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SENATE BILL 5581

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State of Washington

57th Legislature

2001 Regular Session

By Senators Thibaudeau, Roach, Costa and Kohl-Welles

Read first time 01/26/2001. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to naturopathic physicians; amending RCW  
2 18.36A.010, 18.36A.020, 18.36A.030, 18.36A.040, 18.36A.050, 18.36A.070,  
3 18.06.050, 18.74.010, 18.120.020, 18.130.040, and 43.70.470; adding new  
4 sections to chapter 18.36A RCW; adding a new section to chapter 19.68  
5 RCW; creating a new section; and providing an effective date.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 **Sec. 1.** RCW 18.36A.010 and 1987 c 447 s 1 are each amended to read  
8 as follows:

9 The legislature finds that it is necessary to regulate the practice  
10 of ((naturopaths)) naturopathic physicians in order to protect the  
11 public health, safety, and welfare. It is the legislature's intent  
12 that only individuals who meet and maintain minimum standards of  
13 competence and conduct may provide service to the public.

14 **Sec. 2.** RCW 18.36A.020 and 1991 c 3 s 87 are each amended to read  
15 as follows:

16 Unless the context clearly requires otherwise, the definitions in  
17 this section apply throughout this chapter.

18 (1) "Department" means the department of health.

1 (2) "Secretary" means the secretary of health or the secretary's  
2 designee.

3 (3) "~~((Naturopath))~~ Naturopathic physician" means an individual  
4 licensed under this chapter.

5 (4) "Committee" means the Washington state naturopathic practice  
6 advisory committee.

7 (5) "Educational program" means ((a)) an accredited program  
8 preparing persons for the practice of ((naturopathy)) naturopathic  
9 medicine.

10 (6) "Nutrition and food science" means the prevention and treatment  
11 of disease or other human conditions through the use of foods, water,  
12 herbs, roots, bark, or natural food elements.

13 (7) "Manual manipulation" or "mechanotherapy" means manipulation of  
14 a part or the whole of the body by hand or by mechanical means.

15 (8) "Physical modalities" means use of physical, chemical,  
16 electrical, and other noninvasive modalities including, but not limited  
17 to heat, cold, air, light, water in any of its forms, sound, massage,  
18 and therapeutic exercise.

19 (9) "Homeopathy" means a system of medicine based on the use of  
20 infinitesimal doses of medicines capable of producing symptoms similar  
21 to those of the disease treated, as listed in the homeopathic  
22 pharmacopeia of the United States.

23 (10) (~~("Medicines of mineral, animal, and botanical origin" means~~  
24 ~~medicines derived from animal organs, tissues, and oils, minerals, and~~  
25 ~~plants administered orally and topically, excluding legend drugs with~~  
26 ~~the following exceptions: Vitamins, minerals, whole gland thyroid, and~~  
27 ~~substances as exemplified in traditional botanical and herbal~~  
28 ~~pharmacopoeia, and nondrug contraceptive devices excluding interuterine~~  
29 ~~devices. The use of intermuscular injections are limited to vitamin~~  
30 ~~B-12 preparations and combinations when clinical and/or laboratory~~  
31 ~~evaluation has indicated vitamin B-12 deficiency. The use of~~  
32 ~~controlled substances is prohibited.)) "Naturopathic medicines" include  
33 legend drugs and drugs in schedules III-V of the uniform controlled  
34 substances act consistent with naturopathic medical practice and in  
35 accordance with rules adopted by the secretary, excluding controlled  
36 substances listed in Schedules I and II of the uniform controlled  
37 substances act, chapter 69.50 RCW; vitamins; minerals; botanical  
38 medicines; homeopathic medicines; hormones; and other physiologic  
39 substances as exemplified in standard naturopathic medical texts,~~

1 journals, and pharmacopeia, including nondrug contraceptive devices.  
2 Naturopathic physicians may administer intermuscular, intramuscular,  
3 intravenous, subcutaneous, and intradermal injections of substances  
4 appropriate to naturopathic medicine, including providing saline  
5 infusion for dehydrated patients. The secretary shall determine, by  
6 rule, which other substances are appropriate.

7 (11) "Hygiene and immunization" means the use of such preventative  
8 techniques as personal hygiene, asepsis, public health, and  
9 immunizations, to the extent allowed by rule.

10 (12) "Minor office procedures" means minor surgical care and  
11 procedures incident thereto of superficial lacerations, lesions, and  
12 abrasions, and the removal of foreign bodies located in superficial  
13 structures, not to include the eye; trigger point therapy, dermal  
14 stimulation, and allergy testing and treatment; and the use of  
15 antiseptics and topical or local anesthetics in connection therewith.

16 (13) "Common diagnostic procedures" means the use of venipuncture  
17 ~~((to withdraw blood))~~ consistent with naturopathic medical practice,  
18 commonly used diagnostic modalities consistent with naturopathic  
19 practice, health history taking, physical examination, radiography,  
20 examination of body orifices excluding endoscopy, ~~((and))~~ laboratory  
21 medicine ~~((which obtains)), and obtaining~~ samples of human tissues  
22 ~~((products)), ~~((including superficial scrapings))~~ but excluding~~  
23 ~~((procedures which would require))~~ surgical ~~((incision))~~ excision  
24 beyond that which is authorized as minor office procedure.

25 (14) "Suggestion" means techniques including but not limited to  
26 counseling, biofeedback, and hypnosis.

27 (15) "Radiography" means the ordering, but not the interpretation,  
28 of radiographic diagnostic and other imaging studies and the taking and  
29 interpretation of standard radiographs. Radiography includes the  
30 ordering, but not the interpretation, of ultrasonic images.

31 **Sec. 3.** RCW 18.36A.030 and 1991 c 3 s 88 are each amended to read  
32 as follows:

33 (1) No person may practice naturopathy or naturopathic medicine or  
34 represent himself or herself as a ~~((naturopath))~~ naturopathic physician  
35 without first applying for and receiving a license from the secretary  
36 to practice naturopathy or naturopathic medicine.

37 (2) A person represents himself or herself as a ~~((naturopath))~~  
38 naturopathic physician when that person adopts or uses any title or any

1 description of services that incorporates one or more of the following  
2 terms or designations: Naturopath, naturopathic physician, natural  
3 medicine practitioner, or doctor of naturopathic medicine.

4 **Sec. 4.** RCW 18.36A.040 and 1991 c 3 s 89 are each amended to read  
5 as follows:

6 Naturopathic medicine or naturopathy is the practice by  
7 ((~~naturopaths~~)) naturopathic physicians of the art and science of the  
8 diagnosis, prevention, and treatment of disorders of the body by  
9 stimulation or support, or both, of the natural processes of the human  
10 body. A ((~~naturopath~~)) naturopathic physician is responsible and  
11 accountable to the consumer for the quality of naturopathic care  
12 rendered.

13 The practice of naturopathy or naturopathic medicine includes  
14 manual manipulation (mechanotherapy), the prescription, administration,  
15 dispensing, and use, except for the treatment of malignancies ((~~or~~  
16 ~~neoplastic—disease~~)), of nutrition and food science, physical  
17 modalities, minor office procedures, homeopathy, certain medicines of  
18 mineral, animal, and botanical origin, hygiene and immunization, common  
19 diagnostic procedures, and suggestion; however, nothing in this chapter  
20 shall prohibit consultation and treatment of a patient in concert with  
21 a practitioner licensed under chapter 18.57 or 18.71 RCW. No person  
22 licensed under this chapter may employ the term "chiropractic" to  
23 describe any services provided by a ((~~naturopath~~)) naturopathic  
24 physician under this chapter. No person licensed under this chapter  
25 may employ the term "acupuncture" to describe any services provided by  
26 a naturopathic physician under this chapter.

27 **Sec. 5.** RCW 18.36A.050 and 1991 c 3 s 90 are each amended to read  
28 as follows:

29 Nothing in this chapter shall be construed to prohibit or restrict:

30 (1) The practice of a profession by individuals who are licensed,  
31 certified, or registered under other laws of this state who are  
32 performing services within their authorized scope of practice;

33 (2) The practice of naturopathic medicine by an individual employed  
34 by the government of the United States while the individual is engaged  
35 in the performance of duties prescribed for him or her by the laws and  
36 regulations of the United States;

1 (3) The practice of naturopathic medicine by students enrolled in  
2 a school approved by the secretary. The performance of services shall  
3 be pursuant to a course of instruction or assignments from an  
4 instructor and under the supervision of the instructor. The instructor  
5 shall be a ((naturopath)) naturopathic physician licensed pursuant to  
6 this chapter; or

7 (4) The practice of oriental medicine or oriental herbology, or the  
8 rendering of other dietary or nutritional advice.

9 **Sec. 6.** RCW 18.36A.070 and 1991 c 3 s 92 are each amended to read  
10 as follows:

11 (1) There is hereby created the Washington state naturopathic  
12 advisory committee consisting of five members appointed by the  
13 secretary who shall advise the secretary concerning the administration  
14 of this chapter. Three members of the initial committee shall be  
15 persons who would qualify for licensing under this chapter. Their  
16 successors shall be ((naturopaths)) naturopathic physicians who are  
17 licensed under this chapter. Two members of the committee shall be  
18 individuals who are unaffiliated with the profession. For the initial  
19 committee, one unaffiliated member and one ((naturopath)) naturopathic  
20 physician shall serve four-year terms, one unaffiliated member and one  
21 ((naturopath)) naturopathic physician shall serve three-year terms, and  
22 one ((naturopath)) naturopathic physician shall serve a two-year term.  
23 The term of office for committee members after the initial committee is  
24 four years. Any committee member may be removed for just cause  
25 including a finding of fact of unprofessional conduct, impaired  
26 practice, or more than three unexcused absences. The secretary may  
27 appoint a new member to fill any vacancy on the committee for the  
28 remainder of the unexpired term.

29 No committee member may serve more than two consecutive terms,  
30 whether full or partial.

31 (2) Committee members shall be compensated in accordance with RCW  
32 43.03.240 and reimbursed for travel expenses in accordance with RCW  
33 43.03.050 and 43.03.060.

34 (3) The committee may elect annually a chair and vice-chair to  
35 direct the meetings of the committee. The committee shall meet at  
36 least once each year, and may hold additional meetings as called by the  
37 secretary or the chair.

1       **Sec. 7.** RCW 18.06.050 and 1991 c 3 s 7 are each amended to read as  
2 follows:

3       Any person seeking to be examined shall present to the secretary at  
4 least forty-five days before the commencement of the examination:

5       (1) A written application on a form or forms provided by the  
6 secretary setting forth under affidavit such information as the  
7 secretary may require; and

8       (2) Proof that the candidate has:

9       (a) Successfully completed a course, approved by the secretary, of  
10 didactic training in basic sciences and acupuncture over a minimum  
11 period of two academic years. The training shall include such subjects  
12 as anatomy, physiology, bacteriology, biochemistry, pathology, hygiene,  
13 and a survey of western clinical sciences. The basic science classes  
14 must be equivalent to those offered at the collegiate level. However,  
15 if the applicant is a licensed chiropractor under chapter 18.25 RCW or  
16 a ((~~naturopath~~)) naturopathic physician licensed under chapter 18.36A  
17 RCW, the requirements of this subsection relating to basic sciences may  
18 be reduced by up to one year depending upon the extent of the  
19 candidate's qualifications as determined under rules adopted by the  
20 secretary;

21       (b) Successfully completed a course, approved by the secretary, of  
22 clinical training in acupuncture over a minimum period of one academic  
23 year. The training shall include a minimum of: (i) Twenty-nine  
24 quarter credits of supervised practice, consisting of at least four  
25 hundred separate patient treatments involving a minimum of one hundred  
26 different patients, and (ii) one hundred hours or nine quarter credits  
27 of observation which shall include case presentation and discussion.

28       NEW SECTION. **Sec. 8.** A new section is added to chapter 18.36A RCW  
29 to read as follows:

30       A naturopathic physician may employ persons to assist in the  
31 preparation and monitoring of equipment and procedures involved in  
32 colonic therapy. The secretary shall adopt rules establishing  
33 protocols for the delegation and supervision of colonic therapy,  
34 including the qualifications of unlicensed persons performing colonic  
35 therapy.

36       NEW SECTION. **Sec. 9.** A new section is added to chapter 18.36A RCW  
37 to read as follows:

1 From his or her office, a naturopathic physician may compound,  
2 dispense, or sell naturopathic medicines not commonly available by  
3 prescription to meet the needs of individual patients on a case-by-case  
4 basis, excluding controlled substances or legend drugs. Injectable  
5 medications shall not be compounded unless provided for by the  
6 secretary in rule under the authority granted in RCW 18.36A.020(10).

7 NEW SECTION. **Sec. 10.** A new section is added to chapter 19.68 RCW  
8 to read as follows:

9 A naturopathic physician, licensed under chapter 18.36A RCW, is  
10 exempt from this chapter when dispensing or selling naturopathic  
11 medicines or products from his or her own office in accordance with the  
12 limitations and exclusions in section 9 of this act.

13 **Sec. 11.** RCW 18.74.010 and 1997 c 275 s 8 are each amended to read  
14 as follows:

15 Unless the context otherwise requires, the definitions in this  
16 section apply throughout this chapter.

17 (1) "Board" means the board of physical therapy created by RCW  
18 18.74.020.

19 (2) "Department" means the department of health.

20 (3) "Physical therapy" means the treatment of any bodily or mental  
21 condition of any person by the use of the physical, chemical, and other  
22 properties of heat, cold, air, light, water, electricity, sound,  
23 massage, and therapeutic exercise, which includes posture and  
24 rehabilitation procedures; the performance of tests and measurements of  
25 neuromuscular function as an aid to the diagnosis or treatment of any  
26 human condition; performance of treatments on the basis of test  
27 findings after consultation with and periodic review by an authorized  
28 health care practitioner except as provided in RCW 18.74.012;  
29 supervision of selective forms of treatment by trained supportive  
30 personnel; and provision of consultative services for health,  
31 education, and community agencies. The use of Roentgen rays and radium  
32 for diagnostic and therapeutic purposes, the use of electricity for  
33 surgical purposes, including cauterization, and the use of spinal  
34 manipulation or manipulative mobilization of the spine and its  
35 immediate articulations, are not included under the term "physical  
36 therapy" as used in this chapter.

1 (4) "Physical therapist" means a person who practices physical  
2 therapy as defined in this chapter but does not include massage  
3 operators as defined in RCW 18.108.010.

4 (5) "Secretary" means the secretary of health.

5 (6) Words importing the masculine gender may be applied to females.

6 (7) "Authorized health care practitioner" means and includes  
7 licensed physicians, osteopathic physicians, chiropractors,  
8 (~~naturopaths~~) naturopathic physicians, podiatric physicians and  
9 surgeons, dentists, and advanced registered nurse practitioners:  
10 PROVIDED, HOWEVER, That nothing herein shall be construed as altering  
11 the scope of practice of such practitioners as defined in their  
12 respective licensure laws.

13 **Sec. 12.** RCW 18.120.020 and 2000 c 93 s 15 are each amended to  
14 read as follows:

15 The definitions in this section apply throughout this chapter  
16 unless the context clearly requires otherwise.

17 (1) "Applicant group" includes any health professional group or  
18 organization, any individual, or any other interested party which  
19 proposes that any health professional group not presently regulated be  
20 regulated or which proposes to substantially increase the scope of  
21 practice of the profession.

22 (2) "Certificate" and "certification" mean a voluntary process by  
23 which a statutory regulatory entity grants recognition to an individual  
24 who (a) has met certain prerequisite qualifications specified by that  
25 regulatory entity, and (b) may assume or use "certified" in the title  
26 or designation to perform prescribed health professional tasks.

27 (3) "Grandfather clause" means a provision in a regulatory statute  
28 applicable to practitioners actively engaged in the regulated health  
29 profession prior to the effective date of the regulatory statute which  
30 exempts the practitioners from meeting the prerequisite qualifications  
31 set forth in the regulatory statute to perform prescribed occupational  
32 tasks.

33 (4) "Health professions" means and includes the following health  
34 and health-related licensed or regulated professions and occupations:  
35 Podiatric medicine and surgery under chapter 18.22 RCW; chiropractic  
36 under chapter 18.25 RCW; dental hygiene under chapter 18.29 RCW;  
37 dentistry under chapter 18.32 RCW; denturism under chapter 18.30 RCW;  
38 dispensing opticians under chapter 18.34 RCW; hearing instruments under

1 chapter 18.35 RCW; (~~naturopaths~~) naturopathic physicians under  
2 chapter 18.36A RCW; embalming and funeral directing under chapter 18.39  
3 RCW; midwifery under chapter 18.50 RCW; nursing home administration  
4 under chapter 18.52 RCW; optometry under chapters 18.53 and 18.54 RCW;  
5 ocularists under chapter 18.55 RCW; osteopathic medicine and surgery  
6 under chapters 18.57 and 18.57A RCW; pharmacy under chapters 18.64 and  
7 18.64A RCW; medicine under chapters 18.71 and 18.71A RCW; emergency  
8 medicine under chapter 18.73 RCW; physical therapy under chapter 18.74  
9 RCW; practical nurses under chapter 18.79 RCW; psychologists under  
10 chapter 18.83 RCW; registered nurses under chapter 18.79 RCW;  
11 occupational therapists licensed under chapter 18.59 RCW; respiratory  
12 care practitioners licensed under chapter 18.89 RCW; veterinarians and  
13 veterinary technicians under chapter 18.92 RCW; health care assistants  
14 under chapter 18.135 RCW; massage practitioners under chapter 18.108  
15 RCW; acupuncturists licensed under chapter 18.06 RCW; persons  
16 registered or certified under chapter 18.19 RCW; dietitians and  
17 nutritionists certified by chapter 18.138 RCW; radiologic technicians  
18 under chapter 18.84 RCW; and nursing assistants registered or certified  
19 under chapter 18.88A RCW.

20 (5) "Inspection" means the periodic examination of practitioners by  
21 a state agency in order to ascertain whether the practitioners'  
22 occupation is being carried out in a fashion consistent with the public  
23 health, safety, and welfare.

24 (6) "Legislative committees of reference" means the standing  
25 legislative committees designated by the respective rules committees of  
26 the senate and house of representatives to consider proposed  
27 legislation to regulate health professions not previously regulated.

28 (7) "License," "licensing," and "licensure" mean permission to  
29 engage in a health profession which would otherwise be unlawful in the  
30 state in the absence of the permission. A license is granted to those  
31 individuals who meet prerequisite qualifications to perform prescribed  
32 health professional tasks and for the use of a particular title.

33 (8) "Professional license" means an individual, nontransferable  
34 authorization to carry on a health activity based on qualifications  
35 which include: (a) Graduation from an accredited or approved program,  
36 and (b) acceptable performance on a qualifying examination or series of  
37 examinations.

1 (9) "Practitioner" means an individual who (a) has achieved  
2 knowledge and skill by practice, and (b) is actively engaged in a  
3 specified health profession.

4 (10) "Public member" means an individual who is not, and never was,  
5 a member of the health profession being regulated or the spouse of a  
6 member, or an individual who does not have and never has had a material  
7 financial interest in either the rendering of the health professional  
8 service being regulated or an activity directly related to the  
9 profession being regulated.

10 (11) "Registration" means the formal notification which, prior to  
11 rendering services, a practitioner shall submit to a state agency  
12 setting forth the name and address of the practitioner; the location,  
13 nature and operation of the health activity to be practiced; and, if  
14 required by the regulatory entity, a description of the service to be  
15 provided.

16 (12) "Regulatory entity" means any board, commission, agency,  
17 division, or other unit or subunit of state government which regulates  
18 one or more professions, occupations, industries, businesses, or other  
19 endeavors in this state.

20 (13) "State agency" includes every state office, department, board,  
21 commission, regulatory entity, and agency of the state, and, where  
22 provided by law, programs and activities involving less than the full  
23 responsibility of a state agency.

24 **Sec. 13.** RCW 18.130.040 and 1999 c 335 s 10 are each amended to  
25 read as follows:

26 (1) This chapter applies only to the secretary and the boards and  
27 commissions having jurisdiction in relation to the professions licensed  
28 under the chapters specified in this section. This chapter does not  
29 apply to any business or profession not licensed under the chapters  
30 specified in this section.

31 (2)(a) The secretary has authority under this chapter in relation  
32 to the following professions:

33 (i) Dispensing opticians licensed under chapter 18.34 RCW;

34 (ii) (~~Naturopaths~~) Naturopathic physicians licensed under chapter  
35 18.36A RCW;

36 (iii) Midwives licensed under chapter 18.50 RCW;

37 (iv) Ocularists licensed under chapter 18.55 RCW;

1 (v) Massage operators and businesses licensed under chapter 18.108  
2 RCW;

3 (vi) Dental hygienists licensed under chapter 18.29 RCW;

4 (vii) Acupuncturists licensed under chapter 18.06 RCW;

5 (viii) Radiologic technologists certified and X-ray technicians  
6 registered under chapter 18.84 RCW;

7 (ix) Respiratory care practitioners licensed under chapter 18.89  
8 RCW;

9 (x) Persons registered or certified under chapter 18.19 RCW;

10 (xi) Persons registered as nursing pool operators under chapter  
11 18.52C RCW;

12 (xii) Nursing assistants registered or certified under chapter  
13 18.88A RCW;

14 (xiii) Health care assistants certified under chapter 18.135 RCW;

15 (xiv) Dietitians and nutritionists certified under chapter 18.138  
16 RCW;

17 (xv) Chemical dependency professionals certified under chapter  
18 18.205 RCW;

19 (xvi) Sex offender treatment providers certified under chapter  
20 18.155 RCW;

21 (xvii) Persons licensed and certified under chapter 18.73 RCW or  
22 RCW 18.71.205;

23 (xviii) Persons registered as adult family home providers and  
24 resident managers under RCW 18.48.020;

25 (xix) Denturists licensed under chapter 18.30 RCW;

26 (xx) Orthotists and prosthetists licensed under chapter 18.200 RCW;  
27 and

28 (xxi) Surgical technologists registered under chapter 18.215 RCW.

29 (b) The boards and commissions having authority under this chapter  
30 are as follows:

31 (i) The podiatric medical board as established in chapter 18.22  
32 RCW;

33 (ii) The chiropractic quality assurance commission as established  
34 in chapter 18.25 RCW;

35 (iii) The dental quality assurance commission as established in  
36 chapter 18.32 RCW;

37 (iv) The board of hearing and speech as established in chapter  
38 18.35 RCW;

1 (v) The board of examiners for nursing home administrators as  
2 established in chapter 18.52 RCW;

3 (vi) The optometry board as established in chapter 18.54 RCW  
4 governing licenses issued under chapter 18.53 RCW;

5 (vii) The board of osteopathic medicine and surgery as established  
6 in chapter 18.57 RCW governing licenses issued under chapters 18.57 and  
7 18.57A RCW;

8 (viii) The board of pharmacy as established in chapter 18.64 RCW  
9 governing licenses issued under chapters 18.64 and 18.64A RCW;

10 (ix) The medical quality assurance commission as established in  
11 chapter 18.71 RCW governing licenses and registrations issued under  
12 chapters 18.71 and 18.71A RCW;

13 (x) The board of physical therapy as established in chapter 18.74  
14 RCW;

15 (xi) The board of occupational therapy practice as established in  
16 chapter 18.59 RCW;

17 (xii) The nursing care quality assurance commission as established  
18 in chapter 18.79 RCW governing licenses issued under that chapter;

19 (xiii) The examining board of psychology and its disciplinary  
20 committee as established in chapter 18.83 RCW; and

21 (xiv) The veterinary board of governors as established in chapter  
22 18.92 RCW.

23 (3) In addition to the authority to discipline license holders, the  
24 disciplining authority has the authority to grant or deny licenses  
25 based on the conditions and criteria established in this chapter and  
26 the chapters specified in subsection (2) of this section. This chapter  
27 also governs any investigation, hearing, or proceeding relating to  
28 denial of licensure or issuance of a license conditioned on the  
29 applicant's compliance with an order entered pursuant to RCW 18.130.160  
30 by the disciplining authority.

31 (4) All disciplining authorities shall adopt procedures to ensure  
32 substantially consistent application of this chapter, the Uniform  
33 Disciplinary Act, among the disciplining authorities listed in  
34 subsection (2) of this section.

35 **Sec. 14.** RCW 43.70.470 and 1993 c 492 s 277 are each amended to  
36 read as follows:

37 The department may establish by rule the conditions of  
38 participation in the liability insurance program by retired primary

1 care providers at clinics utilizing retired (~~(physicians [primary care~~  
2 ~~providers])~~) primary care providers for the purposes of this section  
3 and RCW 43.70.460. These conditions shall include, but not be limited  
4 to, the following:

5 (1) The participating primary care provider associated with the  
6 clinic shall hold a valid license to practice as a physician under  
7 chapter 18.71 or 18.57 RCW, a (~~(naturopath)~~) naturopathic physician  
8 under chapter 18.36A RCW, a physician assistant under chapter 18.71A or  
9 18.57A RCW, an advanced registered nurse practitioner under chapter  
10 18.88 RCW, a dentist under chapter 18.32 RCW, or other health  
11 professionals as may be deemed in short supply in the health personnel  
12 resource plan under chapter 28B.125 RCW. All primary care providers  
13 must be in conformity with current requirements for licensure as a  
14 retired primary care provider, including continuing education  
15 requirements;

16 (2) The participating primary care provider shall limit the scope  
17 of practice in the clinic to primary care. Primary care shall be  
18 limited to noninvasive procedures and shall not include obstetrical  
19 care, or any specialized care and treatment. Noninvasive procedures  
20 include injections, suturing of minor lacerations, and incisions of  
21 boils or superficial abscesses. Primary dental care shall be limited  
22 to diagnosis, oral hygiene, restoration, and extractions and shall not  
23 include orthodontia, or other specialized care and treatment;

24 (3) The provision of liability insurance coverage shall not extend  
25 to acts outside the scope of rendering medical services pursuant to  
26 this section and RCW 43.70.460;

27 (4) The participating primary care provider shall limit the  
28 provision of health care services to primarily low-income persons  
29 provided that clinics may, but are not required to, provide means tests  
30 for eligibility as a condition for obtaining health care services;

31 (5) The participating primary care provider shall not accept  
32 compensation for providing health care services from patients served  
33 pursuant to this section and RCW 43.70.460, nor from clinics serving  
34 these patients. "Compensation" shall mean any remuneration of value to  
35 the participating primary care provider for services provided by the  
36 primary care provider, but shall not be construed to include any  
37 nominal copayments charged by the clinic, nor reimbursement of related  
38 expenses of a participating primary care provider authorized by the  
39 clinic in advance of being incurred; and

1 (6) The use of mediation or arbitration for resolving questions of  
2 potential liability may be used, however any mediation or arbitration  
3 agreement format shall be expressed in terms clear enough for a person  
4 with a sixth grade level of education to understand, and on a form no  
5 longer than one page in length.

6 NEW SECTION. **Sec. 15.** The department of health shall conduct an  
7 analysis of the appropriateness of naturopathic physicians using  
8 naturopathic techniques including, but not limited to, auricular, hand  
9 therapy, and other practices that may overlap with the acupuncture  
10 scope of practice. The secretary of health shall appoint a work group  
11 of affected parties which shall identify areas that should require an  
12 endorsement to the naturopathic license and what the requirements for  
13 such an endorsement should be. The secretary shall report to the  
14 legislature on any needed legislative changes. In addition, this  
15 report shall include an evaluation of the following:

16 (1) Establishing an endorsement process to allow naturopaths to  
17 perform specific acupuncture-related practices if they can demonstrate  
18 competency;

19 (2) Increasing the naturopathic scope of practice to include these  
20 acupuncture-related practices consistent with naturopathic medicine;  
21 and

22 (3) The appropriate level of education, training, and experience  
23 needed to support any increase in the scope of practice and any  
24 endorsement.

25 The report and proposed legislation shall be provided to the  
26 appropriate committees of the legislature by January 14, 2002.

27 NEW SECTION. **Sec. 16.** Sections 1 through 14 of this act take  
28 effect July 1, 2002.

--- END ---