

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 867 (Delegate Cullison)
Health and Government Operations

State Board of Physicians - Naturopathic Doctors - Prescriptive Authority and Administration of Medication

This bill repeals the Naturopathic Doctors Formulary Council under the Maryland Board of Physicians (MBP) and removes references to the formulary. Instead, the bill specifies that a licensed naturopathic doctor can prescribe within the scope of naturopathic medicine (1) a prescription drug and (2) a schedule III, IV, or V controlled dangerous substance (CDS). However, a licensed naturopathic doctor cannot prescribe, dispense, or administer a schedule II CDS. The bill also alters the authorized administration routes of substances that a naturopathic doctor can order, dispense, and administer, as specified.

Fiscal Summary

State Effect: The bill’s requirements can be handled by MBP within existing budgeted resources, as described below. Revenues are not affected.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Bill Summary: The bill specifies that a naturopathic medicine license allows a naturopathic doctor to:

- dispense or order (1) natural medicines of mineral, animal, or botanical origin; (2) dietary supplements; and (3) nonprescription drugs that use various routes of

administration, including oral, nasal, auricular, ocular, rectal, vaginal, transdermal, intramuscular, *subcutaneous*, and *intravenous*; and

- administer (1) natural medicines of mineral, animal, or botanical origin; (2) dietary supplements; and (3) nonprescription drugs that use various routes of administration, including oral, nasal, auricular, ocular, rectal, vaginal, transdermal, *intramuscular*, *subcutaneous*, and *intravenous*.

Current Law: Chapters 153 and 399 of 2014 require an individual to be licensed by MBP in order to practice naturopathic medicine in the State. “Naturopathic medicine” means the prevention, diagnosis, and treatment of human health conditions, injury, and disease using only patient education, naturopathic therapies, and therapeutic substances recognized by the Council of Naturopathic Medical Education.

Chapters 153 and 399 also established the Naturopathic Doctors Formulary Workgroup. Chapter 700 of 2016 established the Naturopathic Doctors Formulary Council within MBP. The council must develop and recommend a formulary to MBP for use by licensed naturopathic doctors. The council must annually review the formulary adopted by MBP to determine if any changes are necessary for compliance with current prescribing standards or the practice of naturopathic medicine. Recommendations relating to the formulary must be made by the council to MBP. MBP must adopt a formulary based on the council’s recommendations but may modify or reject any of the council’s recommendations.

The formulary must include (1) nonprescription drugs and devices; (2) prescription oxygen and auto-injectable epinephrine; and (3) prescription diaphragms and cervical caps for contraception. The formulary may not include other prescription drugs and devices or controlled substances.

A licensed naturopathic doctor may:

- order and perform physical and laboratory examinations for diagnostic purposes;
- order and interpret the reports of diagnostic imaging studies;
- dispense or order natural medicines, dietary supplements, and nonprescription drugs listed in the formulary that use various routes of administration, including oral, nasal, auricular, ocular, rectal, vaginal, transdermal, and intramuscular;
- administer natural medicines of mineral, animal, or botanical origin, dietary supplements, and nonprescription drugs listed in the formulary that use various routes of administration, including oral, nasal, auricular, ocular, rectal, vaginal, and transdermal;
- administer auto-injectable epinephrine;
- administer or perform hydrotherapy, naturopathic physical medicine, electromagnetic energy, and therapeutic exercise;

- provide health education and counseling; and
- perform naturopathic musculoskeletal mobilization.

A licensee may not prescribe, dispense, or administer any prescription drug except for a prescription drug or device included in the formulary; perform surgical procedures; practice or claim to practice as a medical doctor, physician, osteopath, dentist, podiatrist, or other specified health care professional; use general or spinal anesthetics; administer ionizing radioactive substances for therapeutic purposes; perform chiropractic adjustments or manipulations unless the licensee is also a licensed chiropractor; perform acupuncture unless the licensee is also a licensed acupuncturist; or prescribe, dispense, or administer any prescription or nonprescription drug or device listed in the formulary for cosmetic purposes.

State Fiscal Effect: MBP advises that it is currently responsible for recruiting formulary council members, scheduling meetings, issuing per diems to council members, and scheduling staff to attend meetings. MBP would no longer do this under the bill; however, the minimal reduction in MBP duties and issued per diems would not substantially alter expenditures or revenues.

Small Business Effect: Small business naturopathic doctors or naturopathic medicine practices may prescribe additional medications and dispense, order, or administer certain substances through additional routes.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Maryland Department of Health; Department of Legislative Services

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km/jc

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