

March 8, 2022

Written Neutral Testimony in the Senate Public Health and Welfare Committee regarding SB 274

Dear Chair and Honorable Committee Members:

The Kansas State Board of Healing Arts (“Board”) submits this testimony to assist legislators in evaluating SB 274. I am Susan Gile, Acting Executive Director of the Board. The Board is the executive body tasked with licensing and regulating 16 healthcare professions in Kansas, including naturopathic doctors. *See* K.S.A. 65-2801; K.S.A. 65-7201 *et seq.* The Board is composed of 15 members, 12 of whom are licensed healthcare professionals from various professions, including eight licensed physicians. The Naturopathic Advisory Council was established by the Kansas legislature to help advise the board in carrying out provisions of its practice act. K.S.A. 65-7214. The statutory mission of the Board is patient protection. *See* K.S.A. 65-2801.

“Naturopathic medicine” or “naturopathy” is a “system of healthcare practiced by naturopathic doctors for the prevention, diagnosis and treatment of human health conditions, injuries and disease, that uses education, natural medicines and therapies to support and stimulate the individual’s intrinsic self-healing processes...” K.S.A. 65-7202(b)(1). In the current statutory structure, naturopathic doctors are limited from prescribing prescription only-drugs (except those listed on the naturopathic formulary adopted by the board), performing or interpreting diagnostic tests, and performing obstetrical care or invasive procedures.

There are significant changes in SB 274 which would change the scope of practice for naturopathic doctors. From a patient safety perspective, the Board’s concerns with SB 274 are as follows:

- Would allow for naturopathic doctors to use a speculum implying they will be doing vaginal examinations (p.1. 1.13), and provide naturopathic care to a pregnant patient (p.1, 1.36); however as written it also indicates that a naturopathic doctor shall not “perform labor, delivery or any procedure involving the reproductive organs of a pregnant patient. (p. 2, 1. 8-9).
- Prescribe prescription only drugs, including controlled substances. (p.1, 1. 32-34).
 - Currently, naturopathic doctors may prescribe prescription only drugs, including controlled substances that are on the naturopathic formulary adopted by the board. Additionally, they can prescribe or administer substances on the naturopathic formulary that are authorized for intramuscular or intravenous administration pursuant to a written protocol entered into with a physician. K.S.A. 65-7202(b)(1)-(2); K.A.R. 100-72-8; K.A.R. 100-72-9.
 - It is the Board’s position that the current statutory and regulatory structure regarding a naturopathic doctor’s ability to prescribe and administer prescription only drugs, including controlled substances, is the proper structure to ensure Kansan patients are protected.

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- Allows for injecting drugs into joints, (“intra-articular”). (p.2, l. 3).

I welcome any comments, questions, or further dialogue with members of the committee. Please feel free to contact me at (785) 296-3680 or at any time via email at susan.gile@ks.gov.

Sincerely,



Susan Gile
Acting Executive Director

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