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*Legislative District 40*



**THE SENATE OF MARYLAND**

**ANNAPOLIS, MARYLAND 21401**

**Bill:** Senate Bill 470

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

**Committee:** Finance

**Sponsor:** Senator Antonio Hayes

**RE: SB 470 - State Board of Physicians - Naturopathic Doctors - Scope of Practice, Renewals, and Professional Liability Insurance**

*Madam Chair and members of the Finance Committee,*

I am pleased to present SB 470, and I ask the Committee for a favorable vote. I am proud to serve on Senate Finance because we are a committee with a mission. Our goal is to improve health outcomes in all Maryland communities by ensuring we have an effective, efficient, and integrated healthcare system. With SB 470, the Committee has the opportunity to advance the work begun in 2014 with passage of legislation that established licensure for naturopathic doctors. Last year, the House took another step to improve health outcomes, by seriously considering Delegate Cullison's House Bill 867, which would have given prescription authority to naturopathic doctors. While HB 867 did not pass, Delegate Cullison followed the direction of then Chair Peña-Melnyk and convened an interim workgroup that included the naturopathic doctors, MedChi, and the Board of Physicians.

For this session, I worked with Delegate Cullison to craft a bill that addressed the questions raised in the workgroup. The bill before you today is already a compromise bill and reflects the in-depth discussions held by workgroup members. I am pleased to report that the Board of Physicians has moved from "neutral" last year to "support" for this year's bills. Despite our best efforts and the overwhelming evidence that naturopathic doctors can prescribe safely and effectively, MedChi remains opposed.

Now I want to describe the existing law and my proposal included in SB 470, including the compromises that have already been reached:

- Under the current law, naturopath doctors may prescribe medications and devices from a formulary, but statute restricts the formulary to just four items: – diaphragms, cervical caps, oxygen, and epinephrine. I am not sure what percentage of Marylanders could have their healthcare needs met by these items, but it's safe to assume that this list is too limited to help nearly anyone.
- Last year's bill eliminated the formality altogether and provided naturopathic doctors with prescriptive authority for medications within the scope of naturopathic medicine for medications and controlled dangerous substances, Schedules III through V. I just want to note that prescribing opioids is not what naturopathic doctors are seeking.
- SB 470 includes compromise language. The bill provides prescription authority for non-controlled medications within the scope of naturopathic medicine. But for Schedule III through V, the bill restricts prescriptive authority for only those medications approved by the Board of Physicians.
- Finally, SB 470 clarifies existing provisions regarding license renewals and professional liability insurance.

I would now like to tell the story about the origin of SB 470 with some background numbers:

- **10 Years of Safe Practice in Maryland:** Through the Board of Physicians, naturopathic doctors have been licensed for 10 years in Maryland. The Board reports that naturopathic doctors have nearly no disciplinary issues, demonstrating a very safe track record.
- **24 States License Naturopathic Doctors, with 14 States Recognizing Their Prescription Authority.** Over half of the states (including the District of Columbia) that licensure naturopathic doctors provide prescriptive authority in their laws. Maryland is behind other jurisdictions in recognizing the full benefit of naturopathic medicine for our residents.
- **Zero Disciplinary Actions for Naturopathic Doctors for Prescribing in Most States.** According to the Federation of Naturopathic Medicine Regulatory Authorities, most states that recognize prescribing rights for naturopathic doctors have zero disciplinary actions for prescribing. These states are Hawaii, Idaho,

New Hampshire, New Mexico, Utah, Vermont, and Montana. There are several other states with very high numbers of naturopathic doctors that report between an average of 0.1 to 2.1 disciplinary actions a year related to prescribing. These states are California, Oregon, Arizona, and Washington. Their small number of cases primarily reflect opioid prescribing issues, and we would see similar issues for any type of health professional with prescribing authority.

- **Consistency with Maryland's Practice of Recognizing Prescriptive Authority of Other Advanced Practice Clinicians without a Residency Program:** I have frequently heard that Maryland should not provide prescribing authority to naturopathic doctors because they do not have the same residency program requirements as physicians. However, Maryland has a long history of recognizing the prescribing of other practitioners who have pharmacological education and experience but not a medical residence including nurse practitioners, nurse-midwives, licensed certified midwives, and clinical nurse specialists.
- **141.5 Hours in Didactic Pharmacological Education.** Naturopathic doctors go to four-year medical graduate programs. They must successfully complete 141.5 didactic hours in pharmacological education and at least 1,200 hours in supervised clinical practice. You may hear from opponents that naturopathic doctors do not have sufficient education, and I would ask the Committee to review the facts.
- **There are only 60 Naturopaths in Maryland today – after almost 10 years of licensure.** After nearly 10 years of licensure, there are only about 60 licensed naturopathic doctors in Maryland. There are about 8,000 naturopathic doctors nationwide. Naturopathic doctors do not want to practice in Maryland because of the restriction on prescribing. My panel will speak to this issue from their own personal experience; but in essence, naturopathic doctors only practice in Maryland if their families are from Maryland.

In closing, I am sponsoring this bill because I believe we are missing significant opportunities to ensure Marylanders to access seamless healthcare services. We will hear from some naturopathic doctors today. Each of these clinicians treats Maryland patients; and each and every day, their patients must navigate the complex healthcare system if they need a new medication or an adjustment to their existing prescriptions. Usually, they have to wait a long time for an appointment – sometimes even months. Sometimes it is an inconvenience, but other times, the wait causes actual harm to patients.

This Committee spends a great deal of time in addressing complex, multi-faceted problems with healthcare access. However, improving access to care for patients of naturopathic

doctors is actually very simple. We just need to change Maryland's law to recognize the education and experience of naturopathic doctors in prescribing.

I look forward to working with the Committee on SB 470.

**Position: Favorable**