

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 470
Finance

(Senator Hayes)

**State Board of Physicians - Naturopathic Doctors - Scope of Practice, Renewals,
and Professional Liability Insurance**

This bill expands the scope of practice for naturopathic doctors to include dispensing specified drugs and devices, including controlled dangerous substances (CDS), and expands the grounds by which a naturopathic doctor may be disciplined by the Maryland Board of Physicians (MBP). The name of the Naturopathic Doctors Formulary Council under MBP is renamed the Naturopathic Doctors Formulary Council for Controlled Dangerous Substances and the formulary is redefined as a list of CDS for use by licensed naturopathic doctors. The bill removes a requirement for licensed naturopathic doctors to provide evidence of biennial cardiopulmonary resuscitation (CPR) certification to renew a license. The bill also establishes certain requirements for the public profile of a naturopathic doctor and requires a naturopathic doctor to notify a patient in writing if they do not have professional liability insurance coverage or if the coverage has lapsed.

Fiscal Summary

State Effect: MBP can implement the bill with existing budgeted resources. Maryland Department of Health (MDH) general fund expenditures increase by \$1,800 in FY 2027 only to develop a CDS registration application for naturopathic doctors. MDH general fund revenues increase indeterminately beginning in FY 2027 due to CDS registration fees.

(in dollars)	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
GF Revenue	-	-	-	-	-
GF Expenditure	\$1,800	\$0	\$0	\$0	\$0
Net Effect	\$-	\$-	\$-	\$-	\$-

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: None.

Small Business Effect: Potential meaningful.

Analysis

Bill Summary:

Formulary Council

Rather than the formulary including a list of drugs and devices that naturopathic doctors can prescribe, dispense, or administer, the renamed Naturopathic Doctors Formulary Council for Controlled Dangerous Substances must develop and recommend to MBP a formulary *only for CDS* for use by licensed naturopathic doctors. The formulary may include only CDS listed in Schedules III, IV, or V.

The bill also removes existing references to *nonprescription drugs or devices listed in the formulary* and replaces them with *drugs or devices*.

Scope of Practice

The bill expands the definition of naturopathic medicine to include:

- prescribing, *providing* (rather than dispensing), or administering nonprescription drugs and devices; and
- prescribing, administering, or dispensing a starter dosage of prescription drugs and devices that are not CDS and CDS listed in the formulary.

To prescribe, dispense a starter dosage of, or administer a CDS listed in the formulary, a licensee must have a valid (1) State CDS registration and (2) federal Drug Enforcement Agency registration. A naturopathic doctor is authorized to dispense a starter dosage of a prescription drug or device to their patient if they follow existing policies for dispensing starter dosages. The bill adds that a license does not authorize a naturopathic doctor to (1) dispense any prescription drug or device, except for a starter dosage, as specified; or (2) prescribe or administer any CDS not listed in the formulary.

The bill also expands the methods by which a licensed naturopathic doctor may administer medication. Specifically, a licensed naturopathic doctor may:

- 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*.

Disciplinary Actions

A disciplinary panel can deny a license, reprimand a licensee, place a licensee on probation, or suspend or revoke a license if the applicant or licensee:

- except as to an association that has remained in continuous existence since July 1, 1963: (1) associates with a pharmacist as a partner or co-owner of a pharmacy; (2) employs a pharmacist; or (3) contracts with a pharmacist for the purpose of operating a pharmacy; or
- fails to comply with (1) State limits on prescribing opioids; (2) the requirements of the Prescription Drug Monitoring Program; or (3) the requirements of dispensing a starter dosage.

Public Profile and Professional Liability Insurance

MBP must include on a licensed naturopathic doctor's public profile: (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.

Within 25 days of a request from MBP, a naturopathic doctor who reports that they have professional liability insurance must provide verification or other documentation that they maintain the insurance.

Each licensee practicing naturopathic medicine must notify a patient in writing if (1) the licensee does not maintain professional liability insurance or (2) if the liability insurance coverage has lapsed for any period and has not been renewed. The written notification must be provided (1) at a patient's first visit during any period in which the licensee does not maintain insurance, unless the visit is for the purpose of receiving incidental medical care that will be free of charge and (2) as part of each informed consent obtained before any procedure is performed. It must be signed by the patient at the time of the patient's visit or when the informed consent is signed and retained by the licensee as part of patient records.

Each licensee who does not maintain professional liability insurance coverage must post that information in a conspicuous location in the licensee's place of practice.

Current Law: A “starter dosage” is an amount of a drug or device sufficient to begin therapy for 72 hours or less and prior to obtaining a larger quantity of the drug or device to complete the therapy. A dentist, physician, nurse, midwife, or podiatrist is authorized to dispense a starter dosage of a prescription drug or device to a patient provided that the starter dosage complies with labeling requirements, no charge is made for the dosage, and the dispenser enters a record of the starter dosage on the patient’s chart.

Chapters 153 and 399 of 2014 require an individual to be licensed by MBP 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.

Naturopathic medicine includes:

- counseling;
- the practice of mechanical sciences of healing, including mechanotherapy, articular manipulation, corrective and orthopedic gymnastics, hydrotherapy, electrotherapy, and phototherapy;
- the practice of the material sciences of healing, including nutrition, phytotherapy, treatment by natural substances, and external applications; and
- prescribing, dispensing, or administering nonprescription and prescription drugs and devices listed in the formulary.

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 emergency use 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 emergency use 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 (1) prescribe, dispense, or administer any prescription drug except for a prescription drug or device included in the formulary; (2) perform surgical procedures; (3) practice or claim to practice as a medical doctor, physician, osteopath, dentist, podiatrist, or other specified health care professional; (4) use general or spinal anesthetics; (5) administer ionizing radioactive substances for therapeutic purposes; (6) perform chiropractic adjustments or manipulations unless the licensee is also a licensed chiropractor; (7) perform acupuncture unless the licensee is also a licensed acupuncturist; or (8) prescribe, dispense, or administer any prescription or nonprescription drug or device listed in the formulary for cosmetic purposes.

For renewal, a naturopathic doctor must be of good moral character, otherwise entitled to licensure, and (1) submit a renewal application to MBP; (2) pay a renewal fee; (3) meet continuing education requirements adopted by MBP; and (4) provide evidence of biennial CPR certification.

MDH advises there are 97 naturopathic doctors currently licensed in the State.

State Expenditures: MDH's Office of Controlled Substances Administration (OCSA) advises that it would need to create a new application for naturopathic doctors to apply for CDS registration. This would require work with its online portal and CDS registration database vendors, incurring a one-time expenditure of approximately \$1,750 in fiscal 2027. OCSA advises that it can process any additional applications and inspect registrants with existing staff and resources. Thus, MDH general fund expenditures increase by \$1,750 in fiscal 2027 only.

State Revenues: OCSA advises that any naturopathic doctor who wishes to prescribe CDS must apply for a CDS registration, which costs \$120 for a three-year registration period. Thus, OCSA advises that MDH general fund revenues increase by up to \$12,000 every

three years beginning in fiscal 2027, contingent on the number of naturopathic doctors (up to approximately 100 based on the current number of licensees) who apply for CDS registration.

Small Business Effect: Naturopathic doctors can perform additional responsibilities with an expanded scope of practice under the bill.

Additional Information

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

Designated Cross File: HB 520 (Delegate Cullison) - Health.

Information Source(s): Maryland Department of Health; Maryland Health Care Alternative Dispute Resolution Office; Department of Legislative Services

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