

# HOUSE BILL No. 1657

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 25-0.5; IC 25-22.7; IC 35-52-25.

**Synopsis:** Licensure of naturopathic physicians. Provides for the licensure of naturopathic physicians. Specifies certain individuals who are not required to be licensed. Establishes the board of naturopathic medicine (board). Establishes license requirements. Requires licensed naturopathic physicians to obtain continuing education for license renewal. Establishes the naturopathic formulary council to establish a formulary for naturopathic physicians. Establishes the childbirth attendance advisory committee to provide recommendation concerning the practice of naturopathic childbirth. Provides that an individual who is not licensed may not use certain descriptions, titles, or initials to indicate or imply that the individual is a licensed naturopathic physician. Establishes criminal penalties for certain violations.

**Effective:** July 1, 2019.

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January 24, 2019, read first time and referred to Committee on Public Health.

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First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

## HOUSE BILL No. 1657

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 25-0.5-1-24 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2019]: **Sec. 24. IC 25-1-1.1-4 applies to an individual licensed**  
4 **under IC 25-22.7 (naturopathic physicians).**

5 SECTION 2. IC 25-0.5-2-36 IS ADDED TO THE INDIANA CODE  
6 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
7 1, 2019]: **Sec. 36. IC 25-1-2-2.1 applies to licenses held by**  
8 **naturopathic physicians.**

9 SECTION 3. IC 25-0.5-3-43 IS ADDED TO THE INDIANA CODE  
10 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
11 1, 2019]: **Sec. 43. IC 25-1-2-6(b) applies to the board of**  
12 **naturopathic medicine.**

13 SECTION 4. IC 25-0.5-4-34 IS ADDED TO THE INDIANA CODE  
14 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
15 1, 2019]: **Sec. 34. The board of naturopathic medicine**  
16 **(IC 25-22.7-3) is a board under IC 25-1-4.**

17 SECTION 5. IC 25-0.5-5-22 IS ADDED TO THE INDIANA CODE



1 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
2 1, 2019]: **Sec. 22. The Indiana professional licensing agency shall  
3 perform administrative functions, duties, and responsibilities for  
4 the board of naturopathic medicine (IC 25-22.7-3) under  
5 IC 25-1-5-3(a).**

6 SECTION 6. IC 25-0.5-6-21 IS ADDED TO THE INDIANA CODE  
7 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
8 1, 2019]: **Sec. 21. An individual licensed by the board of  
9 naturopathic medicine (IC 25-22.7-3) is a provider under  
10 IC 25-1-5-10.**

11 SECTION 7. IC 25-0.5-8-38 IS ADDED TO THE INDIANA CODE  
12 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
13 1, 2019]: **Sec. 38. An occupation for which a person is licensed by  
14 the board of naturopathic medicine (IC 25-22.7-3) is a regulated  
15 occupation under IC 25-1-7.**

16 SECTION 8. IC 25-0.5-9-38 IS ADDED TO THE INDIANA CODE  
17 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
18 1, 2019]: **Sec. 38. The board of naturopathic medicine  
19 (IC 25-22.7-3) is a board under IC 25-1-8.**

20 SECTION 9. IC 25-0.5-10-35 IS ADDED TO THE INDIANA  
21 CODE AS A NEW SECTION TO READ AS FOLLOWS  
22 [EFFECTIVE JULY 1, 2019]: **Sec. 35. The board of naturopathic  
23 medicine (IC 25-22.7-3) is a board under IC 25-1-8-6.**

24 SECTION 10. IC 25-0.5-11-20 IS ADDED TO THE INDIANA  
25 CODE AS A NEW SECTION TO READ AS FOLLOWS  
26 [EFFECTIVE JULY 1, 2019]: **Sec. 20. The board of naturopathic  
27 medicine (IC 25-22.7-3) is a board under IC 25-1-9.**

28 SECTION 11. IC 25-22.7 IS ADDED TO THE INDIANA CODE  
29 AS A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY  
30 1, 2019]:

31 **ARTICLE 22.7. NATUROPATHIC PHYSICIANS**

32 **Chapter 1. Applicability**

33 **Sec. 1. This article does not apply to the following:**

- 34 (1) An individual who is employed by the United States to  
35 practice naturopathic medicine while practicing within the  
36 scope of that employment.  
37 (2) An individual whose:  
38 (A) license to practice naturopathic medicine is issued in  
39 another state; and  
40 (B) practice of naturopathic medicine is limited to  
41 examinations, recommendations, or expert testimony.  
42 (3) An individual who is a student enrolled in an approved



1           naturopathic medical program while studying under the  
2           supervision of a licensed:  
3           (A) naturopathic physician; or  
4           (B) professional in the field of study.  
5       **Sec. 2. Except as provided in IC 25-22.7-7-2, this article does not**  
6       **apply to the following:**  
7           (1) An individual who practices a health occupation that the  
8           individual is authorized to practice under this title or any  
9           other law, including:  
10           (A) wellness coaching; or  
11           (B) counseling.  
12           (2) An individual who treats the individual or individual's  
13           family.  
14           (3) A person that sells and provides information about  
15           vitamins or herbs that the person offers for sale.  
16           (4) A person who offers advice in the use of a therapy,  
17           including herbal medicine, homeopathy, nutrition, or another  
18           nondrug or nonsurgical therapy.  
19       **Chapter 2. Definitions**  
20       **Sec. 1. "Advisory committee" refers to the naturopathic**  
21       **childbirth attendance advisory committee established by**  
22       **IC 25-22.7-6-1.**  
23       **Sec. 2. "Approved naturopathic medical program" means a**  
24       **naturopathic medical education program described in**  
25       **IC 25-22.7-4-2.**  
26       **Sec. 3. "Board" refers to the board of naturopathic medicine**  
27       **established by IC 25-22.7-3-1.**  
28       **Sec. 4. "Childbirth attendance" means the specialty practice of**  
29       **natural childbirth by a naturopathic physician that includes the**  
30       **management of normal pregnancy, normal labor and delivery, and**  
31       **the normal postpartum period, including normal newborn care.**  
32       **Sec. 5. "Council" refers to the naturopathic formulary council**  
33       **established by IC 25-22.7-5-1.**  
34       **Sec. 6. "Minor office procedures" means the methods for the**  
35       **repair and care incidental to superficial lacerations and abrasions,**  
36       **superficial lesions, and the removal of foreign bodies located in the**  
37       **superficial tissues.**  
38       **Sec. 7. "Naturopathic medicine" means a system of primary**  
39       **care for:**  
40           (1) the prevention, diagnosis, and treatment of human health  
41           conditions, injury, and disease;  
42           (2) the promotion or restoration of health; and



1 (3) the support and stimulation of a patient's inherent  
 2 self-healing processes through patient education and the use  
 3 of naturopathic therapies and therapeutic substances.

4 Sec. 8. "Naturopathic physician" means an individual who is  
 5 licensed to practice naturopathic medicine.

6 Sec. 9. "Prescription drug" means any drug defined in the  
 7 federal Food, Drug and Cosmetic Act (21 U.S.C. 301 et seq.) if the  
 8 drug's label is required to bear the statement "Rx Only".

9 Chapter 3. Board of Naturopathic Medicine

10 Sec. 1. The board of naturopathic medicine is established.

11 Sec. 2. (a) The board consists of five (5) members. The board  
 12 must include the following:

13 (1) Three (3) individuals who:

14 (A) are naturopathic physicians; and

15 (B) meet the requirements in section 3 of this chapter.

16 (2) Two (2) individuals who:

17 (A) do not have any association with the practice of  
 18 naturopathic medicine, except as a consumer; and

19 (B) meet the requirements under section 4 of this chapter.

20 (b) The governor shall appoint the members under subsection  
 21 (a)(1) with the advice of the Indiana Association of Naturopathic  
 22 Physicians.

23 Sec. 3. Each naturopathic physician member of the board must  
 24 be:

25 (1) in good standing with the board;

26 (2) an Indiana resident who:

27 (A) has practiced; or

28 (B) has taught;

29 naturopathic medicine in Indiana for at least five (5) years  
 30 immediately before appointment; and

31 (3) beginning July 1, 2020, licensed under this chapter.

32 Sec. 4. Each consumer member of the board:

33 (1) must be a resident of Indiana;

34 (2) may not be or have been licensed to practice a health  
 35 occupation under this title; and

36 (3) may be or have been immediately related to an individual  
 37 who has a substantial connection with naturopathic education,  
 38 business, or practice.

39 Sec. 5. (a) Except as provided in subsection (b), the term of a  
 40 board member appointed under this chapter is four (4) years, with  
 41 the term expiring on June 30.

42 (b) At the end of a term, a member continues to serve until a



1 successor is appointed and qualified.

2 Sec. 6. A member may not serve more than two (2) consecutive  
3 full terms.

4 Sec. 7. (a) Notwithstanding section 5(a) of this chapter, the  
5 initial terms of office of the members of the board appointed under  
6 section 2 of this chapter are as follows:

7 (1) One (1) member appointed under section 2(a)(1) of this  
8 chapter and one (1) member appointed under section 2(a)(2)  
9 of this chapter, four (4) years.

10 (2) One (1) member appointed under section 2(a)(1) of this  
11 chapter and one (1) member appointed under section 2(a)(2)  
12 of this chapter, three (3) years.

13 (3) One (1) member appointed under section 2(a)(1) of this  
14 chapter, two (2) years.

15 (b) The initial terms of the appointed members to the board  
16 begin July 1, 2019.

17 (c) This section expires July 1, 2023.

18 Sec. 8. If a vacancy occurs on the board, the governor shall:

19 (1) appoint a new member to serve the remainder of the  
20 vacant term; and

21 (2) fill any vacancy on the board not later than sixty (60) days  
22 after the date of the vacancy.

23 Sec. 9. The governor may remove any member of the board for  
24 cause before the expiration of the member's term.

25 Sec. 10. Board members shall annually elect a chair.

26 Sec. 11. The following applies to the operation of the board:

27 (1) A quorum of the board consists of a majority of the board  
28 members.

29 (2) The chair shall determine the time and place for meetings.

30 (3) Members of the board are not entitled to a salary per diem  
31 or reimbursement for expenses.

32 (4) The board shall meet at least one (1) time each year and on  
33 the call of the chair or the written request of two (2) members  
34 of the board.

35 Sec. 12. The board may adopt rules under IC 4-22-2 to  
36 administer this article.

37 Sec. 13. The board shall:

38 (1) evaluate the content for any clinical, practical, or  
39 residency requirement for a license under this article;

40 (2) subject to IC 25-1-4, establish an approved program of  
41 continuing education in naturopathic medicine, including:

42 (A) criteria;



- 1 (B) categories; and
- 2 (C) minimum hours required to be completed by licensed
- 3 persons in the license period preceding the date of license
- 4 renewal;
- 5 (3) enforce the standards of practice and conduct proceedings
- 6 under IC 25-1-9;
- 7 (4) subject to IC 25-27.7-6, establish standards for childbirth
- 8 attendance;
- 9 (5) establish examination standards for licensing and time
- 10 frames for exam administration; and
- 11 (6) perform functions necessary to administer this article.

12 Sec. 14. The board shall establish fees under IC 25-1-8-2.

13 Chapter 4. License and Qualifications

14 Sec. 1. After December 31, 2020, except as otherwise provided  
15 in this article, an individual must be licensed by the board before  
16 the individual may practice naturopathic medicine.

17 Sec. 2. A naturopathic medical education program is approved  
18 if the program meets one (1) of the following criteria:

- 19 (1) The program is located in the United States and:
  - 20 (A) provides a doctoral degree in naturopathy or
  - 21 naturopathic medicine;
  - 22 (B) offers graduate level, full-time didactic and supervised
  - 23 clinical training;
  - 24 (C) is accredited by or a candidate for accreditation before
  - 25 the Council on Naturopathic Medical Education or an
  - 26 equivalent accrediting body for naturopathic medical
  - 27 programs; and
  - 28 (D) is part of an institution of higher education that is
  - 29 either accredited by or a candidate for accreditation before
  - 30 an accrediting agency that is recognized by the United
  - 31 States Secretary of Education.
- 32 (2) The program is located in a college or university in
- 33 Canada and:
  - 34 (A) grants a diploma for a degree equivalent to a degree
  - 35 described in subdivision (1);
  - 36 (B) offers graduate level, full-time didactic and supervised
  - 37 clinical training;
  - 38 (C) is accredited or is a candidate for accreditation before
  - 39 the Council on Naturopathic Medical Education or an
  - 40 equivalent federal and board recognized accrediting body
  - 41 for naturopathic medical programs; and
  - 42 (D) has provincial approval for participation in



- 1 government funded student aid programs.
- 2 (3) The program is from a degree granting college or
- 3 university and:
- 4 (A) before the existence of the Council on Naturopathic
- 5 Medical Education:
- 6 (i) offered a full-time structured curriculum in basic
- 7 sciences and supervised patient care comprising a
- 8 doctoral naturopathic medical education;
- 9 (ii) required at least three (3) years of study as a
- 10 prerequisite for graduation; and
- 11 (iii) if in Canada, had provincial approval for
- 12 participation in government funded student aid
- 13 programs;
- 14 (B) is approved by the board; and
- 15 (C) if the program exists when the applicant applies for a
- 16 license:
- 17 (i) is accredited by the Council on Naturopathic Medical
- 18 Education or an equivalent accrediting agency; and
- 19 (ii) if in Canada, has provincial approval for
- 20 participation in government funded student aid
- 21 programs.
- 22 **Sec. 3. An applicant for a license to practice naturopathic**
- 23 **medicine must:**
- 24 (1) meet the requirements of this chapter;
- 25 (2) submit an application with the board;
- 26 (3) not have:
- 27 (A) a criminal conviction or disciplinary action that has a
- 28 direct bearing on the applicant's fitness to practice
- 29 naturopathic medicine; or
- 30 (B) committed an act that would be grounds for discipline
- 31 under IC 25-1-9;
- 32 (4) be physically and mentally capable of practicing
- 33 naturopathic medicine; and
- 34 (5) pay the application fee.
- 35 **Sec. 4. Except as provided in this chapter, an applicant for a**
- 36 **license to practice naturopathic medicine must:**
- 37 (1) have a doctorate in naturopathic medicine from an
- 38 approved naturopathic medical program; and
- 39 (2) either:
- 40 (A) pass a competency based national naturopathic
- 41 licensing examination administered by the North American
- 42 Board of Naturopathic Examiners, or its successor agency,





1 that has been nationally recognized to administer a  
 2 naturopathic examination that represents federal  
 3 standards of education and training; or

4 (B) for graduates of an approved naturopathic medical  
 5 program, pass a board approved state competency  
 6 examination or Canadian provincial examination.

7 **Sec. 5.** If an applicant for a license to practice naturopathic  
 8 medicine is licensed, certified, or registered to practice  
 9 naturopathic medicine or any other health care occupation in  
 10 another state, the applicant must be in good standing with the  
 11 applicable state licensing, certification, or registration authority.

12 **Sec. 6.** An applicant who seeks to be licensed under this article  
 13 without passing an examination under section 4(2) of this chapter:

14 (1) must provide proof of licensure in good standing in each  
 15 state in which the applicant is licensed; and

16 (2) if the applicant has been licensed, certified, or registered  
 17 to practice naturopathic medicine in another state, shall  
 18 submit all evidence relating to:

19 (A) disciplinary action or any administrative penalties  
 20 against the applicant by another state; and

21 (B) any agreements the applicant entered into that limit  
 22 the applicant's professional conduct and practice,  
 23 including voluntary surrender of a license.

24 **Sec. 7.** The board shall issue a license to an applicant for a  
 25 license to practice naturopathic medicine who meets the  
 26 requirements of this chapter.

27 **Sec. 8.** A naturopathic physician may do the following:

28 (1) Order and perform physical and laboratory examinations  
 29 for diagnostic purposes, including:

30 (A) phlebotomy;

31 (B) clinical laboratory tests;

32 (C) official examinations; and

33 (D) physiological function tests.

34 (2) Order diagnostic imaging studies, if consistent with the  
 35 naturopathic physician's education and training.

36 (3) Dispense, order, prescribe, or administer:

37 (A) food and extracts of food;

38 (B) nutraceuticals;

39 (C) vitamins;

40 (D) amino acids;

41 (E) minerals;

42 (F) enzymes;



- 1           **(G) botanicals, including botanical extracts;**  
 2           **(H) botanical medicines;**  
 3           **(I) homeopathic medicines; and**  
 4           **(J) all dietary supplements and nonprescription drugs as**  
 5           **defined by the federal Food, Drug and Cosmetic Act (21**  
 6           **U.S.C. 301 et seq.);**  
 7           **using routes of administration that include oral, nasal,**  
 8           **auricular, ocular, rectal, vaginal, transdermal, intradermal,**  
 9           **subcutaneous, intravenous, and intramuscular that are**  
 10           **consistent with the naturopathic physician's education and**  
 11           **training.**  
 12           **(4) Order prescription drugs, devices, and natural medicines**  
 13           **under the formulary approved by the council and adopted by**  
 14           **rule of the board.**  
 15           **(5) Administer or perform:**  
 16               **(A) hot or cold hydrotherapy;**  
 17               **(B) naturopathic physical medicine;**  
 18               **(C) colon hydrotherapy; and**  
 19               **(D) therapeutic exercise.**  
 20           **(6) Dispense, administer, or order devices, including:**  
 21               **(A) therapeutic devices;**  
 22               **(B) barrier contraception; and**  
 23               **(C) durable medical equipment.**  
 24           **(7) Provide health education and health counseling.**  
 25           **(8) Subject to section 10 of this chapter:**  
 26               **(A) provide repair and care incidental to superficial**  
 27               **lacerations and abrasions; and**  
 28               **(B) remove foreign bodies located in superficial tissues.**  
 29           **(9) Provide musculoskeletal manipulation that is consistent**  
 30           **with the naturopathic physician's education and training.**  
 31           **Sec. 9. A naturopathic physician may not do any of the**  
 32           **following:**  
 33               **(1) Prescribe or administer any controlled substance or device**  
 34               **identified in the federal Controlled Substances Act (21 U.S.C.**  
 35               **801 et seq.), except under the formulary approved by the**  
 36               **council and adopted by rule of the board.**  
 37               **(2) Except for minor office procedures, perform surgical**  
 38               **procedures, including procedures using a laser device or that**  
 39               **involve the eyes, ears, tendons, nerves, veins, or arteries**  
 40               **extending beyond superficial tissues.**  
 41               **(3) Practice or claim to practice as a health care provider who**  
 42               **is regulated under this title unless the naturopathic physician**



- 1 is licensed, certified, registered, or regulated by an entity  
 2 described in IC 25-0.5-11 that governs that type of health care  
 3 provider.
- 4 (4) Use general or spinal anesthetics.
- 5 (5) Administer ionizing radioactive substances for therapeutic  
 6 purposes.
- 7 (6) Perform acupuncture, unless the naturopathic physician  
 8 is approved by the board to perform acupuncture or is a  
 9 licensed acupuncturist.
- 10 **Sec. 10.** The board may approve a naturopathic physician to  
 11 perform minor office procedures only if the naturopathic  
 12 physician:
- 13 (1) graduated from an approved naturopathic medical  
 14 program that included minor office procedures as part of its  
 15 curriculum; or
- 16 (2) meets the training requirements regarding minor office  
 17 procedures adopted by the board.
- 18 **Sec. 11.** The board may approve a naturopathic physician to  
 19 perform acupuncture only if the naturopathic physician:
- 20 (1) graduated from an approved naturopathic medical  
 21 program that included acupuncture as part of its curriculum;  
 22 or
- 23 (2) meets the training requirements regarding acupuncture  
 24 adopted by the board.
- 25 **Sec. 12.** Subject to IC 25-1-2 and IC 25-1-5-4(b)(2), a license  
 26 issued under this article is for a period of two (2) years.
- 27 **Sec. 13.** License renewal must comply with IC 25-1-2-6.
- 28 **Sec. 14.** The board shall renew the license of a naturopathic  
 29 physician who:
- 30 (1) submits a renewal application on the form that the board  
 31 requires;
- 32 (2) pays a renewal fee set by the board;
- 33 (3) is otherwise entitled to be licensed; and
- 34 (4) meets the continuing education requirements adopted by  
 35 the board.
- 36 **Sec. 15. (a)** The board may classify a license of a naturopathic  
 37 physician as inactive if:
- 38 (1) the board receives written notification from a  
 39 naturopathic physician stating that the naturopathic  
 40 physician will not practice naturopathic medicine in Indiana;  
 41 and
- 42 (2) the naturopathic physician pays to the board the inactive



- 1 status fee set by the board.
- 2 (b) The holder of an inactive license issued under this section is  
3 not required to fulfill continuing education requirements set by the  
4 board.
- 5 Sec. 16. The board shall issue a license to a naturopathic  
6 physician who is on inactive status if the naturopathic physician is  
7 otherwise entitled to be licensed under this article and submits to  
8 the board:
- 9 (1) satisfactory evidence of compliance with the continuing  
10 education requirements the board adopts for this purpose;  
11 and
- 12 (2) a reinstatement fee set by the board.
- 13 Sec. 17. The board shall reinstate a delinquent or lapsed license  
14 of a naturopathic physician who complies with the requirements  
15 under IC 25-1-8-6.
- 16 Sec. 18. Subject to IC 25-1-9-14, a naturopathic physician who  
17 is subject to an investigation or hearing before the board may not  
18 surrender the naturopathic physician's license.
- 19 Chapter 5. Naturopathic Formulary Council
- 20 Sec. 1. The naturopathic formulary council is established.
- 21 Sec. 2. (a) The council consists of the following five (5) members:
- 22 (1) Two (2) naturopathic physicians licensed under this  
23 chapter, appointed by the board.
- 24 (2) Two (2) pharmacists licensed under IC 25-26, appointed  
25 by the board from a list of nominees provided by the Indiana  
26 board of pharmacy.
- 27 (3) One (1) physician licensed under IC 25-22.5, appointed by  
28 the board from a list of nominees provided by the medical  
29 licensing board of Indiana.
- 30 (b) Members of the council shall serve for a term of four (4)  
31 years with the term expiring on August 31.
- 32 (c) At the end of a term, a member continues to serve until a  
33 successor is appointed and qualified.
- 34 Sec. 3. A member may not serve more than two (2) consecutive  
35 full terms.
- 36 Sec. 4. If a vacancy occurs on the council, the board shall  
37 appoint a new member to serve the remainder of the vacant term.
- 38 Sec. 5. The board may remove any member of the council for  
39 cause before expiration of the member's term.
- 40 Sec. 6. Council members shall annually elect a chair.
- 41 Sec. 7. At least three (3) affirmative votes are required for the  
42 council to take any official action.



1           **Sec. 8. (a)** The council shall establish a formulary for use by  
 2 naturopathic physicians that is consistent with the training  
 3 provided by approved naturopathic education programs. However,  
 4 the formulary list may not go beyond the scope of natural  
 5 medicines, prescription drugs, or devices covered by approved  
 6 naturopathic education and training or board approved continuing  
 7 education.

8           **(b)** After the adoption or revision of the formulary, the council  
 9 shall transmit the approved formulary to the board.

10           **(c)** The board may adopt emergency rules in the manner  
 11 provided under IC 4-22-2-37.1 to implement the formulary.

12           **Sec. 9.** The council shall review the formulary annually or at the  
 13 request of the board.

14           **Chapter 6. Naturopathic Childbirth Attendance Advisory**  
 15 **Committee**

16           **Sec. 1.** The naturopathic childbirth attendance advisory  
 17 committee is established.

18           **Sec. 2. (a)** The advisory committee consists of the following  
 19 members appointed by the governor:

20                   **(1)** One (1) physician with clinical specialty or board  
 21 certification in obstetrics.

22                   **(2)** One (1) certified nurse midwife.

23                   **(3)** One (1) certified direct entry midwife.

24                   **(4)** Two (2) naturopathic physicians with clinical experience  
 25 in natural childbirth.

26           **(b)** Members of the advisory committee shall serve for a term of  
 27 four (4) years with the term expiring on August 31.

28           **(c)** At the end of a term, a member continues to serve until a  
 29 successor is appointed and qualified.

30           **Sec. 3.** A member may not serve more than two (2) consecutive  
 31 full terms.

32           **Sec. 4.** If a vacancy occurs on the advisory committee, the  
 33 governor shall appoint a new member to serve the remainder of the  
 34 vacant term.

35           **Sec. 5.** The governor may remove any member of the advisory  
 36 committee for cause before expiration of the member's term.

37           **Sec. 6.** Advisory committee members shall annually elect a  
 38 chair.

39           **Sec. 7.** At least three (3) affirmative votes are required for the  
 40 advisory committee to take any official action.

41           **Sec. 8.** The advisory committee shall review naturopathic  
 42 education and training standards and make specific



1 recommendations to the board regarding the qualifications to  
 2 practice naturopathic childbirth attendance, including the  
 3 following:

4 (1) Graduation from a naturopathic midwifery or  
 5 naturopathic obstetrics program that is offered by an  
 6 approved naturopathic medical program.

7 (2) Passage of:

8 (A) the North American Registry of Midwives (NARM)  
 9 examination;

10 (B) the American College of Naturopathic Obstetricians  
 11 examination (ACNO); or

12 (C) an examination that is determined by the advisory  
 13 committee to be equivalent of an examination described in  
 14 clause (A) or (B).

15 **Sec. 9.** The advisory committee shall make recommendations to  
 16 the board concerning the practice of naturopathic childbirth  
 17 attendance.

18 **Sec. 10.** The board shall adopt a rule incorporating the  
 19 recommendations of the advisory committee to be used in  
 20 reviewing all naturopathic physician applicants seeking privileges  
 21 to perform natural childbirth attendance.

22 **Sec. 11.** The advisory committee shall meet at the request of the  
 23 board.

24 **Chapter 7. Standards of Practice and Discipline**

25 **Sec. 1.** An individual who is licensed under this article is subject  
 26 to the standards of practice and discipline provisions under  
 27 IC 25-1-9.

28 **Sec. 2.** Subject to IC 25-1-7, the board shall investigate a  
 29 complaint that alleges a violation under this article.

30 **Chapter 8. Unlawful Practice and Discipline**

31 **Sec. 1.** Except as otherwise provided in this article, only a  
 32 naturopathic physician may practice naturopathic medicine.

33 **Sec. 2. (a)** Unless the individual is licensed under this article, an  
 34 individual may not:

35 (1) represent to the public by title, description of services,  
 36 methods, procedures, or otherwise that the individual is  
 37 licensed to practice naturopathic medicine;

38 (2) use the title "naturopathic physician", "doctor of  
 39 naturopathic medicine", "doctor of naturopathy",  
 40 "naturopathic doctor", or "naturopath"; or

41 (3) use the initials "N.D.", "ND", "N.M.D.", or "NMD" after  
 42 the name of the individual;



1 to indicate or imply that the individual is licensed under this  
2 article.  
3 (b) A person who knowingly and intentionally violates this  
4 section commits a Class A misdemeanor.  
5 Sec. 3. Except for a person who is exempt from licensure under  
6 this article, a person who knowingly and intentionally practices  
7 naturopathic medicine without a license under this article commits  
8 a Level 5 felony.  
9 SECTION 12. IC 35-52-25-25.5 IS ADDED TO THE INDIANA  
10 CODE AS A NEW SECTION TO READ AS FOLLOWS  
11 [EFFECTIVE JULY 1, 2019]: **Sec. 25.5. IC 25-22.7-8-2 defines a**  
12 **crime concerning naturopathic physicians.**  
13 SECTION 13. IC 35-52-25-25.6 IS ADDED TO THE INDIANA  
14 CODE AS A NEW SECTION TO READ AS FOLLOWS  
15 [EFFECTIVE JULY 1, 2019]: **Sec. 25.6. IC 25-22.7-8-3 defines a**  
16 **crime concerning naturopathic physicians.**

