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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 3639

02/21/2022 Authored by Pryor, Kotyza-Witthuhn, Moller, Acomb and Wazlawik
The bill was read for the first time and referred to the Committee on Health Finance and Policy

1.1 A bill for an act
1.2 relating to health professions; requiring licensure of naturopathic doctors; modifying
1.3 scope of practice; amending Minnesota Statutes 2020, sections 146A.01, subdivision
1.4 4; 147.012; 147E.01, subdivisions 2, 7, 10; 147E.05; 147E.06; 147E.10; 147E.15;
1.5 147E.20; 147E.25, subdivisions 1, 2, 4, 5, 7, 8; 147E.30; 147E.35; 147E.40,
1.6 subdivisions 1, 2, 3; 319B.02, subdivision 19; 319B.40.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. Minnesota Statutes 2020, section 146A.01, subdivision 4, is amended to read:

1.9 Subd. 4. Complementary and alternative health care practices. (a) "Complementary
1.10 and alternative health care practices" means the broad domain of complementary and
1.11 alternative healing methods and treatments, including but not limited to: (1) acupressure;
1.12 (2) anthroposophy; (3) aroma therapy; (4) ayurveda; (5) cranial sacral therapy; (6) culturally
1.13 traditional healing practices; (7) detoxification practices and therapies; (8) energetic healing;
1.14 (9) polarity therapy; (10) folk practices; (11) healing practices utilizing food, food
1.15 supplements, nutrients, and the physical forces of heat, cold, water, touch, and light; (12)
1.16 Gerson therapy and colostrum therapy; (13) healing touch; (14) herbology or herbalism;
1.17 (15) homeopathy; (16) nondiagnostic iridology; (17) body work, massage, and massage
1.18 therapy; (18) meditation; (19) mind-body healing practices; (20) naturopathy; (21)
1.19 noninvasive instrumentalities; and (22) (21) traditional Oriental practices, such as Qi Gong
1.20 energy healing.

1.21 (b) Complementary and alternative health care practices do not include surgery, x-ray
1.22 radiation, administering or dispensing legend drugs and controlled substances, practices
1.23 that invade the human body by puncture of the skin, setting fractures, the use of medical
1.24 devices as defined in section 147A.01, any practice included in the practice of dentistry as

2.1 defined in section 150A.05, subdivision 1, or the manipulation or adjustment of articulations
2.2 of joints or the spine as described in section 146.23 or 148.01.

2.3 (c) Complementary and alternative health care practices do not include practices that
2.4 are permitted under section 147.09, clause (11), or 148.271, clause (5).

2.5 (d) This chapter does not apply to, control, prevent, or restrict the practice, service, or
2.6 activity of lawfully marketing or distributing food products, including dietary supplements
2.7 as defined in the federal Dietary Supplement Health and Education Act, educating customers
2.8 about such products, or explaining the uses of such products. Under Minnesota law, an
2.9 unlicensed complementary and alternative health care practitioner may not provide a medical
2.10 diagnosis or recommend discontinuance of medically prescribed treatments.

2.11 Sec. 2. Minnesota Statutes 2020, section 147.012, is amended to read:

2.12 **147.012 OVERSIGHT OF ALLIED HEALTH PROFESSIONS.**

2.13 The board has responsibility for the oversight of the following allied health professions:
2.14 physician assistants under chapter 147A, acupuncture practitioners under chapter 147B,
2.15 respiratory care practitioners under chapter 147C, traditional midwives under chapter 147D,
2.16 ~~registered~~ licensed naturopathic doctors under chapter 147E, genetic counselors under
2.17 chapter 147F, and athletic trainers under sections 148.7801 to 148.7815.

2.18 Sec. 3. Minnesota Statutes 2020, section 147E.01, subdivision 2, is amended to read:

2.19 Subd. 2. **Advisory council.** "Advisory council" means the ~~Registered~~ Naturopathic
2.20 Doctor Advisory Council established under section 147E.35.

2.21 Sec. 4. Minnesota Statutes 2020, section 147E.01, subdivision 7, is amended to read:

2.22 Subd. 7. **Registered Naturopathic doctor.** "~~Registered~~ Naturopathic doctor" means an
2.23 individual ~~registered~~ licensed under this chapter.

2.24 Sec. 5. Minnesota Statutes 2020, section 147E.01, subdivision 10, is amended to read:

2.25 Subd. 10. **Naturopathic medicine.** "Naturopathic medicine" means a system of primary
2.26 health care for the prevention, assessment, and treatment of human health conditions, injuries,
2.27 and diseases that uses:

2.28 (1) services, procedures, and treatments as described in section 147E.05; ~~and~~

2.29 (2) ~~natural health procedures and treatments in section 146A.01, subdivision 4.~~

3.1 Sec. 6. Minnesota Statutes 2020, section 147E.05, is amended to read:

3.2 **147E.05 SCOPE OF PRACTICE.**

3.3 Subdivision 1. **Practice parameters.** (a) The practice of naturopathic medicine includes,
3.4 but is not limited to, the following services:

3.5 (1) ordering, administering, prescribing, or dispensing for preventive and therapeutic
3.6 purposes: food, extracts of food, nutraceuticals, vitamins, minerals, amino acids, enzymes,
3.7 botanicals and their extracts, botanical medicines, herbal remedies, homeopathic medicines,
3.8 dietary supplements and nonprescription drugs as defined by the Federal Food, Drug, and
3.9 Cosmetic Act, glandulars, protomorphogens, lifestyle counseling, hypnotherapy, biofeedback,
3.10 dietary therapy, electrotherapy, galvanic therapy, oxygen, therapeutic devices, barrier devices
3.11 for contraception, and minor office procedures, including obtaining specimens to assess
3.12 and treat disease;

3.13 (2) performing or ordering physical examinations and physiological function tests;

3.14 (3) ordering clinical laboratory tests and performing waived tests as defined by the
3.15 United States Food and Drug Administration Clinical Laboratory Improvement Amendments
3.16 of 1988 (CLIA);

3.17 (4) referring a patient for diagnostic imaging including x-ray, CT scan, MRI, ultrasound,
3.18 mammogram, and bone densitometry to an appropriately licensed health care professional
3.19 to conduct the test and interpret the results;

3.20 (5) prescribing nonprescription medications and therapeutic devices or ordering
3.21 noninvasive diagnostic procedures commonly used by physicians in general practice; and

3.22 (6) prescribing or performing naturopathic physical medicine.

3.23 (b) A ~~registered~~ naturopathic doctor may admit patients to a hospital if the naturopathic
3.24 doctor meets the hospital's governing body requirements regarding credentialing and
3.25 privileging process.

3.26 Subd. 2. **Prohibitions on practice.** (a) The practice of naturopathic medicine does not
3.27 include:

3.28 (1) administering therapeutic ionizing radiation or radioactive substances;

3.29 (2) administering general or spinal anesthesia;

3.30 (3) prescribing, dispensing, or administering legend drugs or controlled substances
3.31 including chemotherapeutic substances; or

4.1 (4) performing or inducing abortions.

4.2 (b) A naturopathic doctor ~~registered under this chapter~~ shall not perform surgical
4.3 procedures using a laser device or perform surgical procedures beyond superficial tissue.

4.4 (c) A naturopathic doctor shall not practice or claim to practice as a medical doctor,
4.5 surgeon, osteopathic physician, dentist, podiatrist, optometrist, psychologist, advanced
4.6 practice professional nurse, physician assistant, chiropractor, physical therapist, acupuncturist,
4.7 dietician, nutritionist, or any other health care professional, unless the naturopathic ~~physician~~
4.8 doctor also holds the appropriate license or registration for the health care practice profession.

4.9 Sec. 7. Minnesota Statutes 2020, section 147E.06, is amended to read:

4.10 **147E.06 PROFESSIONAL CONDUCT.**

4.11 Subdivision 1. **Informed consent.** (a) The naturopathic doctor shall present treatment
4.12 facts and options to the patient or to the individual responsible for the patient's care and
4.13 make treatment recommendations according to the practice standards of naturopathic
4.14 medicine.

4.15 (b) ~~The registered naturopathic doctor shall obtain a signed informed consent from the~~
4.16 ~~patient or the individual responsible for the patient's care prior to initiating treatment and~~
4.17 ~~after advising the patient of the naturopathic doctor's qualifications including education and~~
4.18 ~~registration information; and outlining of the scope of practice of registered naturopathic~~
4.19 ~~doctors in Minnesota. This information must be supplied to the patient in writing before or~~
4.20 ~~at the time of the initial visit. The registrant shall present treatment facts and options~~
4.21 ~~accurately to the patient or to the individual responsible for the patient's care and make~~
4.22 ~~treatment recommendations according to standards of good naturopathic medical practice.~~

4.23 ~~(b)~~ (c) Upon request, the ~~registered~~ naturopathic doctor ~~must~~ shall provide a copy of the
4.24 informed consent form to the board.

4.25 Subd. 2. **Patient records.** (a) A ~~registered~~ naturopathic doctor shall maintain a record
4.26 for seven years for each patient treated, including:

4.27 (1) a copy of the signed informed consent;

4.28 (2) evidence of a patient interview concerning the patient's medical history and current
4.29 physical condition;

4.30 (3) evidence of an examination and assessment;

4.31 (4) record of the treatment provided to the patient; and

5.1 (5) evidence of evaluation and instructions given to the patient, including acknowledgment
 5.2 by the patient in writing that, if deemed necessary by the ~~registered~~ naturopathic doctor,
 5.3 the patient has been advised to consult with another health care provider.

5.4 (b) A ~~registered~~ naturopathic doctor shall maintain the records of minor patients for
 5.5 seven years or until the minor's 19th birthday, whichever is longer.

5.6 Subd. 3. **Data practices.** All records maintained on a naturopathic patient by a ~~registered~~
 5.7 naturopathic doctor are subject to sections 144.291 to 144.298.

5.8 Subd. 4. **State and municipal public health regulations.** A ~~registered~~ naturopathic
 5.9 doctor shall comply with all applicable state and municipal requirements regarding public
 5.10 health.

5.11 Sec. 8. Minnesota Statutes 2020, section 147E.10, is amended to read:

5.12 **147E.10 UNAUTHORIZED PRACTICE; PROTECTED TITLES;**
 5.13 **RESTRICTIONS.**

5.14 Subdivision 1. **Designation.** (a) No individual ~~may shall~~ use the title "~~registered~~
 5.15 ~~naturopathic doctor,~~" "naturopathic doctor," "doctor of naturopathic medicine," "naturopath,"
 5.16 or use, in connection with the individual's name, the letters "~~R.N.D.~~" "N.D.," or "N.M.D.,"
 5.17 or any other titles, words, letters, abbreviations, nicknames, or insignia indicating or implying
 5.18 that the individual is a ~~registered~~ licensed naturopathic doctor unless the individual ~~has been~~
 5.19 ~~registered~~ is licensed as a ~~registered~~ naturopathic doctor according to this chapter.

5.20 (b) No individual shall use the title "naturopathic medical doctor" or "naturopathic
 5.21 physician" unless the individual is licensed as a naturopathic doctor according to this chapter
 5.22 and is licensed to practice medicine according to chapter 147.

5.23 ~~After July 1, 2009,~~ (c) Individuals who are ~~registered~~ licensed under this chapter and
 5.24 who represent themselves as practicing naturopathic medicine by use of a term in paragraph
 5.25 (a) shall conspicuously display the ~~registration~~ license in the place of practice.

5.26 Subd. 1a. **Unlicensed practice prohibited.** Effective July 1, 2023, no individual shall
 5.27 engage in the practice of naturopathic medicine as defined under section 147E.05, subdivision
 5.28 1, paragraph (a), unless the individual is licensed as a naturopathic doctor according to this
 5.29 chapter.

5.30 Subd. 2. **Other health care practitioners.** Nothing in this chapter may be construed to
 5.31 prohibit or to restrict:

6.1 (1) the practice of a profession by individuals who are licensed, certified, or registered
 6.2 under other laws of this state and are performing services within their authorized scope of
 6.3 practice;

6.4 (2) the provision of the complementary and alternative healing methods and treatments;
 6.5 ~~including naturopathy~~, as described in chapter 146A, except that an individual shall not
 6.6 represent themselves as a naturopath, a naturopathic doctor, or a provider of naturopathic
 6.7 medicine unless the individual is licensed according to this chapter;

6.8 (3) the practice of naturopathic medicine by an individual licensed, registered, or certified
 6.9 in another state and employed by the government of the United States while the individual
 6.10 is engaged in the performance of duties prescribed by the laws and regulations of the United
 6.11 States; or

6.12 (4) the practice by a naturopathic doctor duly licensed, registered, or certified in another
 6.13 state, territory, or the District of Columbia when incidentally called into this state for
 6.14 consultation with a Minnesota licensed physician or Minnesota ~~registered~~ licensed
 6.15 naturopathic doctor; ~~or.~~

6.16 ~~(5) individuals not registered by this chapter from the use of individual modalities which~~
 6.17 ~~comprise the practice of naturopathic medicine.~~

6.18 Subd. 3. **Penalty.** A person violating ~~subdivision 1~~ this section is guilty of a misdemeanor
 6.19 and may be subject to sanctions or actions according to section 214.11.

6.20 Sec. 9. Minnesota Statutes 2020, section 147E.15, is amended to read:

6.21 **147E.15 ~~REGISTRATION~~ LICENSURE REQUIREMENTS.**

6.22 Subdivision 1. **General requirements for ~~registration~~ licensure.** To be eligible for
 6.23 ~~registration~~ licensure as a naturopathic doctor, an applicant must:

6.24 (1) submit a completed application on forms provided by the board along with all fees
 6.25 required under section 147E.40 that includes:

6.26 (i) the applicant's name, Social Security number, home address and telephone number,
 6.27 and business address and telephone number;

6.28 (ii) the name and location of the naturopathic medical program the applicant completed;

6.29 (iii) a list of degrees received from other educational institutions;

6.30 (iv) a description of the applicant's professional training;

6.31 (v) a list of registrations, certifications, and licenses held in other jurisdictions;

- 7.1 (vi) a description of any other jurisdiction's refusal to credential the applicant;
- 7.2 (vii) a description of all professional disciplinary actions initiated against the applicant
7.3 in any jurisdiction; and
- 7.4 (viii) any history of drug or alcohol abuse, and any misdemeanor or felony conviction;
- 7.5 (2) submit a copy of a diploma from an approved naturopathic medical education
7.6 program;
- 7.7 (3) have successfully passed the Naturopathic Physicians Licensing Examination, a
7.8 competency-based national naturopathic licensing examination administered by the North
7.9 American Board of Naturopathic Examiners or successor agency as recognized by the board;
7.10 passing scores are determined by the Naturopathic Physicians Licensing Examination;
- 7.11 (4) submit additional information as requested by the board, including providing any
7.12 additional information necessary to ensure that the applicant is able to practice with
7.13 reasonable skill and safety to the public;
- 7.14 (5) sign a statement that the information in the application is true and correct to the best
7.15 of the applicant's knowledge and belief; and
- 7.16 (6) sign a waiver authorizing the board to obtain access to the applicant's records in this
7.17 or any other state in which the applicant has completed an approved naturopathic medical
7.18 program or engaged in the practice of naturopathic medicine.
- 7.19 Subd. 2. **Registration Licensure by endorsement; reciprocity.** ~~(a)~~ To be eligible for
7.20 ~~registration~~ licensure by endorsement or reciprocity, the applicant must hold a current
7.21 naturopathic license, registration, or certification in another state, Canadian province, the
7.22 District of Columbia, or territory of the United States, whose standards for licensure,
7.23 registration, or certification are at least equivalent to those of Minnesota, and must:
- 7.24 (1) submit the application materials and fees as required by subdivision 1, clauses (1),
7.25 (2), and (4) to (6);
- 7.26 (2) have successfully passed either:
- 7.27 (i) the Naturopathic Physicians Licensing Examination; or
- 7.28 (ii) if prior to 1986, the state or provincial naturopathic board licensing examination
7.29 required by that regulating state or province;
- 7.30 (3) provide a verified copy from the appropriate government body of a current license,
7.31 registration, or certification for the practice of naturopathic medicine in another jurisdiction

8.1 that has initial licensing, registration, or certification requirements equivalent to or higher
8.2 than the requirements in subdivision 1; and

8.3 (4) provide letters of verification from the appropriate government body in each
8.4 jurisdiction in which the applicant holds a license, registration, or certification. Each letter
8.5 must state the applicant's name, date of birth, license, registration, or certification number,
8.6 date of issuance, a statement regarding disciplinary actions, if any, taken against the applicant,
8.7 and the terms under which the license, registration, or certification was issued.

8.8 ~~(b) An applicant applying for license, registration, or certification by endorsement must~~
8.9 ~~be licensed, registered, or certified in another state or Canadian province prior to January~~
8.10 ~~1, 2005, and have completed a 60-hour course and examination in pharmacotherapeutics.~~

8.11 Subd. 3. **Temporary registration permit.** The board may issue a temporary ~~registration~~
8.12 permit to practice as a ~~registered~~ licensed naturopathic doctor to an applicant who is licensed,
8.13 registered, or certified in another state or Canadian province and is eligible for ~~registration~~
8.14 licensure under this section, if the application for ~~registration~~ licensure is complete, all
8.15 applicable requirements in this section have been met, and a nonrefundable fee has been
8.16 paid. The temporary ~~registration~~ permit remains valid only until the meeting of the board
8.17 at which time a decision is made on the ~~registered~~ naturopathic doctor's application for
8.18 ~~registration~~ licensure.

8.19 Subd. 4. **Registration License expiration.** ~~Registrations~~ Licenses issued under this
8.20 chapter expire annually.

8.21 Subd. 5. **Renewal.** (a) To be eligible for ~~registration~~ license renewal a ~~registrant~~ licensee
8.22 must:

8.23 (1) annually, or as determined by the board, complete a renewal application on a form
8.24 provided by the board;

8.25 (2) submit the renewal fee;

8.26 (3) provide evidence of a total of ~~25~~ 30 hours of continuing education approved by the
8.27 board as described in section 147E.25; and

8.28 (4) submit any additional information requested by the board to clarify information
8.29 presented in the renewal application. The information must be submitted within 30 days
8.30 after the board's request, or the renewal request is nullified.

8.31 (b) A ~~registrant~~ licensee must maintain a correct mailing address with the board for
8.32 receiving board communications, notices, and ~~registration~~ license renewal documents.
8.33 Placing the ~~registration~~ license renewal application in first-class United States mail, addressed

9.1 to the registrant licensee at the registrant's licensee's last known address with postage prepaid,
9.2 constitutes valid service. Failure to receive the renewal documents does not relieve a
9.3 registrant licensee of the obligation to comply with this section.

9.4 (c) The name of a registrant licensee who does not return a complete registration license
9.5 renewal application, annual registration license fee, or late application fee, as applicable,
9.6 within the time period required by this section shall be removed from the list of individuals
9.7 authorized to practice during the current renewal period. If the registrant's licensee's
9.8 registration is reinstated, the registrant's licensee's name shall be placed on the list of
9.9 individuals authorized to practice.

9.10 Subd. 6. **Change of address.** A registrant licensee who changes addresses must inform
9.11 the board within 30 days, in writing, of the change of address. All notices or other
9.12 correspondence mailed to or served on a registrant licensee by the board are considered as
9.13 having been received by the registrant licensee.

9.14 Subd. 7. **Registration License renewal notice.** At least 45 days before the registration
9.15 license renewal date, the board shall send out a renewal notice to the last known address of
9.16 the registrant licensee on file. The notice must include a renewal application and a notice
9.17 of fees required for renewal or instructions for online renewal. It must also inform the
9.18 registrant licensee that registration the license will expire without further action by the board
9.19 if an application for registration license renewal is not received before the deadline for
9.20 renewal. The registrant's licensee's failure to receive this notice does not relieve the registrant
9.21 licensee of the obligation to meet the deadline and other requirements for registration license
9.22 renewal. Failure to receive this notice is not grounds for challenging expiration of registration
9.23 licensure status.

9.24 Subd. 8. **Renewal deadline.** The renewal application and fee must be postmarked on or
9.25 before ~~December 31 of the year of renewal~~ the deadline established by the board. If the
9.26 postmark is illegible, the application is considered timely if received by the third working
9.27 day after the deadline.

9.28 Subd. 9. **Inactive status and return to active status.** (a) A registrant licensee may be
9.29 placed in inactive status upon application to the board by the registrant licensee and upon
9.30 payment of an inactive status fee.

9.31 (b) Registrants Licensees seeking restoration to active from inactive status must pay the
9.32 current renewal fees and all unpaid back inactive fees. They must meet the criteria for
9.33 renewal specified in subdivision 5, including continuing education hours.

10.1 (c) ~~Registrants~~ Licensees whose inactive status period has been five years or longer must
 10.2 additionally have a period of no less than eight weeks of advisory council-approved
 10.3 supervision by another ~~registered~~ licensed naturopathic doctor.

10.4 Subd. 10. **Registration Licensure following lapse of ~~registration~~ licensure status for**
 10.5 **two years or less.** For any individual whose ~~registration~~ licensure status has lapsed for two
 10.6 years or less, to regain ~~registration status~~ a license, the individual must:

10.7 (1) apply for ~~registration~~ license renewal according to subdivision 5;

10.8 (2) document compliance with the continuing education requirements of section 147E.25
 10.9 since the ~~registrant's~~ licensee's initial ~~registration~~ licensure or last renewal; and

10.10 (3) submit the fees required under section 147E.40 for the period not ~~registered~~ licensed,
 10.11 including the fee for late renewal.

10.12 Subd. 10a. **Registration following lapse of registered status; transition.** (a) A registrant
 10.13 whose registration has lapsed under subdivision 10 before January 1, 2020, and who seeks
 10.14 to regain registered status after January 1, 2020, shall be treated as a first-time registrant
 10.15 only for purposes of establishing a registration renewal schedule, and shall not be subject
 10.16 to the registration cycle conversion provisions in section 147E.45.

10.17 (b) This subdivision expires July 1, 2022.

10.18 Subd. 11. **Cancellation due to nonrenewal.** The board shall not renew, reissue, reinstate,
 10.19 or restore a ~~registration~~ license that has lapsed and has not been renewed within two annual
 10.20 ~~registration~~ renewal cycles starting January 2009. A ~~registrant~~ licensee whose ~~registration~~
 10.21 license is canceled for nonrenewal must obtain a new ~~registration~~ license by applying for
 10.22 ~~registration~~ licensure and fulfilling all requirements then in existence for initial ~~registration~~
 10.23 licensure as a ~~registered~~ naturopathic doctor.

10.24 Subd. 12. **Cancellation of ~~registration~~ licensure in good standing.** (a) A ~~registrant~~
 10.25 licensee holding an active ~~registration~~ license as a ~~registered~~ naturopathic doctor in the state
 10.26 may, upon approval of the board, be granted ~~registration~~ license cancellation if the board
 10.27 is not investigating the person as a result of a complaint or information received or if the
 10.28 board has not begun disciplinary proceedings against the ~~registrant~~ licensee. Such action
 10.29 by the board must be reported as a cancellation of ~~registration~~ licensure in good standing.

10.30 (b) A ~~registrant~~ licensee who receives board approval for ~~registration~~ licensure
 10.31 cancellation is not entitled to a refund of any ~~registration~~ fees paid for the ~~registration~~
 10.32 licensure year in which cancellation of the ~~registration~~ occurred.

11.1 (c) To obtain ~~registration~~ licensure after cancellation, a ~~registrant~~ licensee must obtain
 11.2 a new ~~registration~~ license by ~~applying for registration~~ submitting an application and fulfilling
 11.3 the requirements then in existence for obtaining initial ~~registration~~ licensure as a ~~registered~~
 11.4 naturopathic doctor.

11.5 Subd. 13. **Emeritus status of registration.** A ~~registrant~~ licensee may change the status
 11.6 of the ~~registration~~ license to "emeritus" by filing the appropriate forms and paying the
 11.7 onetime fee of \$50 to the board. This status allows the ~~registrant~~ licensee to retain the title
 11.8 of ~~registered~~ naturopathic doctor but restricts the ~~registrant~~ licensee from actively seeing
 11.9 patients.

11.10 Sec. 10. Minnesota Statutes 2020, section 147E.20, is amended to read:

11.11 **147E.20 BOARD ACTION ON APPLICATIONS FOR ~~REGISTRATION~~**
 11.12 **LICENSURE.**

11.13 (a) The board shall act on each application for ~~registration~~ licensure according to
 11.14 paragraphs (b) to (d).

11.15 (b) The board shall determine if the applicant meets the requirements for ~~registration~~
 11.16 licensure under section 147E.15. The board or advisory council may investigate information
 11.17 provided by an applicant to determine whether the information is accurate and complete.

11.18 (c) The board shall notify each applicant in writing of action taken on the application,
 11.19 the grounds for denying ~~registration~~ licensure if ~~registration~~ licensure is denied, and the
 11.20 applicant's right to review under paragraph (d).

11.21 (d) Applicants denied ~~registration~~ licensure may make a written request to the board,
 11.22 within 30 days of the board's notice, to appear before the advisory council or the board and
 11.23 for the advisory council to review the board's decision to deny the applicant's ~~registration~~
 11.24 licensure. After reviewing the denial, the advisory council shall make a recommendation
 11.25 to the board as to whether the denial shall be affirmed. Each applicant is allowed only one
 11.26 request for review each yearly ~~registration~~ licensure period.

11.27 Sec. 11. Minnesota Statutes 2020, section 147E.25, subdivision 1, is amended to read:

11.28 Subdivision 1. **Number of required contact hours.** (a) A ~~registrant~~ licensee applying
 11.29 for ~~registration~~ license renewal must complete a minimum of ~~25~~ 30 contact hours of
 11.30 board-approved continuing education in the year preceding ~~registration~~ license renewal,
 11.31 with the exception of the ~~registrant's~~ licensee's first incomplete year, and attest to completion
 11.32 of continuing education requirements by reporting to the board.

12.1 (b) Of the ~~25~~ 30 contact hours of continuing education requirement in paragraph (a), at
 12.2 least ~~five~~ ten hours of continuing education must be in pharmacotherapeutics.

12.3 Sec. 12. Minnesota Statutes 2020, section 147E.25, subdivision 2, is amended to read:

12.4 Subd. 2. **Approved programs.** The board shall approve continuing education programs
 12.5 that have been approved for continuing education credit by the American Association of
 12.6 Naturopathic Physicians or any of its constituent state associations, the North American
 12.7 Naturopathic Continuing Education Accreditation Council (NANCEAC), the American
 12.8 Chiropractic Association or any of its constituent state associations, the American Osteopathic
 12.9 Association Bureau of Professional Education, the American Pharmacists Association or
 12.10 any of its constituent state associations, or an organization approved by the Accreditation
 12.11 Council for Continuing Medical Education, or an organization defined in Minnesota Rules,
 12.12 part 5605.0300 or 5605.0700.

12.13 Sec. 13. Minnesota Statutes 2020, section 147E.25, subdivision 4, is amended to read:

12.14 Subd. 4. **Accumulation of contact hours.** A ~~registrant~~ licensee may not apply contact
 12.15 hours acquired in one one-year reporting period to a future continuing education reporting
 12.16 period.

12.17 Sec. 14. Minnesota Statutes 2020, section 147E.25, subdivision 5, is amended to read:

12.18 Subd. 5. **Verification of continuing education credits.** The board shall periodically
 12.19 select a random sample of ~~registrants~~ licensees and require those ~~registrants~~ licensees to
 12.20 supply the board with evidence of having completed the continuing education to which they
 12.21 attested. Documentation may come directly from the ~~registrants~~ licensees from state or
 12.22 national organizations that maintain continuing education records.

12.23 Sec. 15. Minnesota Statutes 2020, section 147E.25, subdivision 7, is amended to read:

12.24 Subd. 7. **Restriction on continuing education topics.** (a) A ~~registrant~~ licensee may
 12.25 apply no more than five hours of practice management to a one-year reporting period.

12.26 (b) A ~~registrant~~ licensee may apply no more than 15 hours to any single subject area.

12.27 Sec. 16. Minnesota Statutes 2020, section 147E.25, subdivision 8, is amended to read:

12.28 Subd. 8. **Continuing education exemptions.** The board may exempt any person holding
 12.29 a ~~registration~~ license under this chapter from the requirements of subdivision 1 upon
 12.30 application showing evidence satisfactory to the board of inability to comply with the

13.1 requirements because of physical or mental condition or because of other unusual or
 13.2 extenuating circumstances. However, no person may be exempted from the requirements
 13.3 of subdivision 1 more than once in any five-year period.

13.4 Sec. 17. Minnesota Statutes 2020, section 147E.30, is amended to read:

13.5 **147E.30 DISCIPLINE; REPORTING.**

13.6 For purposes of this chapter, ~~registered~~ naturopathic doctors and applicants are subject
 13.7 to sections 147.091 to 147.162, including the reporting obligations included in section
 13.8 147.111.

13.9 Sec. 18. Minnesota Statutes 2020, section 147E.35, is amended to read:

13.10 **147E.35 ~~REGISTERED~~ NATUROPATHIC DOCTOR ADVISORY COUNCIL.**

13.11 Subdivision 1. **Membership.** The board shall appoint a seven-member ~~Registered~~
 13.12 Naturopathic Doctor Advisory Council consisting of one public member as defined in section
 13.13 214.02, five ~~registered~~ naturopathic doctors who are residents of the state, and one licensed
 13.14 physician or osteopathic physician with experience working with naturopathic doctors and
 13.15 expertise in natural medicine.

13.16 Subd. 1a. **Transition to licensed members.** The five naturopathic doctors appointed to
 13.17 and serving on the advisory council must apply for and be issued a license under this chapter
 13.18 by January 1, 2024, to remain a member of the advisory council. If any of the five members
 13.19 required to be licensed is not licensed by January 1, 2024, the board shall appoint a licensed
 13.20 naturopathic doctor to replace the member.

13.21 Subd. 2. **Organization.** The advisory council shall be organized and administered under
 13.22 section 15.059. Section 15.059, subdivision 2, does not apply to this section. Members shall
 13.23 serve two-year terms, and shall serve until their successors have been appointed. The council
 13.24 shall select a chair from its membership.

13.25 Subd. 3. **Duties.** The advisory council shall:

13.26 (1) advise the board regarding standards for ~~registered~~ licensed naturopathic doctors;

13.27 (2) provide for distribution of information regarding ~~registered~~ licensed naturopathic
 13.28 doctors standards;

13.29 (3) advise the board on enforcement of sections 147.091 to 147.162;

13.30 (4) review applications and recommend granting or denying ~~registration~~ licensure or
 13.31 registration license renewal;

14.1 (5) advise the board on issues related to receiving and investigating complaints,
 14.2 conducting hearings, and imposing disciplinary action in relation to complaints against
 14.3 ~~registered~~ naturopathic doctors;

14.4 (6) advise the board regarding approval of continuing education programs using the
 14.5 criteria in section 147E.25, subdivision 3; and

14.6 (7) perform other duties authorized for advisory councils by chapter 214, as directed by
 14.7 the board.

14.8 Sec. 19. Minnesota Statutes 2020, section 147E.40, subdivision 1, is amended to read:

14.9 Subdivision 1. **Fees.** (a) Fees are as follows:

14.10 (1) ~~registration~~ license application fee, \$200;

14.11 (2) renewal fee, \$150;

14.12 (3) late fee, \$75;

14.13 (4) inactive status fee, \$50;

14.14 (5) temporary permit fee, \$25;

14.15 (6) naturopathic doctor certification fee, \$25;

14.16 (7) naturopathic doctor duplicate license fee, \$20;

14.17 (8) naturopathic doctor emeritus ~~registration~~ licensure fee, \$50;

14.18 ~~(9) naturopathic doctor certification fee, \$25;~~

14.19 ~~(10) duplicate license or registration fee, \$20;~~

14.20 ~~(11)~~ (9) certification letter fee, \$25;

14.21 ~~(12)~~ (10) verification fee, \$25;

14.22 ~~(13)~~ (11) education or training program approval fee, \$100; and

14.23 ~~(14)~~ (12) report creation and generation fee, \$60 per hour billed in quarter-hour
 14.24 increments with a quarter-hour minimum.

14.25 (b) The revenue generated from the fees must be deposited in an account in the state
 14.26 government special revenue fund.

15.1 Sec. 20. Minnesota Statutes 2020, section 147E.40, subdivision 2, is amended to read:

15.2 Subd. 2. **Proration of fees.** The board may prorate the initial annual registration license
15.3 fee. All registrants licensees are required to pay the full fee upon registration license renewal.

15.4 Sec. 21. Minnesota Statutes 2020, section 147E.40, subdivision 3, is amended to read:

15.5 Subd. 3. **Penalty fee for late renewals.** An application for registration license renewal
15.6 submitted after the deadline must be accompanied by a late fee in addition to the required
15.7 fees.

15.8 Sec. 22. Minnesota Statutes 2020, section 319B.02, subdivision 19, is amended to read:

15.9 Subd. 19. **Professional services.** "Professional services" means services of the type
15.10 required or permitted to be furnished by a professional under a license, registration, or
15.11 certificate issued by the state of Minnesota to practice medicine and surgery under sections
15.12 147.01 to 147.22, as a physician assistant pursuant to sections 147A.01 to 147A.27,
15.13 naturopathic medicine under sections 147E.01 to 147E.45, chiropractic under sections
15.14 148.01 to 148.105, registered nursing under sections 148.171 to 148.285, optometry under
15.15 sections 148.52 to 148.62, psychology under sections 148.88 to 148.98, social work under
15.16 chapter 148E, marriage and family therapy under sections 148B.29 to 148B.39, professional
15.17 counseling under sections 148B.50 to 148B.593, dentistry and dental hygiene under sections
15.18 150A.01 to 150A.12, pharmacy under sections 151.01 to 151.40, podiatric medicine under
15.19 sections 153.01 to 153.25, veterinary medicine under sections 156.001 to 156.14, architecture,
15.20 engineering, surveying, landscape architecture, geoscience, and certified interior design
15.21 under sections 326.02 to 326.15, accountancy under chapter 326A, or law under sections
15.22 481.01 to 481.17, or under a license or certificate issued by another state under similar laws.
15.23 Professional services includes services of the type required to be furnished by a professional
15.24 pursuant to a license or other authority to practice law under the laws of a foreign nation.

15.25 Sec. 23. Minnesota Statutes 2020, section 319B.40, is amended to read:

15.26 **319B.40 PROFESSIONAL HEALTH SERVICES.**

15.27 (a) Individuals who furnish professional services pursuant to a license, registration, or
15.28 certificate issued by the state of Minnesota to practice medicine pursuant to sections 147.01
15.29 to 147.22, as a physician assistant pursuant to sections 147A.01 to 147A.27, naturopathic
15.30 medicine pursuant to sections 147E.01 to 147E.45, chiropractic pursuant to sections 148.01
15.31 to 148.106, registered nursing pursuant to sections 148.171 to 148.285, optometry pursuant
15.32 to sections 148.52 to 148.62, psychology pursuant to sections 148.88 to 148.98, social work

16.1 pursuant to chapter 148D, marriage and family therapy pursuant to sections 148B.29 to
16.2 148B.39, dentistry pursuant to sections 150A.01 to 150A.12, pharmacy pursuant to sections
16.3 151.01 to 151.40, or podiatric medicine pursuant to sections 153.01 to 153.26 are specifically
16.4 authorized to practice any of these categories of services in combination if the individuals
16.5 are organized under this chapter.

16.6 (b) This authorization does not authorize an individual to practice any profession, or
16.7 furnish a professional service, for which the individual is not licensed, registered, or certified,
16.8 but otherwise applies regardless of any contrary provision of a licensing statute or rules
16.9 adopted pursuant to that statute, related to practicing and organizing in combination with
16.10 other health services professionals.

16.11 **Sec. 24. CONVERSION FROM REGISTRATION TO LICENSURE.**

16.12 Beginning July 1, 2022, upon the next registration renewal, the Board of Medical Practice
16.13 shall convert a valid naturopathic doctor registration to a license to practice naturopathic
16.14 medicine under Minnesota Statutes, chapter 147E. Beginning July 1, 2022, and until
16.15 registration renewal and conversion to a license, a valid registration issued under Minnesota
16.16 Statutes, chapter 147E, shall be considered the equivalent to a license to practice naturopathic
16.17 medicine.

16.18 **Sec. 25. EFFECTIVE DATE.**

16.19 Sections 1 to 24 are effective July 1, 2022.