

BONNIE CULLISON
Legislative District 19
Montgomery County

Vice Chair, Health Committee

Subcommittees

Chair, Insurance

Pharmaceuticals

Rules and Executive
Nominations Committee

House Chair

Joint Committee on Legislative Ethics



The Maryland House of Delegates
6 Bladen Street, Room 241
Annapolis, Maryland 21401
410-841-3883
800-492-7122 Ext. 3883
Bonnie.Cullison@house.maryland.gov

THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

**Testimony in Support of House Bill 520
State Board of Physicians - Naturopathic Doctors - Scope of Practice, Renewals,
and Professional Liability Insurance**

Madam Chair Bagnall and fellow members of the House Health Committee, thank you for this opportunity to present **State Board of Physicians - Naturopathic Doctors - Scope of Practice, Renewals, and Professional Liability Insurance**. This bill is intended to increase access to primary care when our residents choose the services of our licensed naturopathic doctors.

I am proud to serve on the House Health Committee because we are a committee with a mission. Our goal is to improve health outcomes in all Maryland communities through ensuring we have an effective, efficient, and integrated healthcare system. With the bill before you today, the Committee has the opportunity to advance the work we began in 2014 with passage of the original bill, HB 402 sponsored by Delegate Nat Oaks, that established licensure for naturopathic doctors. Last year, we took another step by seriously considering *House Bill 867* to add prescriptive authority only for medications and devices within the scope of naturopathic medicine. While that bill did not pass, we followed the direction of then Chair Peña-Melnyk and convened a workgroup that included the naturopathic doctors, MedChi, and the Board of Physicians.

We spent focused time in the interim answering questions and addressing all the concerns raised by the stakeholders. We discussed the education of naturopathic doctors, both in the classroom and in clinical rotations. We discussed the scope of naturopathic medicine, and how naturopathic doctors are part of the patient's care teams – including physicians, advanced practice nurses, and therapists. We discussed how naturopathic doctors have prescriptive authority in other states with virtually no history of *any* disciplinary issues. After these thorough discussions, I crafted a bill that addressed all the questions and concerns that I heard, and it worked – partially. The Board of Physicians moved from neutral to support, and in my long history of serving on this committee, I know that this does not happen very often. Despite my best efforts though, and the compromises made in this year's bill, MedChi remains at oppose.

As a recap, I wanted to describe the existing law and my proposal this year, including the compromises that I have already made:

- Under the current law, naturopath doctors may prescribe medications and devices from a formulary, but the 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 by these medications, but it's safe to assume that this list is too limited to help nearly anyone.
- Last year's bill eliminated the formulary 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 the bill has never included opioids.
- This year's bill includes compromise language. The bill provides prescriptive 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.

I would like to tell the story about the origin of HB 520 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 Prescriptive 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 states. 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.

- **Consistent 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, clinical nurse specialists, and physician assistants.
- **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 look at the facts.
- **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. Other naturopathic doctors will not move to Maryland.

I am sponsoring this bill because I believe we are missing thousands of 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 everyday, 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 this is an inconvenience, but other times, this 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 HB 520. Thank you for your consideration and I urge a favorable report.