



EXECUTIVE CHAMBERS  
HONOLULU

NEIL ABERCROMBIE  
GOVERNOR

**GOV. MSG. NO. 1332**

July 7, 2014

The Honorable Donna Mercado Kim,  
President  
and Members of the Senate  
Twenty-Seventh State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

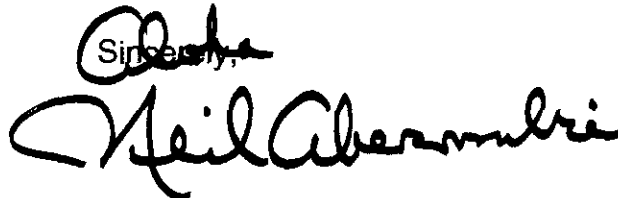
The Honorable Joseph M. Souki,  
Speaker and Members of the  
House of Representatives  
Twenty-Seventh State Legislature  
State Capitol, Room 431  
Honolulu, Hawaii 96813

Dear President Kim, Speaker Souki, and Members of the Legislature:

This is to inform you that on July 7, 2014, the following bill was signed into law:

SB2577 SD2 HD2 CD1

RELATING TO NATUROPATHIC PHYSICIANS  
**ACT 222 (14)**

Sincerely,  


NEIL ABERCROMBIE  
Governor, State of Hawaii

# A BILL FOR AN ACT

RELATING TO NATUROPATHIC PHYSICIANS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1 SECTION 1. Section 455-1, Hawaii Revised Statutes, is  
2 amended by adding a new definition to be appropriately inserted  
3 and to read as follows:

4 "Continuing education courses" means courses approved by a  
5 professional association or organization representing a licensed  
6 profession whose program objectives are related to naturopathic  
7 medicine; provided that the professional association or  
8 organization is approved by the board."

9 SECTION 2. Section 455-8, Hawaii Revised Statutes, is  
10 amended to read as follows:

11 "§455-8 License to practice; biennial registration[-];  
12 continuing education. (a) Licenses to practice naturopathic  
13 medicine shall be issued by the board to those who qualify  
14 according to this chapter. Naturopathic physicians licensed  
15 under this chapter shall observe and be subject to all state  
16 requirements relative to reporting births and all matters  
17 pertaining to the public health with equal rights and  
18 obligations as physicians, surgeons, and practitioners of other



1 schools of medicine. These equal rights shall apply to all  
2 matters of public health, including the performance of medical  
3 examinations and evaluations.

4 (b) Every licensee shall renew the licensee's license on  
5 or before December 31 of each odd-numbered year. Failure to  
6 renew the license on or before December 31 of each odd-numbered  
7 year shall automatically constitute a forfeiture of the license;  
8 provided that the license shall be restored upon written  
9 application therefor together with payment of the renewal fee,  
10 all delinquent fees, [and] a penalty fee[-], and, beginning with  
11 the December 31, 2017, renewal, satisfactory proof of compliance  
12 with the continuing education requirements set forth in this  
13 section.

14 (c) Beginning with the December 31, 2017, renewal and  
15 prior to every biennial renewal thereafter, each licensee shall  
16 complete at least thirty-five hours of continuing education  
17 courses within the two-year period preceding the renewal date,  
18 including a minimum of fifteen hours of continuing education  
19 courses in pharmacology within every licensing biennium.

20 (d) A licensee who graduated from a school, university, or  
21 college of naturopathic medicine pursuant to section 455-3  
22 within one year of the licensee's first renewal period shall not



1 be subject to the continuing education requirement for the first  
2 license renewal.

3 (e) Each licensee shall be responsible for maintaining the  
4 licensee's continuing education records, including but not  
5 limited to certificates of completion of the continuing  
6 education courses.

7 (f) Prior to December 31 of each odd-numbered year, each  
8 licensee shall:

9 (1) Complete the renewal form prescribed by the board and  
10 certify that the licensee has complied with the  
11 continuing education requirement of this section for  
12 the applicable renewal period; and

13 (2) Submit evidence of completion of the continuing  
14 education courses taken during the applicable renewal  
15 period to the board, including but not limited to  
16 certificates of completion. At a minimum,  
17 documentation shall contain the following information:

18 (A) Name of the licensee;

19 (B) Title of the continuing education course taken;

20 (C) Date that the continuing education course was  
21 taken;



- 1            (D) Name of the professional association or  
2            organization that approved the continuing  
3            education course;  
4            (E) Number of hours for the course; and  
5            (F) Number of hours for the course in pharmacology."

6            SECTION 3. Section 455-11, Hawaii Revised Statutes, is  
7 amended by amending subsection (a) to read as follows:

8            "(a) In addition to any other actions authorized by law,  
9 the board shall have the power to deny, revoke, suspend, or  
10 refuse to renew any license to practice naturopathic medicine  
11 applied for or issued by the board in accordance with this  
12 chapter, and to fine or otherwise discipline a licensee for any  
13 cause authorized by law, including but not limited to the  
14 following:

- 15            (1) Failing to meet or maintain the conditions and  
16            requirements necessary to qualify for the issuance of  
17            a license;  
18            [~~(1)~~] (2) Procuring, or aiding or abetting in procuring, a  
19            criminal abortion;  
20            [~~(2)~~] (3) Employing any person to solicit patients;  
21            [~~(3)~~] (4) Obtaining a fee on the assurance that a  
22            manifestly incurable disease can be permanently cured;



- 1        ~~[(4)]~~ (5)    Betraying a patient's confidence;
- 2        ~~[(5)]~~ (6)    Making any untruthful and improbable statement in  
3                    advertising one's naturopathic practice or business;
- 4        ~~[(6)]~~ (7)    False, fraudulent, or deceptive advertising;
- 5        ~~[(7)]~~ (8)    Being habituated to the excessive use of drugs or  
6                    alcohol; or being addicted to, dependent on, or an  
7                    habitual user of a narcotic, barbiturate, amphetamine,  
8                    hallucinogen, or other drug having similar effects;
- 9        ~~[(8)]~~ (9)    Practicing naturopathic medicine while the  
10                   ability to practice is impaired by alcohol, drug,  
11                   physical disability, or mental instability;
- 12       ~~[(9)]~~ (10)   Procuring a license through fraud,  
13                   misrepresentation, or deceit or knowingly permitting  
14                   an unlicensed person to perform activities requiring a  
15                   license;
- 16       ~~[(10)]~~ (11)   Professional misconduct or gross carelessness or  
17                   manifest incapacity in the practice of naturopathic  
18                   medicine;
- 19       ~~[(11)]~~ (12)   Conduct or practice contrary to recognized  
20                   standard of ethics of the naturopathic profession;
- 21       ~~[(12)]~~ (13)   Using medical service or treatment which is  
22                   inappropriate or unnecessary;



1       ~~(13)~~ (14) Submitting to or filing with the board any  
 2           notice, statement, or other document required under  
 3           this chapter which is false or untrue or contains any  
 4           material misstatement of fact~~(7)~~, including any false  
 5           certification of compliance with the continuing  
 6           education requirement specified under section 455-8;

7       ~~(14)~~ (15) Failure to report to the board any disciplinary  
 8           action taken against the licensee in another  
 9           jurisdiction within thirty days after the disciplinary  
 10          action becomes final;

11       ~~(15)~~ (16) Using the title "physician" without clearly  
 12          identifying oneself as being a naturopathic physician;

13       ~~(16)~~ (17) Prescribing, administering, and dispensing  
 14          naturopathic formulary that are not included in the  
 15          formulary established by the board under section 455-  
 16          6; and


17       ~~(17)~~ (18) Violation of any provision of this chapter or  
 18          rules adopted under this chapter."

19       SECTION 4. Statutory material to be repealed is bracketed  
 20       and stricken. New statutory material is underscored.

21       SECTION 5. This Act shall take effect upon its approval.

S.B. NO. 2577  
S.D. 2  
H.D. 2  
C.D. 1

APPROVED this 7 day of JUL , 2014

A handwritten signature in black ink, reading "Neil Abernethy". The signature is written in a cursive style with a large initial "N".

GOVERNOR OF THE STATE OF HAWAII