

MINUTES OF THE HOUSE COMMITTEE ON HEALTH AND HUMAN SERVICES.

The meeting was called to order by Chairperson Garry Boston at 1:30 p.m. on March 7, 2000 at the Dillon House.

All members were present except:

Committee staff present: Norman Furse, Revisor of Statute's Office
June Evans, Secretary

Conferees appearing before the committee: Marla Rhoden, KDHE
Representative Gwen Welshimer
Barbara Dennison, R.N.
Dr. Stan Beyrle, Naturopathic Doctor, Wichita
Boyd Landry, Coalition for Natural Health

Others attending: See Attached Sheet

The Chairperson opened the hearing on **HB 2728 - Concerning licensing and regulation of naturopathic physicians.**

Marla Rhoden, Health Occupations Credentialing Section, Department of Health and Environment, gave a briefing on the Health Occupations Credentialing Act. During the 1970s, the Kansas legislature received a multitude of requests, an increasing number of requests, from health care professions or occupations for initial credentialing. To address this issue, in 1980 the Kansas Credentialing Act, KSA 65-5001 et seq. Was adopted. The purpose of the act was to provide a mechanism to advise the legislature on societal costs/benefits of credentialing a particular health care profession or occupation. Policies and procedures to carry out the provisions of the act were developed by the Statewide Health Coordinating Council.

The purpose of Credentialing Review under the Health Occupations Credentialing Act is twofold: 1) provide the legislature a thorough analysis of the application for credentialing, by gathering and describing information through technical and public meetings; and 2) recommend to the legislature whether a group should be credentialed, and if so, at what least restrictive level is necessary to protect the public.

The first step an applicant group takes is to submit a letter of intent to the Secretary of KDHE. If the letter of intent provides required information about the occupation or profession, and the occupation fits the definition of health care profession or occupation under the act, the letter of intent is approved and the applicant group may proceed. Upon receipt of a formal application for credentialing and fee from an applicant group, the Secretary appoints a technical committee consisting of seven members, four of whom must be health care professionals and three, consumer representatives. No member of the technical committee can have a personal interest in the health occupation or profession under review (See Attachments #1 & 2)

Representative Storm requested material be provided that in 1982 the legislature enacted provisions in KSA 65-2872a which allowed the naturopaths meeting certain criteria as of January 1, 1982 would be permitted to practice in Kansas without approval by the Board of Healing Arts.

Ms. Rhoden will provide that information.

Representative Gwen Welshimer, testified as a proponent for **HB 2728**, stating her constituents deserve a choice. Licensing of naturopathic physicians will make a difference in regards for the efforts of Great Plains Comprehensive Agriculture and Medical Institute. Kansas consumers want and need licensing of naturopathic physicians (See Attachment #3).

Barbara Dennison, B.S.N., RN, H.C., testified as a proponent for **HB 2728**, stating the bill provides a

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scope of practice, licensing and regulation for Naturopathic Doctors (ND) in the state. This regulation is necessary so that the public can be assured they will receive appropriate and safe care. Through licensing, the public will know that their ND was educated according to the professional standards established by the accredited naturopathic colleges in the United States. The public has the right to natural options for their healthcare that respects and collaborates with conventional medicine. It is the public's right to have this choice, as a way to blend, conventional/traditional medicine with a holistic approach (See Attachment #4).

Stanley W. Beyrle, N.D., owner of Kansas Clinic of Traditional Medicine, Wichita, testified in support of **HB 2728**, stating the scope of practice of naturopathic physicians is extensive and multi-factional. NDS are trained to order and assess lab work, perform physical exams, develop patient history, evaluate patient emotional status, as well as other clinical diagnostics of health care. Therapies include, but are not limited to, natural therapies such as homeopathy, botanical and nutritional, as well as physical medicine and the referral to other medical specialist providers if necessary.

There are 3 federally accredited naturopathic medical schools and each has curriculums approved by the U.S. Secretary of Education through the Continuing Naturopathic Medical Education. The national exam is the PLEX (naturopathic licensing examination) and is required in each state that is licensed.

Training/education - college education, admission into an accredited college or university; pre-clinical education, casework and labwork in basic biomedical setting; clinical education, four years of in residence medical schooling; residency, if applicable; continuing medical school.

Graduates of Naturopathic medical schools are not allowed to practice unless they were here 19 years ago. Naturopathic physicians are trained and examined to diagnose and treat human illness. Due to the high level of training, naturopathic physicians are licensed as primary care physicians. Licensing naturopathic physicians should allow such doctors to do that which falls within the scope of their education, training and examination (See Attachment #4).

Representative Morrison requested documentation to support the scope of practice of naturopathic physicians to order and assess labwork, perform physical exams, develop patient history, evaluate patient emotional status, as well as other clinical diagnostics of health care.

Representative Morrison asked if this bill was for funding or patient protection?

Mr. Beyrle stated the state has a lot to gain. Legislators advise was to not go back thru KDHE but to the legislature. There is just 1 N.D., if licensed O.D.s and chiropractors could do the same thing.

Boyd Landry, Executive Director, The Coalition for Natural Health, testified as an opponent to **HB 2728**, representing over 2,500 individuals nationwide, and over 50 individuals in Kansas, who share a common goal: to promote the holistic approach to health and to ensure that natural health alternatives remain widely accessible to the public. The "naturopathic physician's" true agenda for this legislation is economic protection. The proponents need this bill because a new law creating a new profession is necessary to allow them to perform the range of services they want to perform and because some of these services would be interpreted as the practice of medicine. In other words, it is all about money and self-interest. A Colorado "naturopathic physician" was quoted in the Colorado Daily as stating, "We need this bill because at this point, we're illegal — we're practicing medicine without a license" (See Attachment #5).

The Chairperson closed the hearing, as time had run out, on **HB 2728** and stated it would be continued at a later date.

The following written testimony was distributed:

Proponents: Dr. Steven J. Gould, chiropractic radiologist (See Attachment #6), William C. Simon, Riverside Health System, Wichita (See Attachment #7), Ruth B. Packard, Ph.D. Wichita State University (See Attachment #8), Rhonda R. Jake, Associate Professor and Extension Specialist, K State University

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(See Attachment #9).

Opponents: Dr. Kate A. Coleman, Center for Natural Health and Research LLC, Wichita, Kansas (See Attachment #10).

The meeting adjourned at 3:15 p.m.