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BUSINESS AND PROFESSIONS CODE - BPC

DIVISION 2. HEALING ARTS [500 - 4999.129] (Division 2 enacted by Stats. 1937, Ch. 399.)

CHAPTER 8.2. Naturopathic Doctors Act [3610 - 3686] (Chapter 8.2 added by Stats. 2003, Ch. 485, Sec. 5.)

ARTICLE 2. Administration [3620 - 3627] (Article 2 added by Stats. 2003, Ch. 485, Sec. 5.)

3620. The board shall enforce and administer this chapter and shall be solely responsible for the implementation of this chapter.
(Amended by Stats. 2024, Ch. 497, Sec. 23. (SB 1526) Effective January 1, 2025. Repealed as of January 1, 2027, pursuant to Section 3686.)

3620.1. Protection of the public shall be the highest priority for the board in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount.
(Amended by Stats. 2024, Ch. 497, Sec. 24. (SB 1526) Effective January 1, 2025. Repealed as of January 1, 2027, pursuant to Section 3686.)

3621. (a) The board shall consist of nine members, consisting of seven members appointed by the Governor, one public member appointed by the Senate Committee on Rules, and one public member appointed by the Speaker of the Assembly. Members of the board shall include five members who are California-licensed naturopathic doctors, two members who are California-licensed physicians and surgeons, and two public members.

(b) A member of the board shall be appointed for a four-year term. A person shall not serve as a member of the board for more than two consecutive terms. A member shall hold office until the appointment and qualification of the member's successor, or until one year from the expiration of the term for which the member was appointed, whichever first occurs. Vacancies shall be filled by appointment for unexpired terms.

(c) (1) A public member of the board shall be a resident of this state for at least five years preceding the public member's appointment.

(2) A person shall not be appointed as a public member if the person or the person's immediate family in any manner owns an interest in a college, school, or institution engaged in naturopathic education, or the person or the person's immediate family has an economic interest in naturopathy or has any other conflict of interest. "Immediate family" means the public member's spouse, domestic partner, parents, children, or children's spouses or domestic partners.

(d) Each member of the board shall receive a per diem and expenses as provided in Section 103.

(e) The board may appoint a person exempt from civil service who shall be designated as an executive officer and who shall exercise the powers and perform the duties delegated by the board and vested in the executive officer by this chapter.

(f) Each appointing authority has power to remove from office at any time any member of the board appointed by that authority pursuant to Section 106.

(Amended by Stats. 2022, Ch. 414, Sec. 4. (AB 2685) Effective January 1, 2023. Repealed as of January 1, 2027, pursuant to Section 3686.)

3621.5. The board shall meet at least two times each calendar year and shall conduct additional meetings in appropriate locations that are necessary to transact its business.

(Amended by Stats. 2024, Ch. 497, Sec. 25. (SB 1526) Effective January 1, 2025. Repealed as of January 1, 2027, pursuant to Section 3686.)

3622. (a) The board shall adopt regulations in order to carry out the purposes of this chapter.

(b) Unless contrary to this chapter, regulations adopted by the Bureau of Naturopathic Medicine and the Naturopathic Medicine Committee shall continue to apply to the board and its licensees.

(Amended by Stats. 2024, Ch. 497, Sec. 26. (SB 1526) Effective January 1, 2025. Repealed as of January 1, 2027, pursuant to Section 3686.)

3623. (a) The board shall approve a naturopathic medical education program accredited by the Council on Naturopathic Medical Education or an equivalent federally recognized accrediting body for the naturopathic medical profession that has the following minimum requirements:

(1) Admission requirements that include a minimum of three-quarters of the credits required for a bachelor's degree from a regionally accredited or preaccredited college or university or the equivalency, as determined by the council.

(2) Program requirements for its degree or diploma of a minimum of 4,100 total hours in basic and clinical sciences, naturopathic philosophy, naturopathic modalities, and naturopathic medicine. Of the total requisite hours, not less than 2,500 hours shall consist of academic instruction, and not less than 1,200 hours shall consist of supervised clinical training approved by the naturopathic medical school.

(b) A naturopathic medical education program in the United States shall offer graduate-level full-time studies and training leading to the degree of Doctor of Naturopathy or Doctor of Naturopathic Medicine. The program shall be an institution, or part of an institution of, higher education that is either accredited or is a candidate for accreditation by a regional institutional accrediting agency recognized by the United States Secretary of Education and the Council on Naturopathic Medical Education, or an equivalent federally recognized accrediting body for naturopathic doctor education.

(c) To qualify as an approved naturopathic medical school, a naturopathic medical program located in Canada or the United States shall offer a full-time, doctoral-level, naturopathic medical education program with its graduates being eligible to apply to the board for licensure and to the North American Board of Naturopathic Examiners that administers the naturopathic licensing examination.

(d) The naturopathic medical program shall evaluate an applicant's education, training, and experience obtained in the armed services, pursuant to Section 35, and provide course credit where applicable.

(Amended by Stats. 2024, Ch. 497, Sec. 27. (SB 1526) Effective January 1, 2025. Repealed as of January 1, 2027, pursuant to Section 3686.)

3624. (a) The board may grant a certificate of registration to practice naturopathic medicine to a person who does not hold a naturopathic doctor's license under this chapter and is offered a faculty position by the dean of a naturopathic medical education program approved by the board, if all of the following requirements are met to the satisfaction of the board:

(1) The applicant submits an application on a form prescribed by the board.

(2) The dean of the naturopathic medical education program demonstrates that the applicant has the requisite qualifications to assume the position to which they are to be appointed.

(3) The dean of the naturopathic medical education program certifies in writing to the board that the applicant will be under their direction and will not be permitted to practice naturopathic medicine unless incident to and a necessary part of the applicant's duties as approved by the board.

(b) The holder of a certificate of registration issued under this section shall not receive compensation for, or practice, naturopathic medicine unless it is incidental to and a necessary part of the applicant's duties in connection with the holder's faculty position.

(c) A certificate of registration issued under this section is valid for two years.

(Amended by Stats. 2024, Ch. 497, Sec. 28. (SB 1526) Effective January 1, 2025. Repealed as of January 1, 2027, pursuant to Section 3686.)

3624.5. (a) This chapter does not apply to a practitioner licensed as a naturopathic doctor in another state or country who meets both of the following requirements:

(1) The practitioner is in consultation with a licensed practitioner of this state, or is an invited guest of any of the following for the purpose of professional education through lectures, clinics, or demonstrations:

(A) The California Medical Association.

(B) The Osteopathic Physicians and Surgeons of California.

(C) The California Podiatric Medical Association.

(D) The California Naturopathic Doctors Association.

(E) A component county society of subparagraph (A), (B), (C), or (D).

(2) The practitioner does not open an office, appoint a place to meet patients, receive calls from patients, give orders, or have ultimate authority over the care or primary diagnosis of a patient.

(Amended by Stats. 2009, 4th Ex. Sess., Ch. 18, Sec. 14. (AB 20 4x) Effective October 23, 2009. Repealed as of January 1, 2027, pursuant to Section 3686.)

3626. (a) The board may employ other officers and employees as necessary to discharge the duties of the board.

(b) The board shall employ a full-time staff position whose responsibilities shall include enforcement against violations of this chapter. This position shall be under the direction of the executive officer.

(c) The board shall not incur any costs as a result of changing the name of the Naturopathic Medicine Committee to the California Board of Naturopathic Medicine, as described in Sections 3612 and 3613, beyond what is absorbable within existing resources.

(Amended by Stats. 2022, Ch. 414, Sec. 5. (AB 2685) Effective January 1, 2023. Repealed as of January 1, 2027, pursuant to Section 3686.)

3627. (a) The board shall establish a naturopathic formulary advisory subcommittee to determine a naturopathic formulary based upon a review of naturopathic medical education and training.

(b) The naturopathic formulary advisory subcommittee shall be composed of an equal number of representatives from the clinical and academic settings of physicians and surgeons, pharmacists, and naturopathic doctors.

(c) The naturopathic formulary advisory subcommittee shall review naturopathic education, training, and practice and make specific recommendations regarding the prescribing, ordering, and furnishing authority of a naturopathic doctor and the required supervision and protocols for those functions.

(Amended by Stats. 2024, Ch. 497, Sec. 29. (SB 1526) Effective January 1, 2025. Repealed as of January 1, 2027, pursuant to Section 3686.)