

Moved by Hagedorn

Seconded by Schmidt

IN THE SENATE  
SENATE AMENDMENT TO H.B. NO. 181

AMENDMENT TO THE BILL

1  
2 On page 1 of the printed bill, delete lines 20 through 40; and delete  
3 pages 2 through 11, and insert:

4 "SECTION 1. That Chapter 51, Title 54, Idaho Code, be, and the same is  
5 hereby repealed.

6 SECTION 2. That all licenses issued under Chapter 51, Title 54, Idaho  
7 Code, as repealed by Section 1 of this act, are deemed to have expired for  
8 nonpayment of license fees and further are hereby declared to be null and  
9 void.

10 SECTION 3. That Title 54, Idaho Code, be, and the same is hereby amended  
11 by the addition thereto of a NEW CHAPTER, to be known and designated as Chap-  
12 ter 56, Title 54, Idaho Code, and to read as follows:

13 CHAPTER 56  
14 NATUROPATHIC MEDICAL PHYSICIANS LICENSING ACT

15 54-5601. LEGISLATIVE PURPOSE AND INTENT. It is the intent of the Idaho  
16 legislature to regulate the practice of naturopathic medicine. Nothing in  
17 this chapter will limit the decision in State v. Smith, 81 Idaho 103, 337  
18 P.2d 938, except to the extent that certain modalities of treatment shall re-  
19 quire a license pursuant to this chapter. To that end it is not the intent of  
20 the legislature to regulate the practice of natural health care services as  
21 it is defined in this chapter, except as expressly provided herein.

22 54-5602. DEFINITIONS. As used in this chapter:

23 (1) "Approved naturopathic medical program" means a naturopathic medi-  
24 cal education program in the United States or Canada that provides the degree  
25 of doctor of naturopathy or doctor of naturopathic medicine, that includes  
26 graduate level full-time didactic and supervised clinical training and is  
27 either accredited or has achieved candidacy status for accreditation by the  
28 council on naturopathic medical education (CNME) or an equivalent federally  
29 recognized accrediting body for naturopathic medical programs. Addition-  
30 ally, the program shall be an institution, or part of an institution, of  
31 higher education that is either accredited or is a candidate for accred-  
32 itation by a regional accrediting agency recognized by the United States  
33 department of education.

34 (2) "Board" means the board of naturopathic medical physicians created  
35 pursuant to section 54-5606, Idaho Code.

1 (3) "Formulary" means the lists of prescription medicines that natur-  
2 opathic medical physicians and naturopathic physicians licensed under this  
3 chapter may use in the practice of their profession.

4 (4) "Minor office procedures" means the methods for the repair and care  
5 incidental to superficial lacerations and abrasions, superficial lesions  
6 and the removal of foreign bodies located in the superficial tissues.

7 (5) "Natural health care services" means the broad domain of health  
8 care services, including diagnosis and treatment, where treatment or advice  
9 regarding the human body and its functions is administered by a person who:

10 (a) Does not use legend drugs or prescription drugs in such practice;

11 (b) Uses only natural elements including, without limitation, air,  
12 heat, water and light;

13 (c) Uses only class I or class II nonprescription, approved medical de-  
14 vices as defined in section 513 of the federal food, drug and cosmetic  
15 act;

16 (d) Uses only vitamins, minerals, herbs, natural food products and  
17 their extracts, nutritional supplements and homeopathic preparations  
18 and remedies not otherwise prohibited by law; and

19 (e) Does not perform surgery or minor office procedures.

20 (6) "Naturopathic medical physician" means a person authorized and li-  
21 censed to practice naturopathic medicine under this chapter.

22 (7) "Naturopathic medicine" means a distinct and comprehensive system  
23 of primary health care practiced by naturopathic medical physicians. The  
24 practice of naturopathic medicine is separate and distinct from natural  
25 health care services.

26 (8) "Naturopathic physician" means a person licensed to provide natur-  
27 opathic therapy under this chapter.

28 (9) "Naturopathic therapy" means the broad range of natural and holis-  
29 tic treatments including, but not limited to, the administration, monitor-  
30 ing and prescribing of natural based minerals and vitamins as approved by  
31 board rule.

32 54-5603. SCOPE OF PRACTICE. (1) Naturopathic medical physicians may  
33 use physical and laboratory examinations consistent with naturopathic med-  
34 ical education and training for diagnostic purposes. Naturopathic medical  
35 physicians may order and perform diagnostic and imaging tests consistent  
36 with naturopathic medical education and training. All diagnostic and imag-  
37 ing tests not consistent with naturopathic medical education and training  
38 must be referred for performance and interpretation by an appropriately li-  
39 censed health care professional.

40 (2) Naturopathic medical physicians licensed under this chapter are  
41 authorized to dispense, administer and prescribe prescription drugs and  
42 medical devices as determined by the formulary and authorized by board rule.

43 (3) Naturopathic medical physicians licensed under this chapter may  
44 perform minor office procedures pursuant to privileges authorized by board  
45 rule.

46 (4) A naturopathic medical physician may perform those therapies for  
47 which he has been trained and educated and that are not inconsistent with the  
48 provisions of this chapter that are authorized by board rule.

1 (5) Naturopathic physicians licensed under this chapter are authorized  
2 to provide naturopathic therapy as approved by board rules.

3 54-5604. EXEMPTIONS FOR LICENSURE. This chapter is not intended to and  
4 does not prohibit, restrict or apply to:

5 (1) The practice of a profession by individuals who are licensed, cer-  
6 tified or registered under other laws of this state and are performing ser-  
7 vices within the authorized scope of practice;

8 (2) The practice of naturopathic medicine by an individual employed by  
9 the federal government while the individual is engaged in the performance of  
10 duties prescribed by the laws and regulations of the United States;

11 (3) An individual rendering aid to a family member or in an emergency,  
12 when no fee or other consideration for the service is charged, received, ex-  
13 pected or contemplated;

14 (4) An individual engaged in the sale of vitamins, health foods, over-  
15 the-counter homeopathic products, dietary supplements, herbs or other prod-  
16 ucts of nature, the sale of which is not otherwise prohibited under state or  
17 federal law;

18 (5) The practice by a naturopathic medical physician duly licensed in  
19 another state, territory or the District of Columbia when that naturopathic  
20 medical physician is incidentally called into this state for consultation  
21 with a physician licensed pursuant to this chapter or chapter 18, title 54,  
22 Idaho Code;

23 (6) The practice of naturopathic medical medicine by students enrolled  
24 in an approved naturopathic medical program. Services shall be performed  
25 pursuant to a course of instruction or assignments from an instructor and un-  
26 der the supervision and observation of the instructor; or

27 (7) The practice and providing of natural health care services as de-  
28 fined in this chapter and not in violation of this chapter by an individual  
29 who is not licensed in this state as a health care professional or practi-  
30 tioner.

31 54-5605. NATUROPATHIC PHYSICIAN LICENSE REQUIRED. (1) A license shall  
32 be required for a person to engage in the practice of naturopathic medicine  
33 or naturopathic therapy.

34 (2) No person shall assume or use the title or designation "doctor" or  
35 "physician" in association with the practice of naturopathic medicine or  
36 naturopathic therapy, or the abbreviations "NMD" or "ND" or any other title,  
37 designations, words, letters, abbreviations, sign, card or device to in-  
38 dicate to the public that such person is licensed to practice naturopathic  
39 medicine or naturopathic therapy pursuant to this chapter unless such person  
40 is so licensed under this chapter.

41 (3) Nothing in this chapter shall prohibit the use of the term "doctor"  
42 or "physician" by a person defined or licensed as such pursuant to title 54,  
43 Idaho Code.

44 54-5606. BOARD OF NATUROPATHIC MEDICAL PHYSICIANS -- ORGANIZATION AND  
45 MEETINGS. (1) There is hereby established in the department of self-govern-  
46 ing agencies, bureau of occupational licenses, the board of naturopathic  
47 medical physicians. The board shall consist of five (5) members appointed

1 by the governor, two (2) of whom shall be licensed pursuant to section  
2 54-5608(1)(a), Idaho Code, one (1) of whom shall be licensed pursuant to  
3 section 54-5608(2), Idaho Code, one (1) of whom shall be a physician licensed  
4 pursuant to chapter 18, title 54, Idaho Code, and one (1) of whom shall be  
5 a pharmacist licensed pursuant to chapter 17, title 54, Idaho Code. Board  
6 members shall serve at the pleasure of the governor.

7 (2) One (1) member of the initial board shall be appointed for a one (1)  
8 year term of office; one (1) member of the initial board shall be appointed  
9 for a two (2) year term of office; one (1) member of the initial board shall  
10 be appointed for a three (3) year term of office; one (1) member of the ini-  
11 tial board shall be appointed for a four (4) year term of office; and one (1)  
12 member of the initial board shall be appointed for a five (5) year term of of-  
13 fice. Thereafter, the term of office for each board member shall be five (5)  
14 years.

15 (3) The initial two (2) licensed naturopathic medical physician  
16 board members shall be eligible to become licensed pursuant to section  
17 54-5608(1)(a), Idaho Code, and shall have been practicing naturopathic  
18 medicine in the state of Idaho for at least the two (2) years immediately  
19 preceding their appointment. The initial licensed naturopathic physi-  
20 cian board member shall be eligible to become licensed pursuant to section  
21 54-5608(2), Idaho Code, and shall have been practicing naturopathic therapy  
22 in the state of Idaho for at least two (2) years immediately preceding their  
23 appointment.

24 (4) After initial board members are appointed, the two (2) board mem-  
25 bers who are naturopathic medical physicians shall be licensed pursuant to  
26 section 54-5608(1)(a), Idaho Code, and the one (1) board member who is a  
27 naturopathic physician shall be licensed pursuant to section 54-5608(2),  
28 Idaho Code, shall actively practice naturopathic medicine or naturopathic  
29 therapy in the state of Idaho for the duration of their appointment and shall  
30 have been practicing naturopathic medicine or naturopathic therapy for at  
31 least two (2) years immediately preceding their appointment.

32 (5) Upon initial appointment of the board and thereafter, whenever a  
33 term of a member of the board who is licensed pursuant to chapter 18, ti-  
34 tle 54, Idaho Code, expires or becomes vacant, the Idaho medical association  
35 shall nominate three (3) persons licensed pursuant to chapter 18, title 54,  
36 Idaho Code, for such vacancy and shall forward the nominations to the gover-  
37 nor who shall give consideration to such nominees.

38 (6) Upon initial appointment of the board and thereafter, whenever a  
39 term of a member of the board who is licensed pursuant to chapter 17, title  
40 54, Idaho Code, expires or becomes vacant, the Idaho board of pharmacy shall  
41 nominate three (3) persons licensed pursuant to chapter 17, title 54, Idaho  
42 Code, for such vacancy and shall forward the nominations to the governor who  
43 shall give consideration to such nominees.

44 (7) In the event of the death, resignation or removal of any board mem-  
45 ber before the expiration of the term to which the board member is appointed,  
46 the vacancy shall be filled for the unexpired portion of the term in the same  
47 manner as the original appointment.

48 (8) Within thirty (30) days after its appointment, the initial board  
49 shall hold a meeting and elect a chairperson. The board shall meet at least  
50 annually thereafter and may hold additional meetings at the call of the

1 chairperson or at the written request of any two (2) members of the board. A  
2 majority of the board shall constitute a quorum. The vote of a majority of  
3 members present at a meeting wherein a quorum is present shall determine the  
4 action of the board, except as otherwise provided in this chapter.

5 (9) Each member of the board shall be compensated as provided in section  
6 59-509(n), Idaho Code.

7 54-5607. POWERS AND DUTIES OF THE BOARD. The board shall have the au-  
8 thority and responsibility to:

9 (1) Receive applications of persons applying for licensure, determine  
10 the qualifications of persons applying for licensure and provide licenses to  
11 applicants qualified under this chapter;

12 (2) Establish by rule and collect fees from applicants for licensure  
13 and for renewal of licensure;

14 (3) Establish by rule the minimum amount and type of continuing educa-  
15 tion to be required for each licensee seeking renewal;

16 (4) Investigate complaints against persons who are licensed under this  
17 chapter or practicing naturopathic medicine or naturopathic therapy without  
18 a license;

19 (5) Undertake, when appropriate, disciplinary proceedings and disci-  
20 plinary action against persons licensed under this chapter;

21 (6) Provide such other services and perform such other functions as are  
22 consistent with this chapter as are necessary and desirable to fulfill its  
23 purposes;

24 (7) Recover the costs and fees, including attorney's fees, incurred in  
25 the investigation and prosecution of any person who is found in violation of  
26 this chapter or the board's rules;

27 (8) Promulgate and adopt rules, pursuant to chapter 52, title 67, Idaho  
28 Code, necessary to administer the provisions of this chapter; provided, how-  
29 ever, that all rules shall be approved by the unanimous vote of the entire  
30 board;

31 (9) Establish special competency certification requirements for li-  
32 censees as deemed necessary by action of the board;

33 (10) The board shall establish by rule two (2) formularies. The for-  
34 mulary list for naturopathic medical physicians shall be based upon natur-  
35 opathic medical education, training and continuing education, but may not  
36 go beyond the scope of prescription medicines and medical devices covered  
37 by approved naturopathic medical education and training or board-approved  
38 continuing education. The naturopathic medical formulary shall not include  
39 medicines and devices that are inconsistent with the training provided by  
40 approved naturopathic medical programs and continuing education. The for-  
41 mulary shall be approved by board rule. The formulary list for naturopathic  
42 physicians shall be based on the education and training of naturopathic  
43 physicians and shall be approved by rule; and

44 (11) Authorize by written agreement the bureau of occupational licenses  
45 to act as agent in its interest.

46 54-5608. QUALIFICATIONS FOR LICENSURE. (1) Naturopathic medical  
47 physician. To be eligible for a license to practice as a naturopathic

1 medical physician in the state of Idaho, the applicant shall submit an appli-  
2 cation, pay the fee and fulfill the following requirements:

3 (a) The applicant must be a graduate of an approved naturopathic medi-  
4 cal program as defined in section 54-5602(1), Idaho Code; or

5 (b) The applicant must be a graduate of a college or university in the  
6 United States or Canada that is still in existence and that offered a  
7 full-time structured curriculum in basic sciences and supervised pa-  
8 tient care comprising a doctoral naturopathic medical education as  
9 a prerequisite to graduation, having been not less than one hundred  
10 thirty-two (132) weeks in duration and that required completion within  
11 a period of not less than thirty-five (35) months and have been continu-  
12 ally practicing for five (5) years immediately preceding licensure.

13 (2) Naturopathic physician. To be eligible for a license to practice as  
14 a naturopathic physician in the state of Idaho, the applicant shall submit an  
15 application, pay the fee and fulfill the following requirements:

16 (a) Have been issued a license by the board of naturopathic medical  
17 examiners under chapter 51, title 54, Idaho Code, as it existed at the  
18 time such licenses were issued and while the board had a contract with  
19 the bureau of occupational licenses and such license was not revoked by  
20 the board of naturopathic medical examiners. Any license issued by the  
21 board of naturopathic medical examiners when it did not have a contract  
22 with the bureau of occupational licenses shall not be recognized as a  
23 valid license; or

24 (b) Been licensed as a chiropractor prior to 1993 and have received any  
25 naturopathic degree and have been providing naturopathic therapy in  
26 Idaho prior to 2011.

27 (3) Examination. Applicants for initial licensure who meet the qual-  
28 ifications of subsection (1) (a) of this section and all applicants after  
29 July 1, 2016, shall provide proof of having received a passing grade on the  
30 naturopathic physicians licensing examinations (NPLEX), administered by  
31 the North American board of naturopathic examiners (NABNE). The passing  
32 grade for each specific examination administration shall be as determined by  
33 the NABNE.

34 54-5609. LICENSE STANDARDS -- ENDORSEMENT. The board shall establish  
35 by rule the standards for licensure of applicants of a naturopathic medi-  
36 cal physician licensed in another jurisdiction. However, the standards for  
37 endorsement of licensure shall not be less than those required by section  
38 54-5608(1) (a) and (2), Idaho Code. The board shall not endorse those prac-  
39 ticing naturopathic therapy in other jurisdictions.

40 54-5610. LICENSE RENEWAL. All licenses issued under this chapter  
41 shall be for a term of one (1) year and shall expire on the birthday of the  
42 licensee unless renewed in the manner prescribed by rule. Except as set  
43 forth in this chapter, rules governing procedures and conditions for license  
44 renewal and reinstatement shall be in accordance with section 67-2614, Idaho  
45 Code.

46 54-5611. FEES. (1) The board shall establish by rule fees for licen-  
47 sure pursuant to the provisions of this chapter as follows:

1 (a) An application fee for licensure not to exceed two hundred fifty  
2 dollars (\$250);

3 (b) The fee for the initial naturopathic medical physician and naturo-  
4 pathic physician license not to exceed one thousand dollars (\$1,000);

5 (c) The fee for the renewal of a naturopathic medical physician and  
6 naturopathic physician license not to exceed one thousand dollars  
7 (\$1,000); and

8 (d) The application fee shall be in addition to the initial license fee.

9 (2) All fees received under the provisions of this section shall be non-  
10 refundable and shall be deposited in the state treasury to the credit of the  
11 occupational license account in the dedicated fund, and all costs and ex-  
12 penses incurred by the board under the provisions of this chapter shall be a  
13 charge against and paid from the account for such purposes. Notwithstand-  
14 ing any other provisions of law, the funds collected pursuant to this section  
15 shall be immediately available for the administration of this chapter.

16 (3) The board of naturopathic medical physicians shall have the au-  
17 thority and responsibility to pay outstanding debts of any previous board  
18 that regulated naturopathic physicians and was administered by the depart-  
19 ment of self-governing agencies, bureau of occupational licenses. The re-  
20 payment of such debt shall be deposited in the state treasury to the credit of  
21 the occupational licenses account.

22 54-5612. DENIAL OF LICENSE AND DISCIPLINARY PROCEEDINGS. (1) The  
23 board may refuse to issue or renew a license or may revoke, suspend or other-  
24 wise discipline a license holder for any of the following grounds:

25 (a) The use of fraud or deceit in obtaining a license under this chapter  
26 or in connection with services rendered as a naturopathic physician;

27 (b) A legal finding of mental incompetence;

28 (c) Aiding or abetting a person, not duly licensed under this chap-  
29 ter, in claiming to be a naturopathic medical physician or naturopathic  
30 physician or in practicing naturopathic medicine or naturopathic ther-  
31 apy;

32 (d) Any gross negligence, incompetence or misconduct in the perfor-  
33 mance of naturopathic medicine or naturopathic therapy;

34 (e) Conviction of a felony, or a crime involving moral turpitude, or the  
35 entering of a plea of guilty or the finding of guilt by a jury or court of  
36 commission of a felony or a crime involving moral turpitude;

37 (f) Practicing as a naturopathic medical physician or naturopathic  
38 physician when physical or mental abilities are impaired by the use of  
39 controlled substances or other drugs, chemicals or alcohol;

40 (g) Failure of the individual practitioner to maintain his profes-  
41 sional premises in a clean and sanitary condition;

42 (h) Any other good cause, relevant to qualifications to practice as a  
43 naturopathic medical physician or naturopathic physician. The board  
44 may not suspend, revoke or refuse to issue or renew a license based on  
45 the findings that a licensee's practice is unconventional in the ab-  
46 sence of demonstrable harm to a patient and the patient has signed a  
47 waiver to the effect that the treatment or device is considered uncon-  
48 ventional;

1 (i) Failure to demonstrate compliance with continuing education re-  
2 quirements as determined by the board;

3 (j) Violating any law or rule pursuant to this chapter;

4 (k) Having been convicted of any crime that reflects adversely on the  
5 person's fitness to be licensed or registered pursuant this chapter;

6 (l) Having a license to practice naturopathic medicine or other health  
7 care license or certificate refused, revoked or suspended or otherwise  
8 disciplined by any state, territory, district of the United States or  
9 Canada for reasons that relate to the applicant's ability to skillfully  
10 and safely practice naturopathic medicine or naturopathic therapy, or  
11 other health care profession, unless that license or certification has  
12 been restored to good standing by that jurisdiction;

13 (m) Prescribing, dispensing or administering any controlled substance  
14 or device identified under the uniform controlled substances act, chap-  
15 ter 27, title 37, Idaho Code, or identified in the federal controlled  
16 substances act, 21 U.S.C. sections 801 through 971 (1988), as amended,  
17 except as authorized by this chapter;

18 (n) Performing surgical procedures, except for naturopathic medical  
19 physicians, those minor office procedures authorized by board rule;

20 (o) For naturopathic physicians, performing surgical procedures or mi-  
21 nor office procedures;

22 (p) Practicing or claiming to practice as a medical doctor, osteopath,  
23 dentist, podiatrist, optometrist, psychologist, advanced practice  
24 professional nurse, physician assistant, chiropractor, physical ther-  
25 apist, acupuncturist or any other health care professional not autho-  
26 rized in this chapter unless licensed by the state of Idaho to do so;

27 (q) Using general or spinal anesthetics;

28 (r) Administering ionizing radioactive substances for therapeutic  
29 purposes;

30 (s) Performing minor office procedures using a laser device;

31 (t) Inducing or performing an abortion;

32 (u) Performing minor office procedures involving the eye, ear, ten-  
33 dons, nerves, veins or arteries extending beyond superficial tissue;

34 (v) Treating any lesion suspicious of malignancy or requiring surgical  
35 removal. Lesions suspicious of malignancy or requiring surgical re-  
36 moval shall be referred to a physician licensed pursuant to chapter 18,  
37 title 54, Idaho Code, naturopathic medical physicians may comanage this  
38 care with a physician licensed pursuant to chapter 18, title 54, Idaho  
39 Code;

40 (w) Performing chiropractic adjustments as defined in section 54-704,  
41 Idaho Code, unless licensed to do so;

42 (x) Performing physical therapy as defined in section 54-2203, Idaho  
43 Code; or

44 (y) Failure to comply with a board order.

45 (2) The board may reinstate any revoked or suspended license upon such  
46 terms as it may determine.

47 (3) The board may by rule provide a procedure for an applicant to re-  
48 quest an exemption review for a felony or lesser crime conviction. The ap-  
49 plicant shall bear the burden and financial responsibility of providing all

1 evidence, documentation and proof of suitability for licensure required by  
2 the board for exemption review.

3 54-5613. DISCLOSURE BY THOSE PROVIDING NATURAL HEALTH CARE SER-  
4 VICES. (1) Any person providing natural health care services who is not a  
5 naturopathic medical physician or naturopathic physician and who is adver-  
6 tising or charging a fee for those services shall, prior to providing such  
7 services, disclose to the client in a clearly worded statement:

8 (a) The practitioner's name, business address and telephone number;  
9 (b) The nature of the natural health care services to be provided; and  
10 (c) That the practitioner is not an "M.D.," "D.O.," "N.M.D.," "natur-  
11 opathic medical physician," "naturopathic doctor," "naturopathic  
12 physician," or "N.D." nor is the practitioner licensed to provide these  
13 services.

14 (2) Before a practitioner provides natural health care services to a  
15 client for the first time, such practitioner must obtain a written acknowl-  
16 edgment from the client stating that he has been provided with the informa-  
17 tion described in this section and that he recognizes that the practitioner  
18 is not licensed to practice medicine, surgery or naturopathic medicine or  
19 any other type of medicine. The client shall be provided with a copy of this  
20 written acknowledgment that must be maintained for two (2) years by the per-  
21 son providing the services. If the disclosure information changes, then the  
22 practitioner has a duty to repeat the disclosure if a client obtains services  
23 after the change.

24 54-5614. CERTAIN ACTS PROHIBITED. It shall be unlawful for any person  
25 to engage in any of the following acts:

26 (1) To violate any of the provisions of this chapter and any rules pro-  
27 mulgated pursuant thereto;

28 (2) It shall be a misdemeanor to practice, attempt or offer to prac-  
29 tice naturopathic medicine or naturopathic therapy as defined in this chap-  
30 ter without having at the time of so doing, a valid, unexpired, unrevoked and  
31 unsuspended license issued under this chapter; or

32 (3) It shall be a misdemeanor to represent one's self or assume or use  
33 the title or designation "doctor" or "physician" in association with the  
34 practice of naturopathic medicine, or naturopathic therapy or the abbrevia-  
35 tions "NMD" or "ND" or any other title, designations, words, letters, abbrevi-  
36 ations, sign, card or device to indicate to the public that such person is  
37 licensed to practice naturopathic medicine or naturopathic therapy pursuant  
38 to this chapter unless such person is so licensed under this chapter.

39 54-5615. PREEMPTION OF LOCAL REGULATIONS. Beginning July 1, 2016, a  
40 local unit of government shall not establish or maintain professional li-  
41 censing requirements for a naturopathic medical physician or a naturopathic  
42 physician licensed pursuant to this chapter.

43 54-5616. SEVERABILITY. The provisions of this chapter are hereby de-  
44 clared to be severable, and if any provision of this chapter or the applica-  
45 tion of such provision to any person or circumstance is declared invalid for  
46 any reason, such declaration shall not affect the validity of the remaining

1 portions of this chapter.

2 SECTION 4. That Section 67-2601, Idaho Code, be, and the same is hereby  
3 amended to read as follows:

4 67-2601. DEPARTMENT CREATED -- ORGANIZATION -- DIRECTOR -- BUREAU OF  
5 OCCUPATIONAL LICENSES CREATED. (1) There is hereby created the department of  
6 self-governing agencies. The department shall, for the purposes of section  
7 20, article IV, of the constitution of the state of Idaho, be an executive  
8 department of the state government.

9 (2) The department shall consist of the following:

10 (a) Agricultural commodity commissions: Idaho apple commission, as  
11 provided by chapter 36, title 22, Idaho Code; Idaho bean commission,  
12 as provided by chapter 29, title 22, Idaho Code; Idaho beef council, as  
13 provided by chapter 29, title 25, Idaho Code; Idaho cherry commission,  
14 as provided by chapter 37, title 22, Idaho Code; Idaho dairy products  
15 commission, as provided by chapter 31, title 25, Idaho Code; Idaho pea  
16 and lentil commission, as provided by chapter 35, title 22, Idaho Code;  
17 Idaho potato commission, as provided by chapter 12, title 22, Idaho  
18 Code; the Idaho wheat commission, as provided by chapter 33, title 22,  
19 Idaho Code; the Idaho aquaculture commission, as provided by chapter  
20 44, title 22, Idaho Code; and the Idaho alfalfa and clover seed commis-  
21 sion, as provided in chapter 42, title 22, Idaho Code.

22 (b) Professional and occupational licensing boards: Idaho state board  
23 of certified public accountancy, as provided by chapter 2, title 54,  
24 Idaho Code; board of acupuncture, as provided by chapter 47, title 54,  
25 Idaho Code; board of architectural examiners, as provided by chapter  
26 3, title 54, Idaho Code; office of the state athletic director, as pro-  
27 vided by chapter 4, title 54, Idaho Code; board of barber examiners, as  
28 provided by chapter 5, title 54, Idaho Code; board of commissioners of  
29 the Idaho state bar, as provided by chapter 4, title 3, Idaho Code; board  
30 of chiropractic physicians, as provided by chapter 7, title 54, Idaho  
31 Code; Idaho board of cosmetology, as provided by chapter 8, title 54,  
32 Idaho Code; Idaho counselor licensing board, as provided by chapter 34,  
33 title 54, Idaho Code; state board of dentistry, as provided by chapter  
34 9, title 54, Idaho Code; state board of denturistry, as provided by chap-  
35 ter 33, title 54, Idaho Code; Idaho board of licensure of professional  
36 engineers and professional land surveyors, as provided by chapter 12,  
37 title 54, Idaho Code; state board for registration of professional  
38 geologists, as provided by chapter 28, title 54, Idaho Code; speech  
39 and hearing services licensure board, as provided by chapter 29, title  
40 54, Idaho Code; Idaho physical therapy licensure board, as provided by  
41 chapter 22, title 54, Idaho Code; Idaho state board of landscape ar-  
42 chitects, as provided by chapter 30, title 54, Idaho Code; liquefied  
43 petroleum gas safety board, as provided by chapter 53, title 54, Idaho  
44 Code; state board of medicine, as provided by chapter 18, title 54,  
45 Idaho Code; state board of morticians, as provided by chapter 11, title  
46 54, Idaho Code; ~~board of naturopathic medical examiners, as provided~~  
47 ~~by chapter 51, title 54, Idaho Code;~~ board of nurses, as provided by  
48 chapter 14, title 54, Idaho Code; board of examiners of nursing home

1 administrators, as provided by chapter 16, title 54, Idaho Code; state  
2 board of optometry, as provided by chapter 15, title 54, Idaho Code;  
3 Idaho outfitters and guides board, as provided by chapter 21, title  
4 36, Idaho Code; board of pharmacy, as provided by chapter 17, title 54,  
5 Idaho Code; state board of podiatry, as provided by chapter 6, title 54,  
6 Idaho Code; Idaho state board of psychologist examiners, as provided by  
7 chapter 23, title 54, Idaho Code; Idaho real estate commission, as pro-  
8 vided by chapter 20, title 54, Idaho Code; real estate appraiser board,  
9 as provided by chapter 41, title 54, Idaho Code; board of social work  
10 examiners, as provided by chapter 32, title 54, Idaho Code; the board of  
11 veterinary medicine, as provided by chapter 21, title 54, Idaho Code;  
12 the board of examiners of residential care facility administrators, as  
13 provided by chapter 42, title 54, Idaho Code; the certified shorthand  
14 reporters board, as provided by chapter 31, title 54, Idaho Code; the  
15 driving businesses licensure board, as provided by chapter 54, title  
16 54, Idaho Code; the board of drinking water and wastewater profession-  
17 als, as provided by chapter 24, title 54, Idaho Code; ~~and~~ the board of  
18 midwifery, as provided by chapter 55, title 54, Idaho Code; and the  
19 board of naturopathic medical physicians, as provided by chapter 56,  
20 title 54, Idaho Code.

21 (c) The board of examiners, pursuant to section 67-2001, Idaho Code.

22 (d) The division of building safety: building code board, chapter 41,  
23 title 39, Idaho Code; manufactured housing board, chapter 21, title  
24 44, Idaho Code; electrical board, chapter 10, title 54, Idaho Code;  
25 public works contractors license board, chapter 19, title 54, Idaho  
26 Code; plumbing board, chapter 26, title 54, Idaho Code; public works  
27 construction management, chapter 45, title 54, Idaho Code; the heating,  
28 ventilation and air conditioning board, chapter 50, title 54, Idaho  
29 Code; and modular building advisory board, chapter 43, title 39, Idaho  
30 Code.

31 (e) The division of veterans services to be headed by a division ad-  
32 ministrator who shall be a nonclassified employee exempt from the pro-  
33 visions of chapter 53, title 67, Idaho Code. The administrator of the  
34 division shall administer the provisions of chapter 2, title 65, Idaho  
35 Code, and chapter 9, title 66, Idaho Code, with the advice of the vet-  
36 erans affairs commission established under chapter 2, title 65, Idaho  
37 Code, and shall perform such additional duties as are imposed upon him  
38 by law.

39 (f) The board of library commissioners, pursuant to section 33-2502,  
40 Idaho Code.

41 (g) The Idaho state historical society, pursuant to section 67-4123,  
42 Idaho Code.

43 (h) The state public defense commission, pursuant to section 19-849,  
44 Idaho Code.

45 (3) The bureau of occupational licenses is hereby created within the  
46 department of self-governing agencies.

47 SECTION 5. The Board of Naturopathic Physicians shall report on the  
48 status of the board and the practice of naturopathic medicine in Idaho to the

1 First Regular Session of the Sixty-sixth Idaho Legislature in 2021.

2 SECTION 6. This act shall be in full force and effect on and after July  
3 1, 2015, except that the provisions of Sections 54-5605 and 54-5614, Idaho  
4 Code, shall be in full force and effect on and after July 1, 2016.

5 SECTION 7. The provisions of Section 3 of this act shall be null, void  
6 and of no force and effect on and after July 1, 2021."

7 CORRECTION TO TITLE

8 On page 1, delete lines 2 through 18, and insert:

9 "RELATING TO THE NATUROPATHIC MEDICAL PHYSICIANS LICENSING ACT; REPEAL-  
10 ING CHAPTER 51, TITLE 54, IDAHO CODE, RELATING TO THE NATUROPATHIC  
11 PHYSICIANS LICENSING ACT; TO PROVIDE THAT CERTAIN LICENSES ARE DEEMED  
12 EXPIRED; AMENDING TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW CHAP-  
13 TER 56, TITLE 54, IDAHO CODE, TO ESTABLISH THE NATUROPATHIC MEDICAL  
14 PHYSICIANS LICENSING ACT, TO PROVIDE LEGISLATIVE PURPOSE AND INTENT, TO  
15 DEFINE TERMS, TO PROVIDE THE SCOPE OF PRACTICE OF NATUROPATHIC MEDICAL  
16 PHYSICIANS, TO PROVIDE EXEMPTIONS FOR LICENSURE, TO REQUIRE A CERTAIN  
17 LICENSE, TO ESTABLISH THE BOARD OF NATUROPATHIC MEDICAL PHYSICIANS,  
18 TO ESTABLISH THE POWERS AND DUTIES OF THE BOARD, TO ESTABLISH QUALIFI-  
19 CATIONS FOR LICENSURE, TO PROVIDE LICENSURE STANDARDS AND ENDORSEMENT  
20 STANDARDS, TO PROVIDE FOR LICENSE RENEWAL, TO ESTABLISH FEES, TO ES-  
21 TABLISH DENIAL OF LICENSE AND DISCIPLINARY PROCEEDINGS, TO PROVIDE  
22 DISCLOSURE REQUIREMENTS, TO PROHIBIT CERTAIN ACTS, TO PROVIDE A PREEMP-  
23 TION OF LOCAL REGULATIONS AND TO PROVIDE SEVERABILITY; AMENDING SECTION  
24 67-2601, IDAHO CODE, TO DELETE REFERENCE TO THE BOARD OF NATUROPATHIC  
25 MEDICAL EXAMINERS, TO ESTABLISH THE BOARD OF NATUROPATHIC MEDICAL  
26 PHYSICIANS IN THE DEPARTMENT OF SELF-GOVERNING AGENCIES AND TO MAKE A  
27 TECHNICAL CORRECTION; PROVIDING REPORTING REQUIREMENTS; PROVIDING AN  
28 EFFECTIVE DATE; AND PROVIDING A SUNSET DATE."