

# SENATE BILL 783

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By: **Senators Pugh, Benson, Forehand, Gladden, Kelley, Madaleno, Middleton, Montgomery, and Young**

Introduced and read first time: February 1, 2013

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Physicians – Naturopathic Doctors**

3 FOR the purpose of altering the composition of the State Board of Physicians to  
4 include a naturopathic doctor appointed by the Governor in a certain manner;  
5 establishing a Naturopathic Medicine Advisory Committee within the Board;  
6 providing for the composition of the Committee; specifying the term of a  
7 Committee member; requiring the Committee to elect a chair from among its  
8 members; providing for the duties of the Committee; requiring, beginning on a  
9 certain date, certain individuals to have a certain license before practicing  
10 naturopathic medicine in the State; prohibiting the Board from discriminating  
11 against an applicant or licensee for certain reasons; requiring an individual to  
12 meet certain requirements to qualify for a license; authorizing the Board to  
13 waive certain examination requirements under certain circumstances; requiring  
14 an applicant to submit certain information to the Board and pay a certain fee;  
15 requiring the Board to issue a license to any applicant who meets the  
16 requirements of this Act; specifying that a license authorizes a licensee to order  
17 and perform certain tests, dispense, order, or administer certain medicines,  
18 administer or perform certain therapies with a certain exception, dispense,  
19 administer, or order certain devices with a certain exception, provide health  
20 education and counseling, perform certain musculoskeletal mobilization,  
21 perform minor office procedures under certain circumstances, and use certain  
22 routes of administration; specifying that a license does not authorize a licensee  
23 to prescribe, dispense, or administer certain substances or devices, perform  
24 certain procedures, use certain anesthetics, or take certain other actions;  
25 specifying that the Board may authorize a licensee to perform only certain  
26 procedures under certain circumstances; specifying the term of a license;  
27 requiring the Board to send certain information to licensees within a certain  
28 time period before a license expires; requiring the Board to renew a license  
29 under certain circumstances; authorizing the Board to place a licensee on  
30 inactive status under certain circumstances; requiring the Board to issue a

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 license to a naturopathic doctor who is on inactive status under certain  
2 circumstances; requiring the Board to reinstate the license of a naturopathic  
3 doctor who failed to renew the license under certain circumstances; prohibiting  
4 a licensed naturopathic doctor from surrendering a license under certain  
5 circumstances; authorizing the Board to take certain disciplinary action against  
6 an applicant or a licensee for certain reasons; requiring certain persons to file a  
7 certain report with the Board within a certain time period; authorizing the  
8 Board to assess a certain monetary penalty on a person that fails to file a  
9 certain report; requiring the Board to investigate certain complaints;  
10 authorizing the Board to commence disciplinary action under certain  
11 circumstances; requiring the Board to give a certain individual an opportunity  
12 for a hearing before the Board and to give certain notice and hold the hearing in  
13 accordance with certain provisions of law; authorizing a certain individual to be  
14 represented by counsel; authorizing the Board to issue subpoenas and  
15 administer oaths under certain circumstances; authorizing a certain court to  
16 take certain action against an individual who disobeys a subpoena from the  
17 Board or an order by the Board; authorizing the Board to hear and determine a  
18 matter under certain circumstances; requiring certain individuals to pay certain  
19 costs under certain circumstances; requiring the Board to pass an order under  
20 certain circumstances; requiring the Board to expunge certain charges after a  
21 certain time period; requiring the holder of a license to surrender the license to  
22 the Board under certain circumstances; requiring the Board to return a license  
23 under certain circumstances; authorizing a person aggrieved by a decision of the  
24 Board to take certain action under certain circumstances; prohibiting the Board  
25 from reinstating a certain license under certain circumstances; requiring a  
26 licensed naturopathic doctor to follow certain federal, State, and local laws;  
27 authorizing a licensed naturopathic doctor to receive a certain fee; requiring a  
28 naturopathic doctor to display a certain notice under certain circumstances;  
29 prohibiting an individual from practicing naturopathic medicine in the State  
30 without a license; prohibiting certain individuals from making certain  
31 representations to the public, using certain titles, and using certain initials;  
32 establishing a certain short title; providing for the termination of this Act under  
33 certain circumstances; providing for the terms of the initial Committee  
34 members; providing that certain provisions of this Act do not limit certain  
35 rights; specifying the purposes of certain provisions of this Act; defining certain  
36 terms; requiring the State Board of Physicians to convene a certain workgroup  
37 to study the development of a naturopathic formulary in the State; providing for  
38 the membership of the workgroup; requiring the workgroup to conduct a certain  
39 review, make certain recommendations, and provide a certain report to certain  
40 committees of the General Assembly on or before a certain date; and generally  
41 relating to the licensing of naturopathic doctors.

42 BY repealing and reenacting, with amendments,  
43 Article – Health Occupations  
44 Section 14–202(a)  
45 Annotated Code of Maryland  
46 (2009 Replacement Volume and 2012 Supplement)

1 BY adding to  
2 Article – Health Occupations  
3 Section 14–5F–01 through 14–5F–29 to be under the new subtitle “Subtitle 5F.  
4 Naturopathic Doctors”  
5 Annotated Code of Maryland  
6 (2009 Replacement Volume and 2012 Supplement)

7 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
8 MARYLAND, That the Laws of Maryland read as follows:

9 **Article – Health Occupations**

10 14–202.

11 (a) (1) The Board shall consist of [21] **22** members appointed by the  
12 Governor with the advice of the Secretary and the advice and consent of the Senate.

13 (2) Of the [21] **22** members:

14 (i) 11 shall be practicing licensed physicians, at least one of  
15 whom shall be a doctor of osteopathy, appointed as provided in subsections (d) and (e)  
16 of this section;

17 (ii) 1 shall be a practicing licensed physician appointed at the  
18 Governor’s discretion;

19 (iii) 1 shall be a representative of the Department nominated by  
20 the Secretary;

21 (iv) 1 shall be a certified physician assistant appointed at the  
22 Governor’s discretion as provided in subsections (f) and (g) of this section;

23 (v) 1 shall be a practicing licensed physician with a full–time  
24 faculty appointment appointed to serve as a representative of an academic medical  
25 institution in this State appointed from a list containing:

26 1. 3 names submitted by the Johns Hopkins University  
27 School of Medicine; and

28 2. 3 names submitted by the University of Maryland  
29 School of Medicine;

30 **(VI) 1 SHALL BE A NATUROPATHIC DOCTOR APPOINTED AT**  
31 **THE GOVERNOR’S DISCRETION FROM A LIST SUBMITTED BY THE MARYLAND**  
32 **ASSOCIATION OF NATUROPATHIC PHYSICIANS;**

1                    [(vi)] (VII) 5 shall be consumer members; and

2                    [(vii)] (VIII) 1 shall be a public member knowledgeable in risk  
3 management or quality assurance matters appointed from a list submitted by the  
4 Maryland Hospital Association.

5                    **SUBTITLE 5F. NATUROPATHIC DOCTORS.**

6                    **14-5F-01.**

7                    (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
8 INDICATED.

9                    (B) “APPROVED NATUROPATHIC MEDICAL PROGRAM” MEANS A  
10 NATUROPATHIC MEDICAL EDUCATION PROGRAM:

11                    (1) IN THE UNITED STATES THAT:

12                    (i) PROVIDES THE DEGREE OF DOCTOR OF NATUROPATHY  
13 OR DOCTOR OF NATUROPATHIC MEDICINE;

14                    (ii) OFFERS GRADUATE-LEVEL, FULL-TIME DIDACTIC AND  
15 SUPERVISED CLINICAL TRAINING;

16                    (iii) IS ACCREDITED, OR HAS ACHIEVED CANDIDACY STATUS  
17 FOR ACCREDITATION, BY THE COUNCIL ON NATUROPATHIC MEDICAL  
18 EDUCATION OR AN EQUIVALENT FEDERALLY AND BOARD-RECOGNIZED  
19 ACCREDITING BODY FOR NATUROPATHIC MEDICAL PROGRAMS; AND

20                    (iv) IS PART OF AN INSTITUTION OF HIGHER EDUCATION  
21 THAT IS EITHER ACCREDITED, OR IS A CANDIDATE FOR ACCREDITATION, BY A  
22 REGIONAL OR NATIONAL INSTITUTIONAL ACCREDITING AGENCY RECOGNIZED  
23 BY THE UNITED STATES SECRETARY OF EDUCATION;

24                    (2) IN A DIPLOMA-GRANTING, DEGREE-EQUIVALENT COLLEGE  
25 OR UNIVERSITY IN CANADA THAT:

26                    (i) OFFERS GRADUATE-LEVEL, FULL-TIME DIDACTIC AND  
27 SUPERVISED CLINICAL TRAINING;

28                    (ii) IS ACCREDITED, OR HAS ACHIEVED CANDIDACY STATUS  
29 FOR ACCREDITATION, BY THE COUNCIL ON NATUROPATHIC MEDICAL  
30 EDUCATION OR AN EQUIVALENT FEDERALLY AND BOARD-RECOGNIZED  
31 ACCREDITING BODY FOR NATUROPATHIC MEDICAL PROGRAMS; AND

1                   **(III) HAS PROVINCIAL APPROVAL FOR PARTICIPATION IN**  
2 **GOVERNMENT-FUNDED STUDENT AID PROGRAMS; OR**

3                   **(3) IN A DEGREE-GRANTING COLLEGE OR UNIVERSITY THAT:**

4                   **(I) PRIOR TO THE EXISTENCE OF THE COUNCIL OF**  
5 **NATUROPATHIC MEDICAL EDUCATION:**

6                   **1. OFFERED A FULL-TIME STRUCTURED**  
7 **CURRICULUM IN BASIC SCIENCES AND SUPERVISED PATIENT CARE COMPRISING**  
8 **A DOCTORAL NATUROPATHIC MEDICAL EDUCATION;**

9                   **2. REQUIRED AT LEAST 3 YEARS OF STUDY AS A**  
10 **PREREQUISITE FOR GRADUATION; AND**

11                   **3. IF IN CANADA, HAD PROVINCIAL APPROVAL FOR**  
12 **PARTICIPATION IN GOVERNMENT-FUNDED STUDENT AID PROGRAMS;**

13                   **(II) IS APPROVED BY THE BOARD; AND**

14                   **(III) IF THE PROGRAM EXISTS WHEN THE APPLICANT**  
15 **APPLIES FOR A LICENSE:**

16                   **1. IS ACCREDITED BY THE COUNCIL OF**  
17 **NATUROPATHIC MEDICAL EDUCATION OR A FEDERALLY RECOGNIZED**  
18 **EQUIVALENT ACCREDITING AGENCY; AND**

19                   **2. IF IN CANADA, HAS PROVINCIAL APPROVAL FOR**  
20 **PARTICIPATION IN GOVERNMENT-FUNDED STUDENT AID PROGRAMS.**

21                   **(C) "COMMITTEE" MEANS THE NATUROPATHIC MEDICINE ADVISORY**  
22 **COMMITTEE.**

23                   **(D) "LICENSED NATUROPATHIC DOCTOR" MEANS A NATUROPATHIC**  
24 **DOCTOR WHO IS LICENSED TO PRACTICE NATUROPATHIC MEDICINE.**

25                   **(E) "MINOR OFFICE PROCEDURES" MEANS THE METHODS FOR THE**  
26 **REPAIR AND CARE INCIDENTAL TO THE REPAIR OF SUPERFICIAL LACERATIONS**  
27 **AND ABRASIONS, SUPERFICIAL LESIONS, AND THE REMOVAL OF FOREIGN**  
28 **BODIES LOCATED IN THE SUPERFICIAL TISSUES.**

1           **(F) “NATUROPATHIC DOCTOR” MEANS AN INDIVIDUAL WHO PRACTICES**  
2 **NATUROPATHIC MEDICINE.**

3           **(G) (1) “NATUROPATHIC MEDICINE” MEANS THE PREVENTION,**  
4 **DIAGNOSIS, AND TREATMENT OF HUMAN HEALTH CONDITIONS, INJURY, AND**  
5 **DISEASE USING PATIENT EDUCATION AND NATUROPATHIC THERAPIES AND**  
6 **THERAPEUTIC SUBSTANCES RECOGNIZED BY THE COUNCIL OF NATUROPATHIC**  
7 **MEDICAL EDUCATION AND APPROVED BY THE STATE BOARD OF PHYSICIANS.**

8           **(2) “NATUROPATHIC MEDICINE” INCLUDES:**

9                   **(I) COUNSELING;**

10                   **(II) THE PRACTICE OF THE MECHANICAL SCIENCES OF**  
11 **HEALING, INCLUDING MECHANOTHERAPY, ARTICULAR MANIPULATION,**  
12 **CORRECTIVE AND ORTHOPEDIC GYMNASTICS, PHYSIOTHERAPY,**  
13 **HYDROTHERAPY, ELECTROTHERAPY, AND PHOTOTHERAPY; AND**

14                   **(III) THE PRACTICE OF THE MATERIAL SCIENCES OF**  
15 **HEALING, INCLUDING NUTRITION, DIETETICS, PHYTOTHERAPY, TREATMENT BY**  
16 **NATURAL SUBSTANCES, AND EXTERNAL APPLICATIONS.**

17           **(H) “NATUROPATHIC MUSCULOSKELETAL MOBILIZATION” MEANS THE**  
18 **TREATMENT BY MANUAL AND OTHER MECHANICAL MEANS OF ALL BODY**  
19 **TISSUES EXCLUSIVE OF HIGH-VELOCITY THRUSTS AT OR BEYOND THE END**  
20 **RANGE OF NORMAL JOINT MOTION.**

21           **(I) “PRESCRIPTION DRUG” MEANS ANY DRUG DEFINED IN § 503(B) OF**  
22 **THE FEDERAL FOOD, DRUG, AND COSMETIC ACT IF THE DRUG’S LABEL IS**  
23 **REQUIRED TO BEAR THE STATEMENT “RX ONLY”.**

24 **14-5F-02.**

25           **THE PURPOSES OF THIS SUBTITLE ARE TO:**

26                   **(1) PROTECT THE HEALTH, SAFETY, AND WELFARE OF THE**  
27 **PUBLIC, AND SPECIFICALLY PROTECT INDIVIDUALS WHO ARE THE DIRECT**  
28 **RECIPIENTS OF SERVICES REGULATED BY THIS SUBTITLE;**

29                   **(2) MAINTAIN STANDARDS IN THE DELIVERY OF NATUROPATHIC**  
30 **MEDICAL SERVICES TO THE PUBLIC;**

1           **(3) ENSURE THAT THE HEALTH CARE PROVIDED BY QUALIFIED**  
2 **NATUROPATHIC DOCTORS IS ACCESSIBLE AND AVAILABLE TO THE RESIDENTS**  
3 **OF THE STATE; AND**

4           **(4) PROVIDE A MEANS OF IDENTIFYING QUALIFIED**  
5 **NATUROPATHIC DOCTORS IN THE STATE.**

6 **14-5F-03.**

7           **THIS SUBTITLE DOES NOT LIMIT THE RIGHT OF:**

8           **(1) AN INDIVIDUAL TO PRACTICE A HEALTH OCCUPATION THAT**  
9 **THE INDIVIDUAL IS AUTHORIZED TO PRACTICE UNDER THIS ARTICLE;**

10           **(2) AN INDIVIDUAL FROM TREATING THE INDIVIDUAL OR THE**  
11 **INDIVIDUAL'S FAMILY BASED ON THE INDIVIDUAL'S RELIGIOUS OR HEALTH**  
12 **BELIEFS; OR**

13           **(3) A PERSON THAT SELLS VITAMINS AND HERBS FROM**  
14 **PROVIDING INFORMATION ABOUT THE PERSON'S PRODUCTS.**

15 **14-5F-04.**

16           **THERE IS A NATUROPATHIC MEDICINE ADVISORY COMMITTEE WITHIN**  
17 **THE BOARD.**

18 **14-5F-05.**

19           **(A) (1) THE COMMITTEE CONSISTS OF SIX MEMBERS APPOINTED BY**  
20 **THE BOARD AS FOLLOWS:**

21                   **(i) FOUR SHALL BE LICENSED NATUROPATHIC DOCTORS;**

22                   **(ii) ONE SHALL BE A PRACTICING LICENSED PHYSICIAN OR**  
23 **PRACTICING DOCTOR OF OSTEOPATHY; AND**

24                   **(iii) ONE SHALL BE A CONSUMER MEMBER.**

25           **(2) THE BOARD SHALL APPOINT THE NATUROPATHIC DOCTOR**  
26 **MEMBERS, WITH THE ADVICE OF THE SECRETARY, FROM A LIST OF NAMES**  
27 **SUBMITTED BY THE MARYLAND ASSOCIATION OF NATUROPATHIC PHYSICIANS.**

28           **(B) EACH NATUROPATHIC DOCTOR MEMBER OF THE COMMITTEE**  
29 **SHALL BE:**

1           (1)    **IN GOOD STANDING WITH THE BOARD; AND**

2           (2)    **A RESIDENT OF THE STATE WHO HAS BEEN ENGAGED**  
3 **ACTIVELY IN THE PRACTICE OR INSTRUCTION OF NATUROPATHIC MEDICINE IN**  
4 **THE STATE FOR AT LEAST 5 YEARS IMMEDIATELY BEFORE APPOINTMENT.**

5           (C)    **THE PHYSICIAN OR DOCTOR OF OSTEOPATHY MEMBER OF THE**  
6 **COMMITTEE SHALL BE IN GOOD STANDING WITH THE BOARD.**

7           (D)    **THE CONSUMER MEMBER OF THE COMMITTEE:**

8           (1)    **SHALL BE A RESIDENT OF THE STATE AND A MEMBER OF THE**  
9 **GENERAL PUBLIC;**

10          (2)    **MAY NOT BE OR EVER HAVE BEEN LICENSED TO PRACTICE A**  
11 **HEALTH OCCUPATION UNDER THIS ARTICLE; AND**

12          (3)    **MAY NOT HAVE A SUBSTANTIAL PERSONAL, BUSINESS,**  
13 **PROFESSIONAL, OR PECUNIARY CONNECTION WITH NATUROPATHIC**  
14 **EDUCATION, BUSINESS, OR PRACTICE.**

15          (E)    (1)    **THE TERM OF A MEMBER IS 4 YEARS.**

16          (2)    **THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY**  
17 **THE TERMS PROVIDED FOR MEMBERS OF THE COMMITTEE ON OCTOBER 1,**  
18 **2013.**

19          (3)    **AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE**  
20 **UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.**

21          (4)    **A MEMBER MAY NOT SERVE MORE THAN TWO CONSECUTIVE**  
22 **FULL TERMS.**

23          (F)    **FROM AMONG ITS MEMBERS, THE COMMITTEE SHALL ELECT A**  
24 **CHAIR EVERY 2 YEARS.**

25   **14-5F-06.**

26          (A)    **IN ADDITION TO THE POWERS SET FORTH ELSEWHERE IN THIS**  
27 **SUBTITLE, THE COMMITTEE SHALL:**



1           **(1) DEVELOP AND RECOMMEND TO THE BOARD REGULATIONS TO**  
2 **CARRY OUT THIS SUBTITLE;**

3           **(2) DEVELOP AND RECOMMEND TO THE BOARD PROCEDURES**  
4 **FOR THE ISSUANCE OF LICENSES TO APPLICANTS WHO QUALIFY FOR**  
5 **LICENSURE BY RECIPROCITY;**

6           **(3) EVALUATE THE CONTENT OF ANY CLINICAL, PRACTICAL, OR**  
7 **RESIDENCY REQUIREMENT FOR LICENSURE;**

8           **(4) PROVIDE ANY SERVICE AND PERFORM ANY FUNCTION THAT IS**  
9 **NECESSARY TO FULFILL ITS PURPOSES;**

10           **(5) DEVELOP AND RECOMMEND TO THE BOARD EXAMINATION**  
11 **STANDARDS, CONSISTENT WITH THE STANDARDS ENUMERATED IN THIS**  
12 **SUBTITLE, FOR LICENSURE AND TIMES AT WHICH THE EXAMINATIONS WILL BE**  
13 **GIVEN; AND**

14           **(6) DEVELOP AND RECOMMEND TO THE BOARD A CODE OF**  
15 **ETHICS FOR LICENSED NATUROPATHIC DOCTORS.**

16 **14-5F-07.**

17           **(A) BEGINNING JANUARY 1, 2015, EXCEPT AS OTHERWISE PROVIDED IN**  
18 **THIS SUBTITLE, AN INDIVIDUAL SHALL BE LICENSED BY THE BOARD BEFORE**  
19 **THE INDIVIDUAL MAY PRACTICE NATUROPATHIC MEDICINE IN THE STATE.**

20           **(B) THIS SECTION DOES NOT APPLY TO:**

21           **(1) AN INDIVIDUAL WHO IS EMPLOYED BY THE UNITED STATES**  
22 **TO PRACTICE NATUROPATHIC MEDICINE WHILE PRACTICING WITHIN THE**  
23 **SCOPE OF THAT EMPLOYMENT;**

24           **(2) A STUDENT WHO IS ENROLLED IN AN APPROVED**  
25 **NATUROPATHIC MEDICAL PROGRAM WHILE THE STUDENT IS PARTICIPATING IN**  
26 **A COURSE OF STUDY UNDER THE SUPERVISION OF A LICENSED NATUROPATHIC**  
27 **DOCTOR OR A LICENSED PROFESSIONAL IN THE FIELD OF STUDY; OR**

28           **(3) AN INDIVIDUAL WHO IS LICENSED IN ANOTHER STATE TO**  
29 **PRACTICE NATUROPATHIC MEDICINE AND WHOSE PRACTICE OF NATUROPATHIC**  
30 **MEDICINE IN THE STATE IS LIMITED TO EXAMINATION, RECOMMENDATION, OR**  
31 **TESTIMONY IN LITIGATION.**

1           **(C) THE BOARD MAY NOT DISCRIMINATE, IN ANY MANNER, AGAINST**  
2 **ANY APPLICANT OR LICENSEE FOR REASON OF SEX, AGE, RACE, COLOR, CREED,**  
3 **SEXUAL ORIENTATION, GENDER IDENTITY, OR NATIONAL ORIGIN.**

4 **14-5F-08.**

5           **(A) TO QUALIFY FOR A LICENSE, AN APPLICANT SHALL BE AN**  
6 **INDIVIDUAL WHO MEETS THE REQUIREMENTS OF THIS SECTION.**

7           **(B) THE APPLICANT SHALL BE OF GOOD MORAL CHARACTER.**

8           **(C) THE APPLICANT SHALL BE AT LEAST 18 YEARS OLD.**

9           **(D) EXCEPT AS PROVIDED IN § 14-5F-10 OF THIS SUBTITLE, THE**  
10 **APPLICANT SHALL:**

11                 **(1) HAVE A DOCTORATE IN NATUROPATHIC MEDICINE FROM AN**  
12 **APPROVED NATUROPATHIC MEDICAL PROGRAM; AND**

13                 **(2) (I) PASS A COMPETENCY-BASED NATIONAL**  
14 **NATUROPATHIC LICENSING EXAMINATION ADMINISTERED BY THE NORTH**  
15 **AMERICAN BOARD OF NATUROPATHIC EXAMINERS OR A SUCCESSOR AGENCY**  
16 **THAT HAS BEEN NATIONALLY RECOGNIZED TO ADMINISTER A NATUROPATHIC**  
17 **EXAMINATION THAT REPRESENTS FEDERAL STANDARDS OF EDUCATION AND**  
18 **TRAINING; OR**

19                 **(II) FOR GRADUATES OF AN APPROVED NATUROPATHIC**  
20 **MEDICAL PROGRAM, AS DEFINED IN § 14-5F-01(B)(3) OF THIS SUBTITLE, PASS**  
21 **A BOARD-APPROVED STATE COMPETENCY EXAMINATION OR CANADIAN**  
22 **PROVINCIAL EXAMINATION.**

23           **(E) AN APPLICANT SHALL BE PHYSICALLY AND MENTALLY CAPABLE OF**  
24 **SAFELY PRACTICING NATUROPATHIC MEDICINE WITH OR WITHOUT**  
25 **REASONABLE ACCOMMODATION.**

26           **(F) IF AN APPLICANT IS LICENSED, CERTIFIED, OR REGISTERED TO**  
27 **PRACTICE NATUROPATHIC MEDICINE OR ANY OTHER HEALTH OCCUPATION IN**  
28 **ANOTHER STATE, THE APPLICANT SHALL BE IN GOOD STANDING WITH THE**  
29 **APPLICABLE STATE LICENSING, CERTIFICATION, OR REGISTRATION**  
30 **AUTHORITY.**

31 **14-5F-09.**

1           **(A) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE BOARD MAY**  
2 **WAIVE ANY EXAMINATION REQUIREMENT OF THIS SUBTITLE FOR AN**  
3 **INDIVIDUAL WHO IS LICENSED AS A NATUROPATHIC DOCTOR IN ANY OTHER**  
4 **STATE.**

5           **(B) THE BOARD MAY GRANT A WAIVER UNDER THIS SECTION ONLY IF**  
6 **THE APPLICANT:**

7                   **(1) PAYS THE APPLICATION FEE REQUIRED BY THE BOARD**  
8 **UNDER § 14-5F-10 OF THIS SUBTITLE; AND**

9                   **(2) PROVIDES EVIDENCE REQUIRED BY THE BOARD THAT THE**  
10 **APPLICANT:**

11                           **(I) OTHERWISE MEETS THE QUALIFICATIONS REQUIRED BY**  
12 **THIS SUBTITLE; AND**

13                           **(II) HAS BEEN LICENSED UNDER REQUIREMENTS**  
14 **SUBSTANTIALLY EQUIVALENT TO THE LICENSING REQUIREMENTS OF THIS**  
15 **SUBTITLE.**

16 **14-5F-10.**

17           **TO APPLY FOR A LICENSE, AN APPLICANT SHALL:**

18                   **(1) SUBMIT AN APPLICATION TO THE BOARD ON A FORM THAT**  
19 **THE BOARD REQUIRES;**

20                   **(2) PAY TO THE BOARD AN APPLICATION FEE SET BY THE BOARD;**

21                   **(3) IF THE APPLICANT IS SEEKING TO BE LICENSED WITHOUT**  
22 **ADDITIONAL EXAMINATION UNDER § 14-5F-09 OF THIS SUBTITLE, PROVIDE**  
23 **PROOF OF LICENSURE IN GOOD STANDING IN ALL STATES IN WHICH THE**  
24 **APPLICANT IS LICENSED;**

25                   **(4) IF THE APPLICANT HAS BEEN LICENSED, CERTIFIED, OR**  
26 **REGISTERED TO PRACTICE NATUROPATHIC MEDICINE IN ANOTHER STATE,**  
27 **SUBMIT ALL EVIDENCE RELATING TO:**

28                           **(I) ANY DISCIPLINARY ACTION TAKEN OR ANY**  
29 **ADMINISTRATIVE PENALTIES ASSESSED AGAINST THE APPLICANT BY THE**  
30 **APPROPRIATE STATE LICENSING, CERTIFICATION, OR REGISTRATION**  
31 **AUTHORITY; AND**

1                   **(II) ANY CONSENT AGREEMENTS THE APPLICANT ENTERED**  
2 **INTO THAT CONTAIN CONDITIONS PLACED ON THE APPLICANT’S PROFESSIONAL**  
3 **CONDUCT AND PRACTICE, INCLUDING ANY VOLUNTARY SURRENDER OF A**  
4 **LICENSE; AND**

5                   **(5) COMPLETE AND SUBMIT TO THE BOARD A BOARD-APPROVED**  
6 **WRITTEN ATTESTATION THAT STATES THAT:**

7                   **(I) THE APPLICANT WILL REFER PATIENTS TO AND**  
8 **CONSULT WITH PHYSICIANS AND OTHER HEALTH CARE PROVIDERS LICENSED**  
9 **OR CERTIFIED UNDER THIS ARTICLE AS NEEDED; AND**

10                   **(II) THE APPLICANT WILL REQUIRE PATIENTS TO SIGN A**  
11 **CONSENT FORM THAT STATES THAT THE APPLICANT’S PRACTICE OF MEDICINE**  
12 **IS LIMITED TO THE SCOPE OF PRACTICE IDENTIFIED IN 14-5F-12 OF THIS**  
13 **SUBTITLE.**

14 **14-5F-11.**

15                   **THE BOARD SHALL ISSUE A LICENSE TO ANY APPLICANT WHO MEETS THE**  
16 **REQUIREMENTS OF THIS SUBTITLE.**

17 **14-5F-12.**

18                   **(A) A LICENSE AUTHORIZES A LICENSEE, CONSISTENT WITH**  
19 **NATUROPATHIC EDUCATION AND TRAINING, TO:**

20                   **(1) ORDER AND PERFORM PHYSICAL AND LABORATORY**  
21 **EXAMINATIONS FOR DIAGNOSTIC PURPOSES, INCLUDING PHLEBOTOMY,**  
22 **CLINICAL LABORATORY TESTS, ORIFICIAL EXAMINATIONS,**  
23 **ELECTROCARDIOGRAMS, AND PHYSIOLOGICAL FUNCTION TESTS;**

24                   **(2) ORDER DIAGNOSTIC IMAGING STUDIES AND INTERPRET THE**  
25 **REPORTS OF DIAGNOSTIC IMAGING STUDIES;**

26                   **(3) DISPENSE, ORDER, OR ADMINISTER NATURAL MEDICINES OF**  
27 **MINERAL, ANIMAL, OR BOTANICAL ORIGIN, INCLUDING FOOD, EXTRACTS OF**  
28 **FOOD, NUTRACEUTICALS, VITAMINS, AMINO ACIDS, MINERALS, ENZYMES,**  
29 **BOTANICALS AND THEIR EXTRACTS, BOTANICAL MEDICINES, HOMEOPATHIC**  
30 **MEDICINES, AND ALL DIETARY SUPPLEMENTS AND NONPRESCRIPTION DRUGS**  
31 **AS DEFINED BY THE FEDERAL FOOD, DRUG, AND COSMETIC ACT USING ROUTES**

1 OF ADMINISTRATION, INCLUDING ORAL, NASAL, AURICULAR, OCULAR, RECTAL,  
2 VAGINAL, TRANSDERMAL, AND INTRAMUSCULAR;

3 (4) ADMINISTER OR PERFORM HOT OR COLD HYDROTHERAPY,  
4 NATUROPATHIC PHYSICAL MEDICINE, ELECTROMAGNETIC ENERGY, COLON  
5 HYDROTHERAPY, AND THERAPEUTIC EXERCISE FOR THE PURPOSE OF  
6 PROVIDING BASIC THERAPEUTIC CARE SERVICES, EXCEPT THAT IF A REFERRAL  
7 TO ANOTHER LICENSED PROVIDER IS APPROPRIATE FOR ONGOING  
8 REHABILITATION OR HABILITATION SERVICES, THE NATUROPATHIC DOCTOR  
9 SHALL MAKE THE REFERRAL;

10 (5) DISPENSE, ADMINISTER, OR ORDER DEVICES, INCLUDING  
11 THERAPEUTIC DEVICES FOR THE PURPOSE OF PROVIDING BARRIER  
12 CONTRACEPTION, AND DURABLE MEDICAL EQUIPMENT EXCEPT FOR  
13 THERAPEUTIC DEVICES IF REFERRAL TO ANOTHER LICENSED PROVIDER TO  
14 DISPENSE, ADMINISTER, OR ORDER THE DEVICE FOR ONGOING REHABILITATIVE  
15 OR HABILITATIVE SERVICES IS APPROPRIATE;

16 (6) PROVIDE HEALTH EDUCATION AND HEALTH COUNSELING;  
17 AND

18 (7) PERFORM NATUROPATHIC MUSCULOSKELETAL  
19 MOBILIZATION.

20 (B) A LICENSE AUTHORIZES A LICENSEE, CONSISTENT WITH  
21 NATUROPATHIC EDUCATION AND TRAINING AS DETERMINED BY THE BOARD,  
22 TO:

23 (1) PERFORM MINOR OFFICE PROCEDURES IF THE LICENSEE IS  
24 AUTHORIZED BY THE BOARD TO DO SO; AND

25 (2) USE ROUTES OF ADMINISTRATION, INCLUDING  
26 INTRADERMAL, SUBCUTANEOUS, AND INTRAVENOUS.

27 (C) A LICENSE DOES NOT AUTHORIZE A LICENSEE TO:

28 (1) PRESCRIBE, DISPENSE, OR ADMINISTER ANY CONTROLLED  
29 SUBSTANCE OR DEVICE IDENTIFIED IN THE FEDERAL CONTROLLED  
30 SUBSTANCES ACT, EXCEPT AS AUTHORIZED BY THE BOARD;

31 (2) PERFORM SURGICAL PROCEDURES OTHER THAN MINOR  
32 OFFICE PROCEDURES, INCLUDING PROCEDURES USING A LASER DEVICE OR

1 THAT INVOLVE THE EYE, EAR, TENDONS, NERVES, VEINS, OR ARTERIES  
2 EXTENDING BEYOND SUPERFICIAL TISSUE;

3 (3) PRACTICE OR CLAIM TO PRACTICE AS A MEDICAL DOCTOR, AN  
4 OSTEOPATH, A DENTIST, A PODIATRIST, AN OPTOMETRIST, A PSYCHOLOGIST, A  
5 NURSE PRACTITIONER, A PHYSICIAN ASSISTANT, A CHIROPRACTOR, A PHYSICAL  
6 THERAPIST, AN ACUPUNCTURIST, OR ANY OTHER HEALTH CARE PROFESSIONAL  
7 UNLESS LICENSED UNDER THIS ARTICLE;

8 (4) USE GENERAL OR SPINAL ANESTHETICS;

9 (5) ADMINISTER IONIZING RADIOACTIVE SUBSTANCES FOR  
10 THERAPEUTIC PURPOSES;

11 (6) PERFORM CHIROPRACTIC ADJUSTMENTS OR MANIPULATIONS  
12 THAT INCLUDE HIGH-VELOCITY THRUSTS AT OR BEYOND THE END RANGE OF  
13 NORMAL JOINT MOTION UNLESS THE LICENSEE IS ALSO A LICENSED  
14 CHIROPRACTOR;

15 (7) PERFORM ACUPUNCTURE UNLESS THE LICENSEE IS ALSO A  
16 LICENSED ACUPUNCTURIST;

17 (8) PERFORM MINOR OFFICE PROCEDURES UNLESS THE  
18 LICENSEE IS APPROVED BY THE BOARD TO DO SO; OR

19 (9) PRESCRIBE PRESCRIPTION DRUGS UNLESS THE LICENSEE IS  
20 APPROVED BY THE BOARD TO DO SO.

21 (D) THE BOARD MAY APPROVE A LICENSEE TO PERFORM MINOR  
22 OFFICE PROCEDURES ONLY IF THE LICENSEE:

23 (1) GRADUATED FROM AN APPROVED NATUROPATHIC MEDICAL  
24 PROGRAM THAT INCLUDED MINOR OFFICE PROCEDURES AS PART OF ITS  
25 CURRICULUM; OR

26 (2) MEETS THE TRAINING REQUIREMENTS REGARDING MINOR  
27 OFFICE PROCEDURES ADOPTED BY THE BOARD.

28 14-5F-13.

29 (A) (1) THE TERM OF A LICENSE ISSUED BY THE BOARD IS 1 YEAR.

1           **(2) A LICENSE EXPIRES AT THE END OF ITS TERM UNLESS THE**  
2 **LICENSE IS RENEWED AS PROVIDED BY THE BOARD.**

3           **(B) AT LEAST 1 MONTH BEFORE THE LICENSE EXPIRES, THE BOARD**  
4 **SHALL SEND TO THE LICENSEE A RENEWAL NOTICE THAT STATES:**

5           **(1) THE DATE ON WHICH THE CURRENT LICENSE EXPIRES;**

6           **(2) THE DATE BY WHICH THE RENEWAL APPLICATION MUST BE**  
7 **RECEIVED BY THE BOARD FOR THE RENEWAL TO BE ISSUED AND MAILED**  
8 **BEFORE THE LICENSE EXPIRES; AND**

9           **(3) THE AMOUNT OF THE RENEWAL FEE.**

10          **(C) THE BOARD SHALL RENEW THE LICENSE OF A LICENSEE WHO:**

11           **(1) SUBMITS A RENEWAL APPLICATION ON THE FORM THAT THE**  
12 **BOARD REQUIRES;**

13           **(2) PAYS A RENEWAL FEE SET BY THE BOARD;**

14           **(3) IS OTHERWISE ENTITLED TO BE LICENSED; AND**

15           **(4) MEETS THE CONTINUING EDUCATION REQUIREMENTS**  
16 **ADOPTED BY THE BOARD.**

17 **14-5F-14.**

18          **(A) (1) THE BOARD MAY PLACE A LICENSEE ON INACTIVE STATUS IF**  
19 **THE LICENSEE SUBMITS TO THE BOARD:**

20           **(I) AN APPLICATION FOR INACTIVE STATUS ON THE FORM**  
21 **REQUIRED BY THE BOARD; AND**

22           **(II) THE INACTIVE STATUS FEE SET BY THE BOARD.**

23          **(2) THE BOARD SHALL ISSUE A LICENSE TO A NATUROPATHIC**  
24 **DOCTOR WHO IS ON INACTIVE STATUS IF THE INDIVIDUAL IS OTHERWISE**  
25 **ENTITLED TO BE LICENSED UNDER THIS SUBTITLE AND SUBMITS TO THE**  
26 **BOARD:**

1                   **(I) SATISFACTORY EVIDENCE OF COMPLIANCE WITH THE**  
2 **CONTINUING EDUCATION REQUIREMENTS THE BOARD ADOPTS FOR THIS**  
3 **PURPOSE; AND**

4                   **(II) A REINSTATEMENT FEE SET BY THE BOARD.**

5           **(B) THE BOARD SHALL REINSTATE THE LICENSE OF A NATUROPATHIC**  
6 **DOCTOR WHO HAS FAILED TO RENEW THE LICENSE FOR ANY REASON IF THE**  
7 **NATUROPATHIC DOCTOR:**

8                   **(1) MEETS THE RENEWAL REQUIREMENTS OF § 14-5F-13 OF**  
9 **THIS SUBTITLE;**

10                   **(2) PAYS TO THE BOARD A REINSTATEMENT FEE SET BY THE**  
11 **BOARD; AND**

12                   **(3) SUBMITS TO THE BOARD SATISFACTORY EVIDENCE OF**  
13 **COMPLIANCE WITH THE QUALIFICATIONS AND REQUIREMENTS ADOPTED BY**  
14 **THE BOARD UNDER THIS SUBTITLE FOR LICENSE REINSTATEMENTS.**

15 **14-5F-15.**

16           **(A) UNLESS THE BOARD AGREES TO ACCEPT THE SURRENDER OF A**  
17 **LICENSE, A LICENSED NATUROPATHIC DOCTOR MAY NOT SURRENDER THE**  
18 **LICENSE NOR MAY THE LICENSE LAPSE BY OPERATION OF LAW WHILE THE**  
19 **LICENSEE IS UNDER INVESTIGATION OR WHILE CHARGES ARE PENDING**  
20 **AGAINST THE LICENSEE.**

21           **(B) THE BOARD MAY SET CONDITIONS ON ITS AGREEMENT WITH THE**  
22 **LICENSEE UNDER INVESTIGATION OR AGAINST WHOM CHARGES ARE PENDING**  
23 **TO ACCEPT SURRENDER OF THE LICENSE.**

24 **14-5F-16.**

25           **SUBJECT TO THE HEARING PROVISIONS OF § 14-5F-19 OF THIS**  
26 **SUBTITLE, THE BOARD MAY DENY A LICENSE TO ANY APPLICANT, REPRIMAND**  
27 **ANY LICENSEE, PLACE ANY LICENSEE ON PROBATION, OR SUSPEND OR REVOKE**  
28 **A LICENSE OF ANY LICENSEE IF THE APPLICANT OR LICENSEE:**

29                   **(1) IS CONVICTED OF OR PLEADS GUILTY OR NOLO CONTENDERE**  
30 **TO A FELONY OR CRIME RELATING TO AN OFFENSE, THE CIRCUMSTANCES OF**  
31 **WHICH SUBSTANTIALLY RELATE TO THE PRACTICE OF NATUROPATHIC**



1 MEDICINE, WHETHER OR NOT ANY APPEAL OR OTHER PROCEEDING IS PENDING  
2 TO HAVE THE CONVICTION OR PLEA SET ASIDE;

3 (2) HAS AN IMPAIRMENT RELATED TO DRUGS OR ALCOHOL THAT  
4 WOULD LIMIT THE APPLICANT'S OR LICENSEE'S ABILITY TO UNDERTAKE THE  
5 PRACTICE OF NATUROPATHIC MEDICINE IN A MANNER CONSISTENT WITH THE  
6 SAFETY OF THE PUBLIC;

7 (3) HAS BEEN FOUND TO BE MENTALLY INCOMPETENT BY A  
8 PHYSICIAN IF THE MENTAL INCOMPETENCE IMPAIRS THE ABILITY OF THE  
9 APPLICANT OR LICENSEE TO UNDERTAKE THE PRACTICE OF NATUROPATHIC  
10 MEDICINE IN A MANNER CONSISTENT WITH THE SAFETY OF THE PUBLIC;

11 (4) HAS ENTERED INTO A CONSENT AGREEMENT WITH OR HAS  
12 BEEN ASSESSED AN ADMINISTRATIVE PENALTY BY A LICENSING AUTHORITY IN  
13 ANOTHER STATE;

14 (5) FRAUDULENTLY OR DECEPTIVELY OBTAINS OR ATTEMPTS TO  
15 OBTAIN A LICENSE;

16 (6) HAS A LICENSE REVOKED OR SUSPENDED, OR WAS  
17 OTHERWISE ACTED AGAINST, INCLUDING THE DENIAL OF LICENSURE, BY THE  
18 LICENSING AUTHORITY OF ANOTHER STATE;

19 (7) USES FALSE, DECEPTIVE, OR MISLEADING ADVERTISING;

20 (8) ADVERTISES, PRACTICES, OR ATTEMPTS TO PRACTICE UNDER  
21 A NAME OTHER THAN THE APPLICANT'S OR LICENSEE'S OWN NAME;

22 (9) AIDS, ASSISTS, EMPLOYS, OR ADVISES ANY UNLICENSED  
23 INDIVIDUAL TO PRACTICE NATUROPATHIC MEDICINE IN VIOLATION OF THIS  
24 SUBTITLE;

25 (10) WILLFULLY MAKES OR FILES A FALSE REPORT OR RECORD IN  
26 THE PRACTICE OF NATUROPATHIC MEDICINE;

27 (11) WILLFULLY OR NEGLIGENTLY FAILS TO FILE A REPORT OR  
28 RECORD AS REQUIRED BY LAW, WILLFULLY IMPEDES OR OBSTRUCTS THE  
29 FILING OR RECORDING OF A REPORT, OR INDUCES ANOTHER TO FAIL TO FILE  
30 OR RECORD A REPORT;

31 (12) PAYS OR RECEIVES ANY COMMISSION, BONUS, KICKBACK, OR  
32 REBATE, OR ENGAGES IN ANY SPLIT-FEE ARRANGEMENT IN ANY FORM WITH A

1 LICENSED PHYSICIAN, AN ORGANIZATION, AN AGENCY, OR ANY OTHER PERSON,  
2 EITHER DIRECTLY OR INDIRECTLY, FOR PATIENTS REFERRED TO HEALTH CARE  
3 PROVIDERS;

4 (13) EXERCISES INFLUENCE WITHIN A PATIENT-DOCTOR  
5 RELATIONSHIP FOR PURPOSES OF ENGAGING A PATIENT IN SEXUAL ACTIVITY;

6 (14) ENGAGES IN SEXUAL MISCONDUCT WITH A PATIENT;

7 (15) FAILS TO KEEP WRITTEN MEDICAL RECORDS JUSTIFYING THE  
8 COURSE OF TREATMENT OF A PATIENT;

9 (16) GROSSLY OR REPEATEDLY COMMITS MALPRACTICE OR FAILS  
10 TO PRACTICE NATUROPATHIC MEDICINE WITH THE LEVEL OF CARE, SKILL, AND  
11 TREATMENT THAT IS RECOGNIZED BY A REASONABLY PRUDENT LICENSED  
12 NATUROPATHIC DOCTOR AS BEING ACCEPTABLE UNDER SIMILAR CONDITIONS  
13 AND CIRCUMSTANCES;

14 (17) DELEGATES PROFESSIONAL RESPONSIBILITIES TO AN  
15 INDIVIDUAL WHEN THE LICENSEE DELEGATING THE RESPONSIBILITIES KNOWS  
16 OR HAS REASON TO KNOW THAT THE INDIVIDUAL IS NOT QUALIFIED BY  
17 TRAINING, EXPERIENCE, OR LICENSURE TO PERFORM THE RESPONSIBILITIES;  
18 OR

19 (18) VIOLATES ANY PROVISION OF THIS SUBTITLE OR ANY  
20 REGULATION ADOPTED BY THE BOARD.

21 14-5F-17.

22 (A) THIS SECTION APPLIES TO:

23 (1) A LICENSED NATUROPATHIC DOCTOR;

24 (2) A LICENSED HEALTH CARE PRACTITIONER;

25 (3) A HEALTH CARE FACILITY, AS DEFINED IN § 19-114 OF THE  
26 HEALTH - GENERAL ARTICLE, LOCATED IN THE STATE;

27 (4) A STATE AGENCY; AND

28 (5) A STATE OR LOCAL LAW ENFORCEMENT AGENCY.

1           **(B) A PERSON LISTED IN SUBSECTION (A) OF THIS SECTION SHALL FILE**  
2 **A WRITTEN REPORT WITH THE BOARD IF THE PERSON HAS INFORMATION THAT**  
3 **GIVES THE PERSON REASON TO BELIEVE THAT A LICENSED NATUROPATHIC**  
4 **DOCTOR IS OR MAY BE:**

5                   **(1) MEDICALLY OR LEGALLY INCOMPETENT;**

6                   **(2) ENGAGED IN THE UNAUTHORIZED PRACTICE OF**  
7 **NATUROPATHIC MEDICINE;**

8                   **(3) GUILTY OF UNPROFESSIONAL CONDUCT; OR**

9                   **(4) MENTALLY OR PHYSICALLY UNABLE TO ENGAGE SAFELY IN**  
10 **THE PRACTICE OF NATUROPATHIC MEDICINE.**

11           **(C) A PERSON REQUIRED TO FILE A REPORT UNDER SUBSECTION (B) OF**  
12 **THIS SECTION SHALL FILE THE REPORT WITHIN 30 DAYS AFTER BECOMING**  
13 **AWARE OF THE INFORMATION.**

14           **(D) A HEALTH CARE FACILITY SHALL REPORT PROMPTLY TO THE**  
15 **BOARD IF:**

16                   **(1) A LICENSED NATUROPATHIC DOCTOR VOLUNTARILY RESIGNS**  
17 **FROM THE STAFF OF THE HEALTH CARE FACILITY, VOLUNTARILY LIMITS THE**  
18 **LICENSEE'S STAFF PRIVILEGES, OR FAILS TO REAPPLY FOR HOSPITAL**  
19 **PRIVILEGES AT THE HEALTH CARE FACILITY; AND**

20                   **(2) THE ACTION OF THE LICENSEE OCCURS WHILE THE LICENSEE**  
21 **IS UNDER FORMAL OR INFORMAL INVESTIGATION BY THE HEALTH CARE**  
22 **FACILITY FOR POSSIBLE MEDICAL INCOMPETENCE, UNPROFESSIONAL**  
23 **CONDUCT, OR MENTAL OR PHYSICAL IMPAIRMENT.**

24           **(E) (1) THE BOARD MAY ASSESS A MONETARY PENALTY ON A PERSON**  
25 **THAT FAILS TO FILE A REPORT REQUIRED BY THIS SECTION.**

26                   **(2) THE PENALTY ASSESSED UNDER PARAGRAPH (1) OF THIS**  
27 **SUBSECTION MAY NOT EXCEED \$5,000.**

28                   **(3) ASSESSMENT OF A PENALTY UNDER PARAGRAPH (1) OF THIS**  
29 **SUBSECTION SHALL BE SUPPORTED BY SUBSTANTIAL EVIDENCE AND MAY BE**  
30 **APPEALED TO THE SECRETARY.**

31 **14-5F-18.**

1           **(A) THE BOARD SHALL INVESTIGATE ANY COMPLAINT FILED WITH THE**  
2 **BOARD THAT ALLEGES THAT THERE ARE GROUNDS FOR ACTION UNDER §**  
3 **14-5F-16 OF THIS SUBTITLE.**

4           **(B) AFTER ITS INVESTIGATION, THE BOARD, ON THE AFFIRMATIVE**  
5 **VOTE OF A MAJORITY OF ITS MEMBERS THEN SERVING, MAY COMMENCE ACTION**  
6 **ON ANY OF THE GROUNDS SET FORTH IN § 14-5F-16 OF THIS SUBTITLE.**

7           **(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**  
8 **SUBSECTION, UNTIL THE BOARD PASSES AN ORDER UNDER § 14-5F-20 OF THIS**  
9 **SUBTITLE, EACH RELATED INVESTIGATION, REPORT, AND RECOMMENDATION IS**  
10 **CONFIDENTIAL.**

11           **(2) ON THE REQUEST OF A PERSON WHO HAS MADE A COMPLAINT**  
12 **TO THE BOARD, THE BOARD SHALL PROVIDE THE PERSON WITH INFORMATION**  
13 **ON THE STATUS OF THE COMPLAINT.**

14 **14-5F-19.**

15           **(A) EXCEPT AS OTHERWISE PROVIDED IN THE ADMINISTRATIVE**  
16 **PROCEDURE ACT, BEFORE THE BOARD TAKES ANY ACTION UNDER § 14-5F-16**  
17 **OF THIS SUBTITLE, IT SHALL GIVE THE INDIVIDUAL AGAINST WHOM THE ACTION**  
18 **IS CONTEMPLATED AN OPPORTUNITY FOR A HEARING BEFORE THE BOARD.**

19           **(B) THE BOARD SHALL GIVE NOTICE AND HOLD THE HEARING IN**  
20 **ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT.**

21           **(C) THE INDIVIDUAL MAY BE REPRESENTED AT THE HEARING BY**  
22 **COUNSEL.**

23           **(D) OVER THE SIGNATURE OF AN OFFICER OR THE ADMINISTRATOR OF**  
24 **THE BOARD, THE BOARD MAY ISSUE SUBPOENAS AND ADMINISTER OATHS IN**  
25 **CONNECTION WITH ANY INVESTIGATION UNDER THIS TITLE AND ANY HEARINGS**  
26 **OR PROCEEDINGS BEFORE THE BOARD.**

27           **(E) IF, WITHOUT LAWFUL EXCUSE, A PERSON DISOBEYS A SUBPOENA**  
28 **FROM THE BOARD OR AN ORDER BY THE BOARD TO TAKE AN OATH OR TO**  
29 **TESTIFY OR ANSWER A QUESTION, THEN, ON PETITION OF THE BOARD, A COURT**  
30 **OF COMPETENT JURISDICTION MAY PUNISH THE PERSON AS FOR CONTEMPT OF**  
31 **COURT.**

1           **(F) IF, AFTER DUE NOTICE, THE INDIVIDUAL AGAINST WHOM THE**  
2 **ACTION IS CONTEMPLATED FAILS OR REFUSES TO APPEAR, THE BOARD MAY**  
3 **HEAR AND DETERMINE THE MATTER.**

4           **(G) IF, AFTER A HEARING, AN INDIVIDUAL IS FOUND IN VIOLATION OF §**  
5 **14-5F-16 OF THIS SUBTITLE, THE INDIVIDUAL SHALL PAY THE COSTS OF THE**  
6 **HEARING AS SPECIFIED IN A REGULATION ADOPTED BY THE BOARD.**

7 **14-5F-20.**

8           **(A) (1) IF THE BOARD FINDS THAT THERE ARE GROUNDS FOR ACTION**  
9 **UNDER § 14-5F-16 OF THIS SUBTITLE, THE BOARD SHALL PASS AN ORDER IN**  
10 **ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT.**

11           **(2) IF THE BOARD DISMISSES ALL CHARGES, THE BOARD SHALL**  
12 **EXPUNGE ALL RECORD OF THE CHARGES 3 YEARS AFTER THE CHARGES ARE**  
13 **DISMISSED.**

14           **(3) IF THE BOARD ISSUES AN ADVISORY OPINION, THE BOARD, AT**  
15 **THE REQUEST OF THE LICENSEE, SHALL EXPUNGE ALL RECORD OF THE MATTER**  
16 **5 YEARS AFTER THE ADVISORY OPINION IS ISSUED.**

17           **(B) (1) IF A LICENSE IS REVOKED OR SUSPENDED, THE HOLDER**  
18 **SHALL SURRENDER THE LICENSE TO THE BOARD ON DEMAND.**

19           **(2) AT THE END OF A SUSPENSION PERIOD, THE BOARD SHALL**  
20 **RETURN TO THE LICENSEE ANY LICENSE SURRENDERED UNDER THIS SECTION.**

21 **14-5F-21.**

22           **(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, ANY**  
23 **PERSON AGGRIEVED BY A FINAL DECISION OF THE BOARD IN A CONTESTED**  
24 **CASE, AS DEFINED IN THE ADMINISTRATIVE PROCEDURE ACT, MAY:**

25           **(1) APPEAL THAT DECISION TO THE BOARD OF REVIEW; AND**

26           **(2) TAKE ANY FURTHER APPEAL ALLOWED BY THE**  
27 **ADMINISTRATIVE PROCEDURE ACT.**

28           **(B) (1) ANY PERSON AGGRIEVED BY A FINAL DECISION OF THE**  
29 **BOARD UNDER § 14-5F-16 OF THIS SUBTITLE MAY NOT APPEAL TO THE**  
30 **SECRETARY OR BOARD OF REVIEW BUT MAY TAKE A DIRECT JUDICIAL APPEAL.**

1           **(2) THE APPEAL SHALL BE MADE AS PROVIDED FOR JUDICIAL**  
2 **REVIEW OF FINAL DECISIONS IN THE ADMINISTRATIVE PROCEDURE ACT.**

3 **14-5F-22.**

4           **(A) IF THE BOARD HAS REVOKED OR SUSPENDED THE LICENSE OF A**  
5 **LICENSEE, THE BOARD MAY NOT REINSTATE THE LICENSE UNTIL THE BOARD IS**  
6 **SATISFIED THAT THE INDIVIDUAL:**

7           **(1) HAS COMPLIED WITH ALL THE TERMS AND CONDITIONS IN**  
8 **THE FINAL ORDER; AND**

9           **(2) IS CAPABLE OF SAFELY ENGAGING IN THE PRACTICE OF**  
10 **NATUROPATHIC MEDICINE.**

11           **(B) THE BOARD MAY NOT REINSTATE THE LICENSE OF AN INDIVIDUAL**  
12 **WHOSE LICENSE WAS REVOKED BY THE BOARD WITHIN 6 MONTHS AFTER THE**  
13 **DATE OF THE REVOCATION.**

14 **14-5F-23.**

15           **A LICENSED NATUROPATHIC DOCTOR SHALL FOLLOW ANY FEDERAL,**  
16 **STATE, OR LOCAL LAW THAT GOVERNS:**

17           **(1) THE CONTROL OF CONTAGIOUS AND INFECTIOUS DISEASES;**  
18 **AND**

19           **(2) THE REPORTING OF BIRTHS AND DEATHS.**

20 **14-5F-24.**

21           **A LICENSED NATUROPATHIC DOCTOR MAY RECEIVE A FEE FOR**  
22 **PROFESSIONAL CONSULTATION SERVICES.**

23 **14-5F-25.**

24           **IF A NATUROPATHIC DOCTOR IS ENGAGED IN THE PRIVATE PRACTICE OF**  
25 **NATUROPATHIC MEDICINE IN THE STATE, THE NATUROPATHIC DOCTOR SHALL**  
26 **DISPLAY THE NOTICE DEVELOPED UNDER § 1-207 OF THIS ARTICLE**  
27 **CONSPICUOUSLY IN EACH OFFICE WHERE THE NATUROPATHIC DOCTOR IS**  
28 **ENGAGED IN PRACTICE.**

29 **14-5F-26.**

1           **EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, AN INDIVIDUAL MAY**  
2 **NOT PRACTICE NATUROPATHIC MEDICINE IN THIS STATE WITHOUT A LICENSE.**

3 **14-5F-27.**

4           **UNLESS AN INDIVIDUAL IS LICENSED TO PRACTICE NATUROPATHIC**  
5 **MEDICINE, THE INDIVIDUAL MAY NOT:**

6                   **(1) REPRESENT TO THE PUBLIC BY TITLE, BY DESCRIPTION OF**  
7 **SERVICES, METHODS, OR PROCEDURES, OR OTHERWISE, THAT THE INDIVIDUAL**  
8 **IS LICENSED BY THE BOARD TO PRACTICE NATUROPATHIC MEDICINE;**

9                   **(2) USE THE TITLE “DOCTOR OF NATUROPATHIC MEDICINE”,**  
10 **“DOCTOR OF NATUROPATHY”, “NATUROPATHIC DOCTOR”, OR “NATUROPATH”;**  
11 **OR**

12                   **(3) USE THE INITIALS “N.D.”, “ND”, “NMD”, OR “N.M.D.”**  
13 **AFTER THE NAME OF THE INDIVIDUAL.**

14 **14-5F-28.**

15           **THIS SUBTITLE MAY BE CITED AS THE “MARYLAND NATUROPATHIC**  
16 **MEDICINE ACT”.**

17 **14-5F-29.**

18           **SUBJECT TO THE EVALUATION AND REESTABLISHMENT PROVISIONS OF**  
19 **THE PROGRAM EVALUATION ACT, THIS TITLE AND ALL RULES AND**  
20 **REGULATIONS ADOPTED UNDER THIS TITLE SHALL TERMINATE AND BE OF NO**  
21 **EFFECT AFTER JULY 1, 2023.**

22           **SECTION 2. AND BE IT FURTHER ENACTED, That:**

23                   **(a) The State Board of Physicians shall convene a workgroup to study the**  
24 **development of a naturopathic formulary in the State.**

25                   **(b) The workgroup shall consist of stakeholders including representatives of:**

26                           **(1) the Maryland Association of Naturopathic Physicians;**

27                           **(2) MedChi, the Maryland State Medical Society;**

28                           **(3) the Nurse Practitioner Association of Maryland;**

- 1           (4)    the Maryland Pharmacists Association; and  
2           (5)    any other stakeholder considered necessary by the Board.

3           (c)    The workgroup shall:

- 4           (1)    review the naturopathic formularies developed in other states;  
5           (2)    make recommendations regarding the composition of a  
6 naturopathic formulary council; and  
7           (3)    make recommendations regarding the establishment of a  
8 naturopathic formulary, including the types of drugs, medicines, and devices to be  
9 included on the formulary and the method by which the council will decide which  
10 drugs, medicines, and devices will be included on the formulary.

11           (d)    On or before July 1, 2014, the workgroup shall report its findings and  
12 recommendations, in accordance with § 2-1246 of the State Government Article, to the  
13 Senate Education, Health, and Environmental Affairs Committee and the House  
14 Health and Government Operations Committee.

15           SECTION 3. AND BE IT FURTHER ENACTED, That the terms of the initial  
16 members of the Naturopathic Medicine Advisory Committee shall expire as follows:

- 17           (1)    two members in 2015;  
18           (2)    two members in 2016; and  
19           (3)    two members in 2017.

20           SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect  
21 October 1, 2013.