	SRS	SB 66	<input type="checkbox"/>	<input type="checkbox"/>
Randall G. Galloway	SELF + OTHERS	SB 66	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sharon Meyers	M.A.A.	SB 66	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Frances Shickel	M.A.A.	SB 66	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Frances K. Henry MS, RN	M.A.A.	SB 66	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bonnie Tippy	MT State Pharmaceutical Assn	SB 66	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Samie Tippy	MT Chiropractic Assoc.	SB 66	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mary Burman	M.A.A.	SB 66	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Denise Strawn	M.A.A.	SB 66	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Richard G. Galloway	self	SB 66	<input type="checkbox"/>	<input checked="" type="checkbox"/>
William Clark County Med Soc	Lewis + Clark County Med Soc	SB 66	<input type="checkbox"/>	<input checked="" type="checkbox"/>



