

# HOUSE BILL 867

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By: **Delegate Cullison**

Introduced and read first time: January 30, 2025

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Physicians – Naturopathic Doctors – Prescriptive Authority and**  
3 **Administration of Medication**

4 FOR the purpose of repealing the Naturopathic Doctors Formulary Council within the  
5 State Board of Physicians; altering the drugs that may be prescribed by a  
6 naturopathic doctor; altering the methods by which a naturopathic doctor may  
7 administer medication; and generally relating to naturopathic doctors.

8 BY repealing and reenacting, with amendments,

9 Article – Health Occupations

10 Section 14–5F–01 and 14–5F–14

11 Annotated Code of Maryland

12 (2021 Replacement Volume and 2024 Supplement)

13 BY repealing

14 Article – Health Occupations

15 Section 14–5F–04.1

16 Annotated Code of Maryland

17 (2021 Replacement Volume and 2024 Supplement)

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

20 **Article – Health Occupations**

21 14–5F–01.

22 (a) In this subtitle the following words have the meanings indicated.

23 (b) “Approved naturopathic medical program” means a naturopathic medical  
24 education program:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) In the United States that:

2 (i) Provides the degree of Doctor of Naturopathy or Doctor of  
3 Naturopathic Medicine;

4 (ii) Offers a 4-year graduate-level, full-time didactic and  
5 supervised clinical training;

6 (iii) Is accredited, or has achieved candidacy status for accreditation,  
7 by the Council on Naturopathic Medical Education or an equivalent federally and  
8 Board-recognized accrediting body for naturopathic medical programs; and

9 (iv) Is part of an institution of higher education that is either  
10 accredited, or is a candidate for accreditation, by a regional or national institutional  
11 accrediting agency recognized by the United States Secretary of Education; or

12 (2) In a diploma-granting, degree-equivalent college or university in  
13 Canada that:

14 (i) Offers graduate-level, full-time didactic and supervised clinical  
15 training;

16 (ii) Is accredited, or has achieved candidacy status for accreditation,  
17 by the Council on Naturopathic Medical Education or an equivalent federally and  
18 Board-recognized accrediting body for naturopathic medical programs; and

19 (iii) Has provincial approval for participation in government-funded  
20 student aid programs.

21 (c) “Auto-injectable epinephrine” means a portable, disposable drug delivery  
22 device that contains a premeasured single dose of epinephrine that is used to treat  
23 anaphylaxis in an emergency situation.

24 (d) “Board” means the State Board of Physicians.

25 (e) “Committee” means the Naturopathic Medicine Advisory Committee.

26 [(f) “Council” means the Naturopathic Doctors Formulary Council.]

27 [(g)] (F) (1) “Device” means a device used in the diagnosis, treatment, or  
28 prevention of disease.

29 (2) “Device” does not include:

30 (i) Any surgical or dental instrument;

1 (ii) Any physical therapy equipment;

2 (iii) Any X-ray apparatus; or

3 (iv) Any component part or accessory of any of the items listed in  
4 items (i) through (iii) of this paragraph.

5 [(h) “Formulary” means a list of drugs and devices developed and adopted in  
6 accordance with § 14-5F-04.1 of this subtitle.]

7 [(i) (G) “Licensed naturopathic doctor” means a naturopathic doctor who is  
8 licensed to practice naturopathic medicine.

9 [(j) (H) “Naturopathic doctor” means an individual who practices naturopathic  
10 medicine.

11 [(k) (I) (1) “Naturopathic medicine” means the prevention, diagnosis, and  
12 treatment of human health conditions, injury, and disease using only patient education and  
13 naturopathic therapies and therapeutic substances recognized by the Council of  
14 Naturopathic Medical Education.

15 (2) “Naturopathic medicine” includes:

16 (i) Counseling;

17 (ii) The practice of the mechanical sciences of healing, including  
18 mechanotherapy, articular manipulation, corrective and orthopedic gymnastics,  
19 hydrotherapy, electrotherapy, and phototherapy;

20 (iii) The practice of the material sciences of healing, including  
21 nutrition, phytotherapy, treatment by natural substances, and external applications; and

22 (iv) Prescribing, dispensing, or administering nonprescription and  
23 prescription drugs and devices [listed in the formulary] **AS AUTHORIZED UNDER THIS**  
24 **TITLE.**

25 [(l) (J) “Naturopathic musculoskeletal mobilization” means the treatment by  
26 manual and other mechanical means of all body tissues exclusive of high-velocity thrusts  
27 at or beyond the end range of normal joint motion.

28 [(m) (K) “Nonprescription drug” means a drug that:

29 (1) May be sold without a prescription; and

30 (2) Is labeled for use by a consumer in accordance with State and federal  
31 law.

1            ~~[(n)]~~ (L)        “Prescription drug” means any drug defined in § 503(b) of the federal  
2 Food, Drug, and Cosmetic Act if the drug’s label is required to bear the statement “Rx only”.

3 [14–5F–04.1.

4            (a)        (1)        There is a Naturopathic Doctors Formulary Council within the Board.

5                        (2)        The Council consists of the following members:

6                                (i)        The Deputy Secretary of Public Health Services, or the Deputy  
7 Secretary’s designee; and

8                                (ii)        The following members, appointed by the Board:

9                                        1.        Two individuals who:

10    A.        Practice naturopathic medicine in the State;

11    B.        Are certified by the North American Board of

12 Naturopathic Examiners;

13    C.        Have a minimum of 2 years experience; and

14    D.        Are licensed naturopathic doctors;

15                                        2.        Two licensed physicians who practice in the State;

16                                        3.        One pharmacist who has a background in pharmacognosy

17 and who practices in the State; and

18                                        4.        One consumer.

19                        (3)        (i)        The term of an appointed member is 4 years.

20                                (ii)        At the end of a term, an appointed member continues to serve  
21 until a successor is appointed.

22                        (4)        A member of the Council:

23                                (i)        May not receive compensation as a member of the Council; but

24                                (ii)        Is entitled to reimbursement for expenses under the Standard  
25 State Travel Regulations, as provided in the State budget.

26                        (5)        The Board shall designate the chair of the Council.

1 (6) The Board shall provide staff for the Council.

2 (b) The Council shall:

3 (1) Develop and recommend to the Board a formulary for use by licensed  
4 naturopathic doctors;

5 (2) Annually review the formulary adopted by the Board under subsection  
6 (c) of this section to determine if any changes are necessary for compliance with current  
7 prescribing standards or the practice of naturopathic medicine;

8 (3) Otherwise review the formulary at the direction of the Board; and

9 (4) Make recommendations to the Board based on the reviews conducted  
10 under items (2) and (3) of this subsection.

11 (c) (1) The Board shall adopt a formulary based on the recommendations of  
12 the Council made under subsection (b) of this section.

13 (2) The Board may modify or reject any recommendation of the Council  
14 regarding the formulary.

15 (d) (1) The formulary adopted by the Board shall include:

16 (i) Nonprescription drugs and devices;

17 (ii) Prescription oxygen and auto-injectable epinephrine; and

18 (iii) Prescription diaphragms and cervical caps for contraception.

19 (2) The formulary may not include:

20 (i) Except as provided in paragraph (1)(ii) and (iii) of this subsection,  
21 prescription drugs or devices; or

22 (ii) Controlled substances.]

23 14-5F-14.

24 (a) A license authorizes a licensee, consistent with naturopathic education and  
25 training and competence demonstrated by passing the naturopathic physician licensing  
26 examination, to:

27 (1) Order and perform physical and laboratory examinations for diagnostic  
28 purposes, including phlebotomy, clinical laboratory tests, orificial examinations,  
29 electrocardiograms with over read by a cardiologist, and physiological function tests;

1           (2)     Order diagnostic imaging studies and interpret the reports of diagnostic  
2 imaging studies;

3           (3)     Dispense or order natural medicines of mineral, animal, or botanical  
4 origin, including food, extracts of food, nutraceuticals, vitamins, amino acids, minerals,  
5 enzymes, botanicals and their extracts, botanical medicines, homeopathic medicines, and  
6 all dietary supplements and nonprescription drugs [listed in the formulary] that use  
7 various routes of administration, including oral, nasal, auricular, ocular, rectal, vaginal,  
8 transdermal, [and] intramuscular, **SUBCUTANEOUS, AND INTRAVENOUS**;

9           (4)     Administer natural medicines of mineral, animal, or botanical origin,  
10 including food, extracts of food, nutraceuticals, vitamins, amino acids, minerals, enzymes,  
11 botanicals and their extracts, botanical medicines, homeopathic medicines, and all dietary  
12 supplements and nonprescription drugs [listed in the formulary] using various routes of  
13 administration, including oral, nasal, auricular, ocular, rectal, vaginal, [and] transdermal,  
14 **INTRAMUSCULAR, SUBCUTANEOUS, AND INTRAVENOUS**;

15           (5)     Administer auto-injectable epinephrine;

16           (6)     Administer or perform hot or cold hydrotherapy, naturopathic physical  
17 medicine, electromagnetic energy, and therapeutic exercise for the purpose of providing  
18 basic therapeutic care services, except that if a referral to another licensed provider is  
19 appropriate for ongoing rehabilitation or habilitation services, the naturopathic doctor shall  
20 make the referral;

21           (7)     Provide health education and health counseling; [and]

22           (8)     Perform naturopathic musculoskeletal mobilization; **AND**

23           **(9)     PRESCRIBE WITHIN THE SCOPE OF NATUROPATHIC MEDICINE:**

24                   **(I)     A PRESCRIPTION DRUG; AND**

25                   **(II)    A SCHEDULE III, SCHEDULE IV, OR SCHEDULE V**  
26 **CONTROLLED DANGEROUS SUBSTANCE.**

27           (b)     A license does not authorize a licensee to:

28                   (1)     Except for a prescription drug [or device included in the formulary  
29 under § 14-5F-04.1(d)(1)(ii) or (iii) of this subtitle] **DESCRIBED IN SUBSECTION (A)(9)**  
30 **OF THIS SECTION**, prescribe, dispense, or administer any prescription drug or device **OR**  
31 **A SCHEDULE II CONTROLLED DANGEROUS SUBSTANCE**;

32                   (2)     Perform surgical procedures;

1           (3) Practice or claim to practice as a medical doctor or physician, an  
2 osteopath, a dentist, a podiatrist, an optometrist, a psychologist, a nurse practitioner, a  
3 physician assistant, a chiropractor, a physical therapist, an acupuncturist, or any other  
4 health care professional unless licensed under this article;

5           (4) Use general or spinal anesthetics;

6           (5) Administer ionizing radioactive substances for therapeutic purposes;

7           (6) Perform chiropractic adjustments or manipulations that include  
8 high-velocity thrusts at or beyond the end range of normal joint motion unless the licensee  
9 is also a licensed chiropractor;

10           (7) Perform acupuncture unless the licensee is also a licensed  
11 acupuncturist; or

12           (8) Prescribe, dispense, or administer any prescription or nonprescription  
13 drug or device [listed in the formulary] for cosmetic purposes.

14           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
15 October 1, 2025.