

SENATE BILL 470

J2

6lr2637
CF HB 520

By: **Senator Hayes**

Introduced and read first time: February 2, 2026

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Physicians – Naturopathic Doctors – Scope of Practice,**
3 **Renewals, and Professional Liability Insurance**

4 FOR the purpose of altering the drugs that may be prescribed, provided, or administered
5 or for which a start dose may be dispensed by a naturopathic doctor; altering the
6 methods by which a naturopathic doctor may administer medication; renaming the
7 Naturopathic Doctors Formulary Council to be the Naturopathic Doctors Formulary
8 Council for Controlled Dangerous Substances and altering the Council’s purpose;
9 altering the requirements for renewal of a naturopathic doctor license; altering the
10 grounds for discipline of naturopathic doctors; requiring the State Board of
11 Physicians to include certain information regarding professional liability insurance
12 on a naturopathic doctor’s licensee profile; requiring naturopathic doctors to notify
13 patients in a certain manner, post certain information, and provide certain
14 verification to the Board on request relating to professional liability insurance; and
15 generally relating to naturopathic doctors.

16 BY repealing and reenacting, with amendments,
17 Article – Health Occupations
18 Section 12–102(f), 14–5F–01, 14–5F–04.1, 14–5F–14, 14–5F–15(c), and
19 14–5F–18(a)(26) and (27)
20 Annotated Code of Maryland
21 (2021 Replacement Volume and 2025 Supplement)

22 BY adding to
23 Article – Health Occupations
24 Section 14–5F–18(a)(28) through (31), 14–5F–20(g), 14–5F–20.1, and 14–5F–20.2
25 Annotated Code of Maryland
26 (2021 Replacement Volume and 2025 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Health Occupations

12–102.

(f) (1) This title does not prohibit a dentist, physician, nurse or midwife, **NATUROPATHIC DOCTOR**, or podiatrist from personally dispensing a starter dosage of a prescription drug or device to a patient of the dentist, physician, nurse or midwife, **NATUROPATHIC DOCTOR**, or podiatrist, provided that:

(i) The starter dosage complies with the labeling requirements of § 12–505 of this title;

(ii) No charge is made for the starter dosage; and

(iii) The dentist, physician, nurse or midwife, **NATUROPATHIC DOCTOR**, or podiatrist enters an appropriate record on the patient’s chart.

(2) For the purposes of paragraph (1) of this subsection, “starter dosage” means an amount of drug or device sufficient to begin therapy:

(i) Of short duration of 72 hours or less; or

(ii) Prior to obtaining a larger quantity of the drug or device to complete the therapy.

14–5F–01.

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

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

(1) In the United States that:

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

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

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

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

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

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

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

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

(c) “Board” means the State Board of Physicians.

(d) “Committee” means the Naturopathic Medicine Advisory Committee.

(E) “CONTROLLED DANGEROUS SUBSTANCE” HAS THE MEANING STATED IN § 5–101 OF THE CRIMINAL LAW ARTICLE.

[(e)] (F) “Council” means the Naturopathic Doctors Formulary Council FOR CONTROLLED DANGEROUS SUBSTANCES.

[(f)] (G) (1) “Device” means a device used in the diagnosis, treatment, or prevention of disease.

(2) “Device” does not include:

(i) Any surgical or dental instrument;

(ii) Any physical therapy equipment;

(iii) Any X-ray apparatus; or

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

[(g)] (H) “Emergency use epinephrine” means a portable, disposable drug delivery device or product approved by the federal Food and Drug Administration that contains a premeasured single dose of epinephrine that is used to treat anaphylaxis in an emergency situation.

1 [(h)] (I) “Formulary” means a list of [drugs and devices] **CONTROLLED**
2 **DANGEROUS SUBSTANCES** developed and adopted in accordance with § 14–5F–04.1 of this
3 subtitle.

4 [(i)] (J) “Licensed naturopathic doctor” means a naturopathic doctor who is
5 licensed to practice naturopathic medicine.

6 [(j)] (K) “Naturopathic doctor” means an individual who practices naturopathic
7 medicine.

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

12 (2) “Naturopathic medicine” includes:

13 (i) Counseling;

14 (ii) The practice of the mechanical sciences of healing, including
15 mechanotherapy, articular manipulation, corrective and orthopedic gymnastics,
16 hydrotherapy, electrotherapy, and phototherapy;

17 (iii) The practice of the material sciences of healing, including
18 nutrition, phytotherapy, treatment by natural substances, and external applications; [and]

19 (iv) Prescribing, [dispensing] **PROVIDING**, or administering
20 nonprescription [and prescription] drugs and devices [listed in the formulary];

21 (V) **PRESCRIBING OR ADMINISTERING:**

22 1. **PRESCRIPTION DRUGS AND DEVICES THAT ARE NOT**
23 **CONTROLLED DANGEROUS SUBSTANCES; AND**

24 2. **CONTROLLED DANGEROUS SUBSTANCES LISTED IN**
25 **THE FORMULARY; AND**

26 (VI) **DISPENSING A STARTER DOSAGE OF A DRUG OR DEVICE**
27 **DESCRIBED IN ITEM (V) OF THIS PARAGRAPH.**

28 [(l)] (M) “Naturopathic musculoskeletal mobilization” means the treatment by
29 manual and other mechanical means of all body tissues exclusive of high–velocity thrusts
30 at or beyond the end range of normal joint motion.

31 [(m)] (N) “Nonprescription drug” means a drug that:

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

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

4 [(n)] (O) “Prescription drug” means any drug defined in § 503(b) of the federal
5 Food, Drug, and Cosmetic Act if the drug’s label is required to bear the statement “Rx only”.
6 14–5F–04.1.

7 (a) (1) There is a Naturopathic Doctors Formulary Council **FOR**
8 **CONTROLLED DANGEROUS SUBSTANCES** within the Board.

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

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

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

13 1. Two individuals who:

14 A. Practice naturopathic medicine in the State;

15 B. Are certified by the North American Board of
16 Naturopathic Examiners;

17 C. Have a minimum of 2 [years] **YEARS**’ experience; and

18 D. Are licensed naturopathic doctors;

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

20 3. One pharmacist who has a background in pharmacognosy
21 and who practices in the State; and

22 4. One consumer.

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

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

26 (4) A member of the Council:

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

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

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

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

(b) The Council shall:

(1) Develop and recommend to the Board a formulary **FOR CONTROLLED DANGEROUS SUBSTANCES** for use by licensed naturopathic doctors;

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

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

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

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

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

(d) **[(1)]** The formulary adopted by the Board **[shall include:**

(i) Nonprescription drugs and devices;

(ii) Prescription oxygen and emergency use epinephrine; and

(iii) Prescription diaphragms and cervical caps for contraception.

(2) The formulary may not include:

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

(ii) **Controlled substances] MAY INCLUDE ONLY CONTROLLED DANGEROUS SUBSTANCES LISTED IN SCHEDULE III, SCHEDULE IV, OR SCHEDULE V UNDER TITLE 5, SUBTITLE 4 OF THE CRIMINAL LAW ARTICLE.**

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

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

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

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

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

21 (5) Administer emergency use epinephrine;

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

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

28 (8) Perform naturopathic musculoskeletal mobilization;

29 **(9) PRESCRIBE, PROVIDE, AND ADMINISTER NONPRESCRIPTION**
30 **DRUGS AND DEVICES;**

31 **(10) SUBJECT TO ITEM (11) OF THIS SUBSECTION, PRESCRIBE,**
32 **DISPENSE A STARTER DOSAGE OF, AND ADMINISTER WITHIN THE SCOPE OF**
33 **NATUROPATHIC MEDICINE A PRESCRIPTION DRUG OR DEVICE; AND**

(11) PRESCRIBE, DISPENSE A STARTER DOSAGE OF, AND ADMINISTER WITHIN THE SCOPE OF NATUROPATHIC MEDICINE A CONTROLLED DANGEROUS SUBSTANCE LISTED IN THE FORMULARY IF THE LICENSEE HAS A VALID:

(I) STATE CONTROLLED DANGEROUS SUBSTANCE REGISTRATION; AND

(II) FEDERAL DRUG ENFORCEMENT AGENCY REGISTRATION.

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

(1) Except for a [prescription drug or device included in the formulary under § 14–5F–04.1(d)(1)(ii) or (iii) of this subtitle, prescribe,] STARTER DOSAGE DISPENSED IN ACCORDANCE WITH § 12–102 OF THIS ARTICLE, dispense[, or administer] any prescription drug or device;

(2) PRESCRIBE OR ADMINISTER ANY CONTROLLED DANGEROUS SUBSTANCE NOT LISTED IN THE FORMULARY;

[(2)] (3) Perform surgical procedures;

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

[(4)] (5) Use general or spinal anesthetics;

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

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

[(7)] (8) Perform acupuncture unless the licensee is also a licensed acupuncturist; or

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

14–5F–15.

(c) The Board shall renew the license of a licensee who:

- 1 (1) Submits a renewal application on the form that the Board requires;
- 2 (2) Is of good moral character;
- 3 (3) Pays a renewal fee set by the Board;
- 4 (4) Is otherwise entitled to be licensed; **AND**
- 5 (5) Meets the continuing education requirements adopted by the Board[;
- 6 and
- 7 (6) Provides evidence of biennial cardiopulmonary resuscitation
- 8 certification].

9 14–5F–18.

10 (a) Subject to the hearing provisions of § 14–405 of this title, a disciplinary panel,

11 on the affirmative vote of a majority of a quorum of the disciplinary panel, may deny a

12 license to any applicant, reprimand any licensee, place any licensee on probation, or

13 suspend or revoke a license of any licensee if the applicant or licensee:

14 (26) Violates any provision of this title or any regulation adopted by the

15 Board; [or]

16 (27) Fails to complete a criminal history records check under § 14–308.1 of

17 this title;

18 **(28) EXCEPT AS TO AN ASSOCIATION THAT HAS REMAINED**

19 **IN CONTINUOUS EXISTENCE SINCE JULY 1, 1963:**

20 **(I) ASSOCIATES WITH A PHARMACIST AS A PARTNER OR**

21 **CO-OWNER OF A PHARMACY FOR THE PURPOSE OF OPERATING A PHARMACY;**

22 **(II) EMPLOYS A PHARMACIST FOR THE PURPOSE OF OPERATING**

23 **A PHARMACY; OR**

24 **(III) CONTRACTS WITH A PHARMACIST FOR THE PURPOSE OF**

25 **OPERATING A PHARMACY;**

26 **(29) FAILS TO COMPLY WITH § 1–223 OF THIS ARTICLE;**

27 **(30) FAILS TO COMPLY WITH THE REQUIREMENTS OF THE**

28 **PRESCRIPTION DRUG MONITORING PROGRAM UNDER TITLE 21, SUBTITLE 2A OF**

29 **THE HEALTH – GENERAL ARTICLE; OR**

(31) FAILS TO COMPLY WITH THE REQUIREMENTS OF § 12-102 OF THIS ARTICLE.

14-5F-20.

(G) THE BOARD SHALL INCLUDE ON THE LICENSEE'S PROFILE, AS REPORTED TO THE BOARD BY THE LICENSEE:

(1) WHETHER THE LICENSEE MAINTAINS PROFESSIONAL LIABILITY INSURANCE; AND

(2) THE NUMBER OF MEDICAL MALPRACTICE FINAL COURT JUDGMENTS AND ARBITRATION AWARDS AGAINST THE LICENSEE WITHIN THE MOST RECENT 10-YEAR PERIOD.

14-5F-20.1.

ON REQUEST OF THE BOARD, A NATUROPATHIC DOCTOR WHO REPORTS TO THE BOARD THAT THE NATUROPATHIC DOCTOR MAINTAINS PROFESSIONAL LIABILITY INSURANCE FOR PURPOSES OF THE PUBLIC INDIVIDUAL PROFILE MAINTAINED BY THE BOARD UNDER § 14-5F-20 OF THIS SUBTITLE SHALL PROVIDE THE BOARD WITH VERIFICATION OR OTHER DOCUMENTATION THAT THE NATUROPATHIC DOCTOR MAINTAINS THE INSURANCE WITHIN 25 BUSINESS DAYS AFTER THE NATUROPATHIC DOCTOR RECEIVES A REQUEST FROM THE BOARD.

14-5F-20.2.

(A) EACH LICENSEE PRACTICING NATUROPATHIC MEDICINE IN THE STATE SHALL NOTIFY A PATIENT IN WRITING IF:

(1) THE LICENSEE DOES NOT MAINTAIN PROFESSIONAL LIABILITY INSURANCE COVERAGE; OR

(2) THE LICENSEE'S PROFESSIONAL LIABILITY INSURANCE COVERAGE HAS LAPSED FOR ANY PERIOD OF TIME AND THE LICENSEE'S COVERAGE HAS NOT BEEN RENEWED.

(B) THE WRITTEN NOTIFICATION PROVIDED TO THE PATIENT UNDER SUBSECTION (A) OF THIS SECTION SHALL BE:

(1) PROVIDED:

(I) AT THE FIRST VISIT BY THE PATIENT DURING ANY PERIOD IN WHICH THE LICENSEE DOES NOT MAINTAIN PROFESSIONAL LIABILITY

1 INSURANCE, UNLESS THE VISIT IS FOR THE PURPOSE OF RECEIVING INCIDENTAL
2 MEDICAL CARE THAT WILL BE RENDERED FREE OF CHARGE; AND

3 (II) AS PART OF EACH INFORMED CONSENT OBTAINED BEFORE
4 ANY PROCEDURE DISCUSSED OR OFFERED FOR THE PATIENT'S CONSIDERATION IS
5 PERFORMED;

6 (2) SIGNED BY THE PATIENT AT THE TIME OF THE PATIENT'S VISIT OR
7 THE INFORMED CONSENT IS SIGNED; AND

8 (3) RETAINED BY THE LICENSEE AS PART OF THE LICENSEE'S
9 PATIENT RECORDS.

10 (C) EACH LICENSEE PRACTICING NATUROPATHIC MEDICINE IN THE STATE
11 WHO DOES NOT MAINTAIN PROFESSIONAL LIABILITY INSURANCE COVERAGE SHALL
12 POST THIS INFORMATION IN A CONSPICUOUS LOCATION IN THE LICENSEE'S PLACE
13 OF PRACTICE.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2026.