

October 2011

**IMPORTANT NOTICE**  
**REGARDING THE PRESCRIPTIVE AUTHORITY OF**  
**NATUROPATHIC PHYSICIANS**

**Introduction**

This “Important Notice Regarding the Prescriptive Authority of Naturopathic Physicians” is being issued jointly from the State of Hawaii Board of Pharmacy and Board of Naturopathic Medicine to inform you about important changes to the scope of practice of naturopathic physicians.

**Background**

Historically, naturopathic medicine has been viewed by other healthcare providers as a “drugless” profession. However the profession, originally founded at the turn of the 20<sup>th</sup> century, underwent a renaissance in the 1970s and began to incorporate the limited use of legend drugs that were derived from natural sources (e.g., colchicines, digoxin, codeine, antibiotics, and vaccines) into the naturopathic practice. The authority to use and in certain states the authority to prescribe legend drugs was granted by the state regulatory board that license naturopathic medicine in their respective jurisdictions. Hawaii lagged behind this trend until 1994 when the Hawaii State Legislature enacted Act 71 (SLH 1994) that amended the definition of “naturopathic medicine” under chapter 455-1, HRS, and authorized naturopathic physicians (“**NDs**”) to use legend vitamins, minerals, amino acids and fatty acids in their practice.

In the past twenty years, the education and training in naturopathic medical schools has placed increasing emphasis on pharmacology and legend drug management. States that have granted NDs the authority to prescribe legend drugs have also adopted a naturopathic formulary from which the NDs employ when prescribing legend drugs (e.g., Oregon adopted an inclusionary formulary that places limited use on anti-psychotics, anti-neoplastics, alcohol deterrents, miscellaneous therapeutic agents, and does not include barbiturates).

In 2009, the Hawaii State Legislature enacted Act 22 (SLH 2009) (“**Act 22**”), which further expanded the scope of the naturopathic practice and granted prescriptive authority to NDs. Act 22 also required the Board of Naturopathic Medicine to establish education and training requirements for parenteral therapy and standards to administer parenteral therapy prior to naturopathic physicians being able to prescribe and administer injections.<sup>1</sup> Administrative rules pertaining to these requirements were adopted by the Board of Naturopathic Medicine in February 2011.

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<sup>1</sup> See, HRS section 455-6(2)(C) (Supp. 2010).

## Current Prescriptive Authority of Naturopathic Physicians Under Hawaii Law

### a. Scope of Practice under section 455-1, HRS

Act 22 amended the scope of practice of naturopathic physicians in section 455-1, HRS, as follows:

"Naturopathic medicine" means the practice of the art and science of diagnosis, prevention, and treatment of disorders of the body by support, stimulation, or both, of the natural processes of the human body. The practice of naturopathic medicine includes the prescription, administration, dispensing, and use of nutrition and food science, physical modalities, manual manipulation, parental therapy, minor office procedures, naturopathic formulary, hygiene and immunization, contraceptive devices, common diagnostic procedures, and behavioral medicine of the type taught in education and training at naturopathic medical colleges; provided that the use of parenteral therapy and performance of minor office procedures shall not be allowed until the board adopts rules in accordance with chapter 91 pursuant to section 455-6.

"Parenteral therapy" means the administration of substances by means other than through the gastrointestinal tract, including intravenous, subcutaneous and intramuscular injection.

"Naturopathic formulary" means vitamins, minerals, dietary supplements, botanical medicines, homeopathic medicines, hormones, and those legend drugs consistent with naturopathic medical practice.

"Legend drug" means any drug falling within section 503(b)(1) of the federal Food, Drug and Cosmetic Act and which is required to be labeled with the statement "Rx only."

"Hygiene and immunization" means the use of preventative techniques including personal hygiene, asepsis, public health, and, to extent allowed by rule, immunizations.

### b. Naturopathic Formulary

Act 22 authorized the Board of Naturopathic Medicine to "annually establish and publish a naturopathic formulary that has been approved by the board for prescription, administration, or dispensing by naturopathic physicians".<sup>2</sup>

Pursuant to this new authority, the Board of Naturopathic Medicine established a Naturopathic Formulary on January 1, 2010, and included legend drugs that are consistent with naturopathic medical practice.

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<sup>2</sup> See, HRS section 466-6(7) (Supp. 2010).

The current Naturopathic Formulary can be viewed online at:

[http://hawaii.gov/dcca/pvl/news-releases/naturopathy\\_announcements/NaturopathicFormulary010110.pdf](http://hawaii.gov/dcca/pvl/news-releases/naturopathy_announcements/NaturopathicFormulary010110.pdf)

c. Controlled Substances

NDs are not authorized to prescribe controlled substances.<sup>3</sup>

### **Education and Training in Pharmacology at Naturopathic Medical Schools**

Licensure as a naturopathic physician in Hawaii requires graduation from a school, university, or college of naturopathic medicine that has received candidacy status with, or has been accredited by, a regional or a national accrediting body recognized by the United States Department of Education (“**U.S. DOE**”) and successful passage of Parts 1 and 2 of the Naturopathic Physicians Licensing Examination. There are seven (7) naturopathic colleges that meet these requirements and all are accredited by or a candidate for accreditation by the Council on Naturopathic Medical Education (“**CNME**”). The CNME is the accrediting body, recognized by the U.S. DOE, of naturopathic medical schools. Five (5) of the seven naturopathic medical colleges are additionally accredited by regional accrediting agencies recognized by the U.S. DOE.

The curriculum of naturopathic medical schools currently includes courses in pharmacology. For example, the University of Bridgeport College of Naturopathic Medicine in Connecticut has seventy-two (72) semester hours in pharmacology, the National College of Natural Medicine in Portland, Oregon has seventy-two (72) semester hours of pharmacology, and the Southwest College of Naturopathic Medicine in Tempe, Arizona has one hundred and ten (110) hours of pharmacology.

### **Initiating vs. Maintaining/Tapering Prescriptions**

The practice of naturopathic medicine is based upon natural medicine and preventive care. NDs may sometimes prescribe refills of legend drugs from the Naturopathic Formulary that has been initiated by other prescribers for the purpose of maintaining or tapering the drug therapy and until the ND can employ naturopathic medicine to assist in patient care. NDs may also upon diagnosis, prescribe legend drugs from the Naturopathic Formulary to initiate treatment in compliance with chapter 455, HRS. It is the responsibility of the ND to prescribe only those legend drugs that are included in the Naturopathic Formulary and in accordance with the requirements established by law and the Board of Naturopathic Medicine.

### **Enforcement of Prescriptive Authority**

Act 22 amends section 455-11 (a), HRS, and establishes a provision for which disciplinary action may be taken against an ND for:

(16) Prescribing, administering, and dispensing naturopathic formulary that are not included in the formulary established by the board under section 466-6.

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<sup>3</sup> In general, “controlled substances” are defined in HRS chapter 329.