

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021

# A Bill

HOUSE BILL 1233

4  
5 By: Representative Penzo  
6 By: Senator B. Ballinger

## For An Act To Be Entitled

9 AN ACT TO CREATE THE ARKANSAS NATUROPATHIC PHYSICIAN  
10 LICENSURE ACT; AND FOR OTHER PURPOSES.

## Subtitle

14 TO CREATE THE ARKANSAS NATUROPATHIC  
15 PHYSICIAN LICENSURE ACT.

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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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20 SECTION 1. Arkansas Code Title 17, Chapter 95, is amended to add an  
21 additional subchapter to read as follows:

22 Subchapter 12 – Arkansas Naturopathic Physician Licensure Act

23  
24 17-95-1201. Title.

25 This subchapter shall be known and may be cited as the “Arkansas  
26 Naturopathic Physician Licensure Act”.

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28 17-95-1202. Definitions.

29 As used in this subchapter:

30 (1) "Naturopathic physician" means an individual who is licensed  
31 under this subchapter to engage in the practice of naturopathic medicine; and

32 (2) "Practice of naturopathic medicine" means the diagnosis and  
33 treatment of diseases, injuries, ailments, infirmities, and other conditions  
34 of the human mind and body, including by natural means, drugless methods,  
35 drugs, nonsurgical methods, devices, physical, electrical, hygienic, and  
36 sanitary measures and all forms of physical agents and modalities.



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3 17-95-1203. Exemptions from licensure.

4 This subchapter does not require licensure as a naturopathic physician  
5 of:

6 (1) An individual who is licensed or lawfully permitted to  
7 practice by this state as a healthcare professional and who is practicing  
8 within his or her scope of practice;

9 (2) A physician who is licensed by another state or country and  
10 is providing a consultation upon request;

11 (3) A student enrolled in an approved training program in  
12 naturopathic medicine if the practice of naturopathic medicine constitutes a  
13 part of a supervised course of study and the student is designated by a title  
14 that clearly indicates the student's status as a student or trainee; or

15 (4) An individual who is not licensed by the Arkansas State  
16 Medical Board and who sells a natural substance that does not require a  
17 prescription or food articles to supplement the diet of another individual.

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19 17-95-1204. Authority of Arkansas State Medical Board.

20 The Arkansas State Medical Board shall:

21 (1) Develop appropriate rules necessary to regulate naturopathic  
22 physicians;

23 (2) Receive, review, and approve applications for naturopathic  
24 physicians licensure;

25 (3) Issue, renew, suspend, revoke, or deny licensure as a  
26 naturopathic physician;

27 (4) Conduct hearings on investigative and disciplinary  
28 proceedings;

29 (5)(A) Maintain a database of all licensees for all individuals  
30 who hold active licenses or who hold licenses that have been suspended,  
31 revoked, or denied.

32 (B) Access to a database under subdivision (5)(A) of this  
33 section shall be available upon written request and payment of an appropriate  
34 fee as determined by the board; and

35 (6) Perform other functions and duties required to carry out  
36 this subchapter.

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2 17-95-1205. Title protection.

3 An individual shall not use or assume the title “naturopathic  
4 physician” or use any words, letters, abbreviations, or insignia indicating  
5 or implying that the individual holds a naturopathic physician license unless  
6 the individual is licensed by the Arkansas State Medical Board.

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8 17-95-1206. Naturopathic physician licensure.

9 (a) The Arkansas State Medical Board shall license as a naturopathic  
10 physician an applicant who:

11 (1) Submits an application approved by the Arkansas State  
12 Medical Board;

13 (2) Pays an application fee determined by the Arkansas State  
14 Medical Board; and

15 (3) Provides evidence of:

16 (A) Having graduated from a school of naturopathic  
17 medicine that is approved by the Arkansas State Medical Board;

18 (B) Having completed an internship, preceptorship, or  
19 clinical training program in naturopathic medicine; and

20 (C) Meeting the examination requirements for licensure by  
21 the North American Board of Naturopathic Examiners, or its successor agency.

22 (b)(1) The Arkansas State Medical Board may issue a license to an  
23 applicant who provides evidence that he or she is licensed to practice as a  
24 naturopathic physician in another state or territory if the requirements for  
25 licensure in the other state or territory are equivalent to the requirements  
26 for licensure under this subchapter.

27 (2) The Arkansas State Medical Board has the sole discretion to  
28 issue a license by reciprocity.

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30 17-95-1207. Renewal of naturopathic physician license.

31 (a) Except in the case of a temporary license under § 17-95-1208, a  
32 license to practice as a naturopathic physician shall be valid for a one-year  
33 period from the date of issuance.

34 (b) Upon receipt of a renewal application and renewal fees as  
35 determined by the Arkansas State Medical Board, the board shall renew a  
36 license to practice as a naturopathic physician.

1       (c)(1) As a condition of licensure renewal, a naturopathic physician  
2 shall submit documentation that he or she has completed fifty (50) hours of  
3 continuing education units approved by the board.

4           (2) The naturopathic physician is responsible for maintaining:

5                   (A) Competent records of continuing education units  
6 completed under subdivision (c)(1) of this section for a period of two (2)  
7 years after close of the one-year period to which the records pertain; and

8                   (B) Information sufficient to demonstrate that the  
9 continuing education units completed under subdivision (c)(1) of this section  
10 meet the continuing education requirement of this subsection.

11           (3) The board may waive the continuing education requirement or  
12 grant an extension of time to complete the continuing education requirement  
13 in cases of retirement, illness, disability, or other undue hardship.

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15       17-95-1208. Temporary licensure.

16       (a) The Arkansas State Medical Board may issue a temporary license to  
17 an applicant who does not meet the licensure requirements under this  
18 subchapter if the applicant:

19           (1) Applies for and takes the certification examination within  
20 six (6) months of issuance of the temporary license; and

21           (2) Submits an application and appropriate application fees to  
22 the board.

23       (b) A temporary license is valid for six (6) months from the date of  
24 issuance.

25       (c) A temporary license shall not be renewed.

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27       17-95-1209. Denial, suspension, revocation, or refusal to renew  
28 license – Censure.

29       (a) The Arkansas State Medical Board may deny, suspend, revoke, or  
30 refuse to renew a license or may reprimand, censure, place on probation, or  
31 otherwise discipline a licensee upon proof that the licensee has:

32           (1) Obtained or attempted to obtain a license by fraud or  
33 deception;

34           (2) Been convicted of a felony under state or federal law;

35           (3) Been adjudicated mentally ill or incompetent by a court;

36           (4) Used illicit drugs or intoxicating liquors, narcotics,

1 controlled substances, or other drugs or stimulants to an extent that  
2 adversely affects the practice of naturopathic medicine;

3 (5) Engaged in unethical or unprofessional conduct, including  
4 without limitation willful acts or omissions, negligence, or incompetence in  
5 the course of professional practice;

6 (6) Violated any provision of this subchapter or any rule of the  
7 board; or

8 (7) Been denied licensure or disciplined in another state or  
9 territory in connection with a license in the other state or territory.

10 (b) A licensee under subsection (a) of this section shall promptly  
11 deliver his or her license to the board if the licensee:

12 (1) Has his or her license suspended or revoked; or

13 (2) Surrenders his or her license with or without prejudice if  
14 the surrender is approved by the board.

15 (c) The board may restore a license or remove a probation on a license  
16 upon decision of the board.

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18 17-95-1210. Surrendering license due to retirement.

19 (a) In order to retire his or her license, a naturopathic physician  
20 shall file an affidavit with the Arkansas State Medical Board stating the  
21 date on which the individual will retire or has retired and other information  
22 determined necessary by the board.

23 (b) If a naturopathic physician retires his or her license as  
24 described in subsection (a) of this section and resumes the practice of  
25 naturopathic medicine after retiring, the individual shall apply for  
26 licensure as provided in § 17-95-1206 and is not liable for any renewal fees  
27 that accrue during the retirement period.

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