



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites
------	------------------	----------------	--------------	-----------------	------------------	--------------

## AB-2685 Naturopathic Doctors Act: California Board of Naturopathic Medicine and licensing requirements. (2021-2022)

SHARE THIS:  

Date Published: 09/20/2022 02:00 PM

### Assembly Bill No. 2685

#### CHAPTER 414

An act to amend Sections 101, 3612, 3613, 3621, 3626, 3631, 3635, 3651, and 3686 of the Business and Professions Code, relating to healing arts.

[ Approved by Governor September 18, 2022. Filed with Secretary of State September 18, 2022. ]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 2685, Committee on Business and Professions. Naturopathic Doctors Act: California Board of Naturopathic Medicine and licensing requirements.

Existing law, the Naturopathic Doctors Act, establishes the Naturopathic Medicine Committee within the Osteopathic Medical Board of California for the licensure and regulation of naturopathic doctors. Existing law repeals the act on January 1, 2023.

This bill would rename the "Naturopathic Medicine Committee" as the "California Board of Naturopathic Medicine" and would place the board within the Department of Consumer Affairs. The bill would specify that any reference in any law or regulation to the Bureau of Naturopathic Medicine or the Naturopathic Medicine Committee refers to the California Board of Naturopathic Medicine. The bill would prohibit the board from incurring any costs as a result of its name change beyond what is absorbable within existing resources.

Existing law requires the committee to consist of 9 members, including 7 professional 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. Existing law prohibits the appointment of a person 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. Existing law defines "immediate family" for this purpose to mean the public member's spouse, parents, children, or their children's spouses.

This bill would specify that each appointing authority for the board has the power to remove from office at any time a member of the board appointed by that authority for continued neglect of duties required by law, incompetence, or unprofessional or dishonorable conduct. The bill would revise the definition of "immediate family" for purposes of the above-described conflict-of-interest provision to include the public member's domestic partner and the domestic partners of the public member's children.

Existing law authorizes the committee to employ other officers and employees as necessary to discharge the committee's duties.

This bill would require the board to employ a full-time staff position whose responsibilities would include enforcement against violations of the act. The bill would require the position to be under the direction of the executive officer.

Existing law requires an applicant for licensure to pass the Naturopathic Physicians Licensing Examination (NPLEX) or an equivalent examination approved by the North American Board of Naturopathic Examiners. Existing law authorizes the

committee, in the absence of an examination approved by the North American Board of Naturopathic Examiners, to administer a substantially equivalent examination.

This bill would authorize the board to additionally require an applicant to pass any NPLEX elective examinations relevant to a licensee's scope of practice in California.

Existing law further requires an applicant for licensure to complete continuing education requirements biennially and authorizes those requirements to be met through continuing education courses approved by the committee, the California Naturopathic Doctors Association, or various other entities, or through other courses that meet the continuing education standards for licensed physicians and surgeons in California.

This bill would also authorize those continuing education requirements to be met through courses approved by the North American Naturopathic Continuing Education Accreditation Council.

Existing law requires a naturopathic doctor, in order to be certified for the specialty practice of naturopathic childbirth attendance, to obtain a passing grade on the American College of Nurse Midwives Written Examination, or a substantially equivalent examination approved by the committee, in addition to complying with other educational requirements.

This bill would include the American Naturopathic Obstetricians examination within the above-described examinations required for that specialty practice certification.

This bill would extend the operation of the act until January 1, 2027, and would also make nonsubstantive changes to those provisions.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

---

## THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1.** Section 101 of the Business and Professions Code is amended to read:

**101.** The department is comprised of the following:

- (a) The Dental Board of California.
- (b) The Medical Board of California.
- (c) The California State Board of Optometry.
- (d) The California State Board of Pharmacy.
- (e) The Veterinary Medical Board.
- (f) The California Board of Accountancy.
- (g) The California Architects Board.
- (h) The State Board of Barbering and Cosmetology.
- (i) The Board for Professional Engineers, Land Surveyors, and Geologists.
- (j) The Contractors State License Board.
- (k) The Bureau for Private Postsecondary Education.
- (l) The Bureau of Household Goods and Services.
- (m) The Board of Registered Nursing.
- (n) The Board of Behavioral Sciences.
- (o) The State Athletic Commission.
- (p) The Cemetery and Funeral Bureau.
- (q) The Bureau of Security and Investigative Services.
- (r) The Court Reporters Board of California.

- (s) The Board of Vocational Nursing and Psychiatric Technicians.
- (t) The Landscape Architects Technical Committee.
- (u) The Division of Investigation.
- (v) The Bureau of Automotive Repair.
- (w) The Respiratory Care Board of California.
- (x) The Acupuncture Board.
- (y) The Board of Psychology.
- (z) The Podiatric Medical Board of California.
- (aa) The Physical Therapy Board of California.
- (ab) The Arbitration Review Program.
- (ac) The Physician Assistant Board.
- (ad) The Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board.
- (ae) The California Board of Occupational Therapy.
- (af) The Osteopathic Medical Board of California.
- (ag) The California Board of Naturopathic Medicine.
- (ah) The Dental Hygiene Board of California.
- (ai) The Professional Fiduciaries Bureau.
- (aj) The State Board of Chiropractic Examiners.
- (ak) The Bureau of Real Estate Appraisers.
- (al) The Structural Pest Control Board.
- (am) Any other boards, offices, or officers subject to its jurisdiction by law.

**SEC. 2.** Section 3612 of the Business and Professions Code is amended to read:

**3612.** The California Board of Naturopathic Medicine is hereby created within the Department of Consumer Affairs.

**SEC. 3.** Section 3613 of the Business and Professions Code is amended to read:

**3613.** The following definitions apply for the purposes of this chapter:

- (a) "Board" means the California Board of Naturopathic Medicine. Any reference in any law or regulation to the Bureau of Naturopathic Medicine or the Naturopathic Medicine Committee shall be deemed to refer to the California Board of Naturopathic Medicine.
- (b) "Naturopathic childbirth attendance" means the specialty practice of natural childbirth by a naturopathic doctor that includes the management of normal pregnancy, normal labor and delivery, and the normal postpartum period, including normal newborn care.
- (c) "Naturopathic medicine" means a distinct and comprehensive system of primary health care practiced by a naturopathic doctor for the diagnosis, treatment, and prevention of human health conditions, injuries, and disease.
- (d) "Naturopathic doctor" means a person who holds an active license issued pursuant to this chapter.
- (e) "Naturopathy" means a noninvasive system of health practice that employs natural health modalities, substances, and education to promote health.
- (f) "Drug" means any substance defined as a drug by Section 11014 of the Health and Safety Code.

(g) "Naturopathic assistant" means a person who may be unlicensed, who performs basic administrative, clerical, and technical supportive services in compliance with this chapter for a licensed naturopathic doctor or naturopathic corporation and who is at least 18 years of age, and who has had at least the minimum amount of hours of appropriate training pursuant to standards established by the Medical Board of California for a medical assistant pursuant to Section 2069. The naturopathic assistant shall be issued a certificate by the training institution or instructor indicating satisfactory completion of the required training. A copy of the certificate shall be retained as a record by each employer or the naturopathic assistant.

(h) "Naturopathic technical supportive services" means simple routine medical tasks and procedures that may be safely performed by a naturopathic assistant who has limited training and who functions under the supervision of a licensed naturopathic doctor.

(i) "Specific authorization" means a specific written order prepared by the supervising naturopathic doctor authorizing the procedures to be performed on a patient, which shall be placed in the patient's medical record, or a standing order prepared by the supervising naturopathic doctor authorizing the procedures to be performed. A notation of the standing order shall be placed on the patient's medical record.

(j) "Supervision" means the supervision of procedures authorized under this section or Section 3640.2 by a naturopathic doctor, within their scope of practice, who is physically present in the treatment facility during the performance of those procedures.

**SEC. 4.** Section 3621 of the Business and Professions Code is amended to read:

**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.

**SEC. 5.** Section 3626 of the Business and Professions Code is amended to read:

**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.

**SEC. 6.** Section 3631 of the Business and Professions Code is amended to read:

**3631.** (a) An applicant for licensure shall pass the Naturopathic Physicians Licensing Examination (NPLEX) or an equivalent examination approved by the North American Board of Naturopathic Examiners.

(b) In the absence of an examination approved by the North American Board of Naturopathic Examiners, the board may administer a substantially equivalent examination.

(c) The board may additionally require an applicant to pass any NPLEX elective examinations relevant to a licensee's scope of practice in California.

**SEC. 7.** Section 3635 of the Business and Professions Code is amended to read:

**3635.** (a) In addition to any other qualifications and requirements for licensure renewal, the board shall require the satisfactory completion of 60 hours of approved continuing education biennially. This requirement is waived for the initial license renewal. The continuing education shall meet the following requirements:

(1) At least 20 hours shall be in pharmacotherapeutics.

(2) No more than 15 hours may be in naturopathic medical journals or osteopathic or allopathic medical journals, or audio or videotaped presentations, slides, programmed instruction, or computer-assisted instruction or preceptorships.

(3) No more than 20 hours may be in any single topic.

(4) No more than 15 hours of the continuing education requirements for the specialty certificate in naturopathic childbirth attendance shall apply to the 60 hours of continuing education requirement.

(5) Course content shall pertain to the practice of naturopathic, osteopathic, or allopathic medicine.

(b) The continuing education requirements of this section may be met through continuing education courses approved by the board, the California Naturopathic Doctors Association, the North American Naturopathic Continuing Education Accreditation Council, the American Association of Naturopathic Physicians, the California State Board of Pharmacy, or the State Board of Chiropractic Examiners, or other courses that meet the standards for continuing education for licensed physicians and surgeons in California. All continuing education providers shall comply with Section 3635.2. Continuing education providers shall submit an annual declaration to the board that their educational activities satisfy the requirements described in Section 3635.2 and the board shall maintain a list of these providers on its internet website.

**SEC. 8.** Section 3651 of the Business and Professions Code is amended to read:

**3651.** In order to be certified for the specialty practice of naturopathic childbirth attendance, a naturopathic doctor shall obtain a passing grade on the American College of Nurse Midwives Written Examination, the American College of Naturopathic Obstetricians Examination, or a substantially equivalent examination approved by the board, and shall establish, to the board's satisfaction, compliance with one of the following requirements:

(a) Successful completion of a certificate of midwifery or naturopathic obstetrics specialty from an approved naturopathic medical education program consisting of not less than 84 semester units or 126 quarter units that substantially complies with the following educational standards and requirements:

(1) The curriculum is presented in semester or quarter units under the following formula:

(A) One hour of instruction in theory each week throughout a semester or quarter equals one unit.

(B) Three hours of clinical practice each week throughout a semester or quarter equals one unit.

(2) The program provides both academic and clinical preparation that is substantially equivalent to that provided in a program accredited by the American College of Nurse Midwives. The program includes, but is not limited to, preparation in all of the following areas:

(A) The art and science of midwifery, one-half of which shall be in theory and one-half of which shall be in clinical practice. Theory and clinical practice shall be concurrent in the areas of maternal and child health, including, but not limited to, labor and delivery, neonatal well care, and postpartum care.

(B) Communications skills that include the principles of oral, written, and group communications.

(C) Anatomy and physiology, genetics, obstetrics and gynecology, embryology and fetal development, neonatology, applied microbiology, chemistry, child growth and development, pharmacology, nutrition, laboratory diagnostic tests and procedures, and physical assessment.

(D) Concepts in psychosocial, emotional, and cultural aspects of maternal and child care, human sexuality, counseling and teaching, maternal and infant and family bonding process, breast feeding, family planning, principles of preventive health, and community health.

(E) Aspects of the normal pregnancy, labor and delivery, postpartum period, newborn care, family planning, or routine gynecological care in alternative birth centers, homes, and hospitals.

(3) The program integrates the following subjects throughout its entire curriculum:

(A) Midwifery process.

(B) Basic intervention skills in preventive, remedial, and supportive midwifery.

(C) The knowledge and skills required to develop collegial relationships with health care providers from other disciplines.

(D) Related behavioral and social sciences with emphasis on societal and cultural patterns, human development, and behavior related to maternal and child health, illness, and wellness.

(4) Instruction in personal hygiene, client abuse, cultural diversity, and the legal, social, and ethical aspects of midwifery.

(5) Instruction in the midwifery management process which shall include all of the following:

(A) Obtaining or updating a defined and relevant database for assessment of the health status of the client.

(B) Identifying problems based upon correct interpretation of the database.

(C) Preparing a defined needs or problem list, or both, with corroboration from the client.

(D) Consulting, collaborating with, and referring to, appropriate members of the health care team.

(E) Providing information to enable clients to make appropriate decisions and to assume appropriate responsibility for their own health.

(F) Assuming direct responsibility for the development of comprehensive, supportive care for the client and with the client.

(G) Assuming direct responsibility for implementing the plan of care.

(H) Initiating appropriate measures for obstetrical and neonatal emergencies.

(I) Evaluating, with corroboration from the client, the achievement of health care goals and modifying the plan of care appropriately.

(b) Successful completion of an educational program that the board has determined satisfies the criteria of subdivision (a) and current licensure as a midwife by a state with licensing standards that have been found by the board to be substantially equivalent to those adopted by the board pursuant to this article.

**SEC. 9.** Section 3686 of the Business and Professions Code is amended to read:

**3686.** This chapter shall remain in effect only until January 1, 2027, and as of that date is repealed.