

CS FOR SENATE BILL NO. 44(HSS)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - FIRST SESSION

BY THE SENATE HEALTH AND SOCIAL SERVICES COMMITTEE

Offered: 3/8/23

Referred: Labor & Commerce, Finance

Sponsor(s): SENATORS GIESSEL BY REQUEST, Kawasaki, Myers

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the practice of naturopathy; establishing the Naturopathy Advisory**
2 **Board; relating to the licensure of naturopaths; relating to disciplinary sanctions for**
3 **naturopaths; relating to the Department of Commerce, Community, and Economic**
4 **Development; and providing for an effective date."**

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 * **Section 1.** AS 08.02.110(a) is amended to read:

7 (a) An acupuncturist licensed under AS 08.06, an audiologist or speech-
8 language pathologist licensed under AS 08.11, a behavior analyst licensed under
9 AS 08.15, a person licensed in the state as a chiropractor under AS 08.20, a
10 professional counselor licensed under AS 08.29, a dentist under AS 08.36, a dietitian
11 or nutritionist licensed under AS 08.38, **a naturopath licensed under AS 08.45,** a
12 massage therapist licensed under AS 08.61, a marital and family therapist licensed
13 under AS 08.63, a medical practitioner or osteopath under AS 08.64, a direct-entry
14 midwife certified under AS 08.65, a registered or advanced practice registered nurse

1 under AS 08.68, an optometrist under AS 08.72, a licensed pharmacist under
 2 AS 08.80, a physical therapist or occupational therapist licensed under AS 08.84, a
 3 psychologist under AS 08.86, or a clinical social worker licensed under AS 08.95,
 4 shall use as professional identification appropriate letters or a title after that person's
 5 name that represents the person's specific field of practice. The letters or title shall
 6 appear on all signs, stationery, or other advertising in which the person offers or
 7 displays personal professional services to the public. In addition, a person engaged in
 8 the practice of medicine or osteopathy as defined in AS 08.64.380, or a person
 9 engaged in any manner in the healing arts who diagnoses, treats, tests, or counsels
 10 other persons in relation to human health or disease and uses the letters "M.D." or the
 11 title "doctor" or "physician" or another title that tends to show that the person is
 12 willing or qualified to diagnose, treat, test, or counsel another person, shall clarify the
 13 letters or title by adding the appropriate specialist designation, if any, such as
 14 "dermatologist," "radiologist," "audiologist," "naturopath," or the like.

15 * **Sec. 2.** AS 08.45 is amended by adding a new section to read:

16 **Sec. 08.45.015. Naturopathy Advisory Board.** (a) The Naturopathy Advisory
 17 Board is established in the department.

18 (b) The board shall meet at least once each year as requested by the
 19 commissioner and provide recommendations to the commissioner on public policy, the
 20 adoption of regulations, and other matters related to the exercise of the functions of the
 21 department under this chapter.

22 (c) The board consists of five members, who are appointed by and serve at the
 23 pleasure of the commissioner, and shall include one public member, two naturopaths
 24 licensed under this chapter, one pharmacist, and one doctor of medicine or doctor of
 25 osteopathic medicine. The board shall elect a chair from among its membership.

26 (d) Members of the board are appointed for three-year terms and serve until a
 27 successor is appointed. A member of the board serves without compensation or
 28 reimbursement of expenses.

29 (e) In this section, "commissioner" means the commissioner of commerce,
 30 community, and economic development.

31 * **Sec. 3.** AS 08.45.020 is amended to read:

1 **Sec. 08.45.020. Application for license.** A person desiring to practice
2 naturopathy shall

3 **(1) apply in writing to the department on a form provided by the**
4 **department;**

5 **(2) submit to the department the person's fingerprints and the fees**
6 **required by the Department of Public Safety under AS 12.62.160 for the**
7 **department to forward to the Department of Public Safety to obtain a report of**
8 **criminal justice information under AS 12.62.160 and a national criminal history**
9 **record check under AS 12.62.400; and**

10 **(3) pay the application fee established by the department.**

11 * **Sec. 4.** AS 08.45.030 is amended to read:

12 **Sec. 08.45.030. Issuance of license.** The department shall issue a license to
13 practice naturopathy to an applicant who

14 **(1) provides proof satisfactory to the department that the applicant**

15 **(A) has received a doctoral degree from an accredited**
16 **naturopathic medical school;**

17 **(B) has [ACCREDITED FOUR-YEAR COLLEGE OR**
18 **UNIVERSITY, AND**

19 **(1) ON OR BEFORE DECEMBER 31, 1987, HAS GRADUATED**
20 **FROM A SCHOOL OF NATUROPATHY THAT REQUIRED FOUR YEARS OF**
21 **ATTENDANCE AT THE SCHOOL AND AFTER GRADUATION HAS**
22 **RECEIVED A LICENSE IN ANOTHER STATE AFTER PASSING AN**
23 **EXAMINATION FOR LICENSURE IN THAT STATE AND IS LICENSED BY A**
24 **STATE AT THE TIME OF APPLICATION; OR**

25 **(2) AFTER DECEMBER 31, 1987, HAS**

26 **(A) GRADUATED FROM A SCHOOL OF NATUROPATHY**
27 **THAT REQUIRED FOUR YEARS OF ATTENDANCE AT THE SCHOOL**
28 **AND AT THE TIME OF GRADUATION THE SCHOOL WAS**
29 **ACCREDITED OR A CANDIDATE FOR ACCREDITATION BY THE**
30 **COUNCIL ON NATUROPATHIC MEDICAL EDUCATION OR A**
31 **SUCCESSOR ORGANIZATION RECOGNIZED BY THE UNITED**

1 STATES DEPARTMENT OF EDUCATION; AND

2 (B)] passed the Naturopathic Physicians Licensing
3 Examination;

4 (2) has passed a pharmaceutical examination approved by the
5 department that is equivalent to any examination of pharmaceutical knowledge
6 required under AS 08.64.210 or 08.64.220;

7 (3) is not subject to an unresolved disciplinary action against a
8 license to practice naturopathy in this or another jurisdiction;

9 (4) complies with the requirements of AS 08.45.020; and

10 (5) has not been convicted of, or pled guilty or no contest to, a
11 crime that adversely reflects on the applicant's ability or competency to practice
12 as a naturopath or that jeopardizes the safety or well-being of a patient.

13 * **Sec. 5.** AS 08.45 is amended by adding a new section to read:

14 **Sec. 08.45.032. Documentation of license refusals and revocations.** If the
15 department refuses to issue or revokes a license, the department shall issue a concise
16 written statement describing the reasons for the department's decision.

17 * **Sec. 6.** AS 08.45.035(a) is amended to read:

18 (a) The department shall issue a temporary license to practice naturopathy to
19 an applicant who

20 (1) has applied for and is qualified to take the next Naturopathic
21 Physicians Licensing Examination offered after the date of application; and

22 (2) [AND PROVIDES PROOF SATISFACTORY TO THE
23 DEPARTMENT THAT THE APPLICANT (1)] meets the requirements of
24 AS 08.45.030(1)(A) and (2) - (5) [AS 08.45.030(2)(A); AND

25 (2) HAS NOT PREVIOUSLY FAILED THE NATUROPATHIC
26 PHYSICIANS LICENSING EXAMINATION].

27 * **Sec. 7.** AS 08.45 is amended by adding new sections to read:

28 **Sec. 08.45.037. Continuing education requirements.** (a) The department
29 shall promote a high degree of competence in the practice of naturopathy in the state
30 by requiring every naturopath licensed under this chapter to fulfill continuing
31 education requirements.

1 (b) Before a license may be renewed, a naturopath licensed under this chapter
 2 shall submit evidence to the department that continuing education requirements
 3 prescribed by regulations adopted by the department have been met. Continuing
 4 education requirements must be equivalent to the continuing education requirements
 5 of a physician assistant under AS 08.64.107 and must also include a requirement that
 6 not less than two hours of education in pain management and opioid use and addiction
 7 be completed not more than two years before the application for renewal.

8 (c) The department may exempt a naturopath licensed under this chapter from
 9 the requirements of (b) of this section upon an application by the naturopath giving
 10 evidence satisfactory to the department that the naturopath is unable to comply with
 11 the requirements because of extenuating circumstances. However, the department may
 12 not exempt a naturopath from

- 13 (1) more than 15 hours of continuing education in a five-year period;
- 14 (2) the requirement to receive at least two hours of education in pain
 15 management and opioid use and addiction.

16 **Sec. 08.45.038. Standards for license renewal.** The department shall renew a
 17 license issued under this chapter to a licensee who

- 18 (1) applies on a form provided by the department and pays the required
 19 fee;
- 20 (2) meets the continuing education requirements established under
 21 AS 08.45.037;
- 22 (3) has not been convicted of, or pled guilty or no contest to, a crime
 23 that adversely reflects on the applicant's ability or competency to practice as a
 24 naturopath or that jeopardizes the safety or well-being of a patient;
- 25 (4) has a current cardiopulmonary resuscitation certification; and
- 26 (5) has, at least once in the six years immediately preceding the
 27 application, submitted to the department fingerprints and the fees required by the
 28 Department of Public Safety under AS 12.62.160 for the department to forward to the
 29 Department of Public Safety to obtain a report of criminal justice information under
 30 AS 12.62.160 and a national criminal history record check under AS 12.62.400.

31 * **Sec. 8.** AS 08.45 is amended by adding a new section to read:

1 **Sec. 08.45.045. Practice of naturopathy.** (a) A naturopath licensed under this
2 chapter may

3 (1) only provide naturopathic services that are consistent with the
4 standards and scope of naturopathic education, naturopathic training, and the
5 naturopath's experience, as established by regulations adopted by the department;

6 (2) prescribe and administer for preventive and therapeutic purposes

7 (A) natural therapeutic substances, including food, extracts of
8 food, vitamins, minerals, enzymes, whole gland substances, botanical
9 medicines, and homeopathic preparations;

10 (B) natural therapies, including health care counseling,
11 nutritional counseling and dietary therapy, naturopathic manipulation,
12 naturopathic physical applications, and therapeutic devices;

13 (C) vaccines;

14 (D) devices for contraception; and

15 (E) drugs, except as provided in AS 08.45.050, if the
16 naturopath has passed the elective pharmacology examination portion of the
17 Naturopathic Physicians Licensing Examination;

18 (3) perform procedures in the office using operative, electrical, or other
19 methods, including the use of antiseptics and local anesthetics, for the repair and care
20 of superficial lacerations, abrasions, and lesions and the removal of foreign bodies
21 located in the superficial tissues of the human body; the procedures may not include
22 general or spinal anesthetics, major surgery, surgery of the body cavities, plastic
23 surgery, surgery involving the eyes, or surgery involving tendons, ligaments, nerves,
24 or blood vessels; and

25 (4) perform or order for diagnostic purposes a physical or orificial
26 examination, imaging, phlebotomy, a clinical laboratory test or examination, or a
27 physiological function test.

28 (b) In this section, "naturopathic physical application" means the therapeutic
29 use by a naturopath of the actions or devices of electrical muscle stimulation, galvanic
30 treatment, diathermy, imaging, ultraviolet light, constitutional hydrotherapy, and
31 naturopathic manipulative therapy.

1 * **Sec. 9.** AS 08.45.050 is amended to read:

2 **Sec. 08.45.050. Restrictions on practice of naturopathy.** A person who
3 practices naturopathy may not

4 (1) give, prescribe, or recommend in the practice

5 (A) a cancer chemotherapeutic agent [A PRESCRIPTION
6 DRUG]; **or**

7 (B) a controlled substance;

8 [(C) A POISON;]

9 (2) engage in surgery, except as authorized by AS 08.45.045(a)(3);

10 (3) use the word "physician" in the person's title.

11 * **Sec. 10.** AS 08.45 is amended by adding new sections to read:

12 **Sec. 08.45.053. Public health duties.** A naturopath, consistent with the scope
13 of practice provided under this chapter, has the same duty as a physician licensed
14 under AS 08.64 regarding public health laws, reportable diseases and conditions,
15 communicable disease control and prevention, recording of vital statistics, health and
16 physical examinations, and municipal boards of health.

17 **Sec. 08.45.055. Duty of naturopaths to report.** (a) A naturopath who
18 professionally treats a person licensed to practice naturopathy in this state for
19 alcoholism or drug addiction, or for mental, emotional, or personality disorders, shall
20 report the treatment to the department if the treating naturopath reasonably believes
21 that the person may constitute a danger to the health and welfare of the patients of the
22 person or the public if that person continues in practice. The report must state the
23 name and address of the person and the condition found.

24 (b) Upon receiving a report under (a) of this section, the department shall
25 investigate the matter and, upon a finding that there is reasonable cause to believe that
26 the naturopath who is the subject of the report is a danger to the health or welfare of
27 the public or to the naturopath's patients, the department may appoint a committee of
28 health care professionals to examine the naturopath and report its findings to the
29 department. Notwithstanding the provisions of this subsection, the department may
30 summarily suspend a license under AS 08.45.070(c) before appointing an examining
31 committee or before the committee makes or reports its findings.

1 (c) If the department finds that a naturopath is unable to continue in practice
 2 with reasonable safety to the naturopath's patients or to the public, the department
 3 shall initiate action to suspend, revoke, limit, or condition the naturopath's license to
 4 the extent necessary for the protection of the naturopath's patients and the public.

5 (d) A naturopath may not refuse to submit a report under this section or
 6 withhold from the department or its investigators evidence related to an investigation
 7 under this section on the grounds that the report or evidence

8 (1) concerns a matter that was disclosed in the course of a confidential
 9 naturopath-patient or psychotherapist-patient relationship or during a meeting of a
 10 hospital medical staff, governing body, or committee that was exempt from the public
 11 meeting requirements of AS 44.62.310; or

12 (2) is required to be kept confidential under AS 18.23.030.

13 (e) An action may not be brought against a person for damages resulting from
 14 a report made in good faith to a public agency by the person or participation by the
 15 person in an investigation by a public agency or an administrative or judicial
 16 proceeding relating to the report if the report relates to a naturopath licensed under this
 17 chapter.

18 **Sec. 08.45.058. Naturopaths to report certain injuries.** (a) A naturopath who
 19 initially treats or attends to a person with an injury described in (b) of this section shall
 20 promptly make an oral report of the injury to the Department of Public Safety, a local
 21 law enforcement agency, or a village public safety officer. The naturopath shall submit
 22 a written report of an injury described in (b)(1) of this section to the Department of
 23 Public Safety within three business days after the naturopath provides treatment. A
 24 report filed under this subsection must be on a form provided by the Department of
 25 Public Safety.

26 (b) A naturopath shall report the following injuries under (a) of this section:

27 (1) second or third degree burns to five percent or more of a patient's
 28 body;

29 (2) a bullet wound, powder burn, or other injury apparently caused by
 30 the discharge of a firearm;

31 (3) an injury apparently caused by a knife, axe, or other sharp or

1 pointed instrument, unless the injury was clearly accidental; and

2 (4) an injury that is likely to cause the death of the patient, unless the
3 injury was clearly accidental.

4 (c) A person who, in good faith, makes a report under this section, or who
5 participates in a judicial proceeding related to a report under this section, is immune
6 from any civil or criminal liability that might otherwise be incurred as a result of
7 making the report or participating in the judicial proceeding.

8 * **Sec. 11.** AS 08.45.060 is amended to read:

9 **Sec. 08.45.060. Grounds for suspension, revocation, or refusal to issue a**
10 **license.** The department may, after a hearing, impose a disciplinary sanction on a
11 person licensed under this chapter when the department finds that the licensee

12 (1) secured a license through deceit, fraud, or intentional
13 misrepresentation;

14 (2) engaged in deceit, fraud, or intentional misrepresentation in the
15 course of providing professional services or engaging in professional activities;

16 (3) advertised professional services in a false or misleading manner;

17 (4) has been convicted, **including conviction based on a guilty plea**
18 **or a plea of nolo contendere,** of a

19 **(A) class A or unclassified** felony or **a** [OTHER] crime **in**
20 **another jurisdiction with elements similar to a class A or unclassified**
21 **felony in this jurisdiction;**

22 **(B) class B or class C felony or a crime in another**
23 **jurisdiction with elements similar to a class B or class C felony in this**
24 **jurisdiction if the felony or other crime is substantially related to the**
25 **qualifications, functions, or duties of the licensee; or**

26 **(C) crime involving the unlawful procurement, sale,**
27 **prescription, or dispensing of drugs** [THAT AFFECTS THE LICENSEE'S
28 ABILITY TO CONTINUE TO PRACTICE COMPETENTLY AND
29 SAFELY];

30 (5) failed to comply with this chapter, with a regulation adopted under
31 this chapter, or with an order of the department;

1 (6) continued to practice after becoming unfit due to

2 (A) professional incompetence;

3 (B) addiction or severe dependency on alcohol or a drug that
4 impairs the licensee's ability to practice safely;

5 (C) physical or mental disability;

6 (7) engaged in **unprofessional conduct, in sexual misconduct, or in**
7 **lewd or immoral conduct in connection with the delivery of professional service to**
8 **patients; in this paragraph, "sexual misconduct" includes sexual contact, as**
9 **defined by the department in regulations adopted under this chapter, or**
10 **attempted sexual contact with a patient outside the scope of generally accepted**
11 **methods of examination or treatment of the patient, regardless of the patient's**
12 **consent or lack of consent, during the term of the naturopath-patient**
13 **relationship, as defined by the department in regulations adopted under this**
14 **chapter, unless the patient was the licensee's spouse at the time of the contact or,**
15 **immediately preceding the naturopath-patient relationship, was in a dating,**
16 **courtship, or engagement relationship with the licensee;**

17 (8) **has procured, sold, prescribed, or dispensed drugs in violation**
18 **of a law, regardless of whether there has been a criminal action or harm to a**
19 **patient;**

20 (9) **intentionally or negligently permitted the performance of**
21 **patient care by a person under the licensee's supervision that does not conform to**
22 **minimum professional standards, even if the patient was not injured;**

23 (10) **has demonstrated professional incompetence, gross**
24 **negligence, or repeated negligent conduct; the department may not make a**
25 **finding of professional incompetence solely on the basis that a licensee's practice**
26 **is unconventional or experimental in the absence of demonstrable physical harm**
27 **to a patient;**

28 (11) **has violated AS 18.16.010;**

29 (12) **has violated a code of ethics adopted by regulation by the**
30 **department;**

31 (13) **has denied care or treatment to a patient or person seeking**

1 assistance from the licensee if the only reason for the denial is the failure or
 2 refusal of the patient to agree to arbitrate as provided in AS 09.55.535(a);

3 (14) has had a license or certificate to practice naturopathy in
 4 another state or a province or territory of Canada denied, suspended, revoked,
 5 surrendered while under investigation for an alleged violation, restricted, limited,
 6 conditioned, or placed on probation unless the denial, suspension, revocation, or
 7 other action was caused by the failure of the licensee to pay fees to that state,
 8 territory, or province;

9 (15) has violated any federal law pertaining to medical practice
 10 and drugs.

11 * **Sec. 12.** AS 08.45.060 is amended by adding a new subsection to read:

12 (b) In a case involving (a)(14) of this section, the final findings of fact,
 13 conclusions of law, and order of the authority that suspended or revoked a license or
 14 certificate constitutes a prima facie case that the license or certificate was suspended
 15 or revoked and the grounds under which the suspension or revocation was granted.

16 * **Sec. 13.** AS 08.45.070(a) is amended to read:

17 (a) When **the department** [IT] finds that a licensee under this chapter has
 18 violated **a provision of this chapter** [AS 08.45.040 - 08.45.050] or is guilty of an
 19 offense under AS 08.45.060, the department may impose the following sanctions
 20 singly or in combination:

- 21 (1) permanently revoke the license to practice;
- 22 (2) suspend the license for a determinate period of time;
- 23 (3) censure the licensee;
- 24 (4) issue a letter of reprimand to the licensee;
- 25 (5) place the licensee on probationary status and require the licensee to
- 26 (A) report regularly to the department **on** [UPON] matters
 27 involving the basis of probation;
- 28 (B) limit practice to those areas prescribed;
- 29 (C) continue professional education until a satisfactory degree
 30 of skill has been attained in areas determined by the department to need
 31 improvement;

1 (6) impose limitations or conditions on the practice of the licensee;

2 **(7) impose a civil penalty of not more than \$25,000.**

3 * **Sec. 14.** AS 08.45.070 is amended by adding new subsections to read:

4 (d) The department may reinstate a license that has been suspended or revoked
5 if, after a hearing, the department finds that the applicant is able to practice
6 naturopathy with reasonable skill and safety.

7 (e) The department may suspend a license upon receiving a certified copy of
8 evidence that a license to practice naturopathy in another state or a province or
9 territory of Canada has been suspended or revoked. The suspension remains in effect
10 until a hearing is held by the department.

11 (f) The department shall promptly report to the National Practitioner Data
12 Bank maintained by the United States Department of Health and Human Services for
13 inclusion in the data bank license refusals under this chapter and actions taken by the
14 department under this section, including the imposition of a fine and the suspension or
15 surrender of a license.

16 * **Sec. 15.** AS 08.45 is amended by adding new sections to read:

17 **Sec. 08.45.105. Automatic suspension for mental incompetency.**
18 Notwithstanding AS 44.62, if a person holding a license to practice naturopathy under
19 this chapter is adjudged mentally incompetent or insane by a final order or
20 adjudication of a court of competent jurisdiction or by voluntary commitment to an
21 institution for the treatment of mental illness, the person's license shall be suspended
22 by the department. The suspension shall continue in effect until the court finds or
23 adjudges that the person has been restored to reason or until a licensed psychiatrist
24 approved by the department determines that the person has been restored to reason.

25 **Sec. 08.45.110. Voluntary surrender.** The department may accept the
26 voluntary surrender of a license. A license may not be reinstated unless the department
27 determines, under regulations adopted by the department, that the person is competent
28 to resume practice. However, a license may not be reinstated if the voluntary surrender
29 resulted in the dropping or suspension of civil or criminal charges against the licensee.

30 **Sec. 08.45.115. Medical and psychiatric examinations.** For the purposes of
31 an investigation under this chapter, the department may require a person to whom the

1 department has issued a license to submit to drug or alcohol testing or a medical or
 2 psychiatric examination by a practitioner appointed by the department. An
 3 examination shall be at the department's expense.

4 **Sec. 08.45.120. Reports relating to malpractice actions and claims.** A
 5 naturopath licensed under this chapter shall report in writing to the department
 6 concerning the outcome of each medical malpractice claim or civil action in which
 7 damages have been or are to be paid by or on behalf of the licensee to the claimant or
 8 plaintiff, whether by judgment or under a settlement. This report shall be made within
 9 30 days after resolution of the claim or termination of the civil action.

10 **Sec. 08.45.125. Penalty for practicing without a license.** Except for a person
 11 licensed or authorized under another chapter of this title who engages in practices for
 12 which that person is licensed or authorized under that chapter, a person practicing
 13 naturopathy in the state without a valid license is guilty of a class A misdemeanor.
 14 Each day of illegal practice is a separate offense.

15 **Sec. 08.45.130. Prohibited use of title.** A person may not use in connection
 16 with the person's name or otherwise assume or advertise a title or description tending
 17 to convey the impression that the person is a naturopath licensed under this chapter
 18 unless the person is licensed under this chapter.

19 * **Sec. 16.** AS 08.45.200(3) is repealed and reenacted to read:

20 (3) "naturopathy" means a system of health care practiced by a
 21 naturopath for the prevention, diagnosis, and treatment of human health conditions,
 22 injury, and disease for the purpose of promoting or restoring health by the support and
 23 stimulation of an individual's inherent self-healing processes through education of the
 24 individual and the use of natural therapies, therapeutic devices and substances, and
 25 other therapeutic interventions consistent with naturopathic medical training.

26 * **Sec. 17.** AS 08.45.200 is amended by adding new paragraphs to read:

27 (4) "accredited naturopathic medical school" means a college or
 28 university and program granting a degree of doctor of naturopathy or naturopathic
 29 medicine that is accredited by or is a candidate for accreditation with the Council on
 30 Naturopathic Medical Education or another accrediting agency recognized by the
 31 United States Department of Education;

1 (5) "naturopath" means a person licensed and authorized to practice
 2 naturopathy in the state who, because of specialized education from an accredited
 3 naturopathic medical school, is capable of performing acts of medical diagnosis and
 4 prescription of therapeutic substances and procedures that are consistent with
 5 naturopathic medical education.

6 * **Sec. 18.** AS 12.62.400(a) is amended to read:

7 (a) To obtain a national criminal history record check for determining a
 8 person's qualifications for a license, permit, registration, employment, or position, a
 9 person shall submit the person's fingerprints to the department with the fee established
 10 by AS 12.62.160. The department may submit the fingerprints to the Federal Bureau
 11 of Investigation to obtain a national criminal history record check of the person for the
 12 purpose of evaluating a person's qualifications for

13 (1) a license or conditional contractor's permit to manufacture, sell,
 14 offer for sale, possess for sale or barter, traffic in, or barter an alcoholic beverage
 15 under AS 04.09;

16 (2) licensure as a mortgage lender, a mortgage broker, or a mortgage
 17 loan originator under AS 06.60;

18 (3) admission to the Alaska Bar Association under AS 08.08;

19 (4) licensure as a collection agency operator under AS 08.24;

20 (5) a certificate of fitness to handle explosives under AS 08.52;

21 (6) licensure as a massage therapist under AS 08.61;

22 (7) licensure to practice nursing or certification as a nurse aide under
 23 AS 08.68;

24 (8) certification as a real estate appraiser under AS 08.87;

25 (9) a position involving supervisory or disciplinary power over a minor
 26 or dependent adult for which criminal justice information may be released under
 27 AS 12.62.160(b)(9);

28 (10) a teacher certificate under AS 14.20;

29 (11) a registration or license to operate a marijuana establishment
 30 under AS 17.38;

31 (12) admittance to a police training program under AS 18.65.230 or for

1 certification as a police officer under AS 18.65.240 if that person's prospective
2 employer does not have access to a criminal justice information system;

3 (13) licensure as a security guard under AS 18.65.400 - 18.65.490;

4 (14) a concealed handgun permit under AS 18.65.700 - 18.65.790;

5 (15) licensure as an insurance producer, managing general agent,
6 reinsurance intermediary broker, reinsurance intermediary manager, surplus lines
7 broker, or independent adjuster under AS 21.27;

8 (16) serving and executing process issued by a court by a person
9 designated under AS 22.20.130;

10 (17) a school bus driver license under AS 28.15.046;

11 (18) licensure as an operator or an instructor for a commercial driver
12 training school under AS 28.17;

13 (19) registration as a broker-dealer, agent, investment adviser
14 representative, or investment adviser under AS 45.56.300 - 45.56.350;

15 (20) licensure, license renewal, certification, certification renewal, or
16 payment from the Department of Health of an individual and an entity subject to the
17 requirements for a criminal history check under AS 47.05.310, including

18 (A) a public home care provider described in AS 47.05.017;

19 (B) a provider of home and community-based waiver services
20 financed under AS 47.07.030(c);

21 (C) a case manager to coordinate community mental health
22 services under AS 47.30.530;

23 (D) an entity listed in AS 47.32.010(b) and (c), including an
24 owner, officer, director, member, partner, employee, volunteer, or contractor of
25 an entity; or

26 (E) an individual or entity not described in (A) - (D) of this
27 paragraph that is required by statute or regulation to be licensed or certified by
28 the Department of Health or that is eligible to receive payments, in whole or in
29 part, from the Department of Health to provide for the health, safety, and
30 welfare of persons who are served by the programs administered by the
31 Department of Health;

1 (21) employment as a village public safety officer under AS 18.65.672
2 or certification as a village public safety officer under AS 18.65.682;

3 (22) licensure, license renewal, certification, or certification renewal
4 by the Department of Family and Community Services of an individual or entity, or
5 payment from the Department of Family and Community Services to an individual or
6 entity, subject to the requirements for a criminal history check under AS 47.05.310 for
7 a foster home, child placement agency, and runaway shelter listed in AS 47.32.010(c),
8 including an owner, officer, director, member, partner, employee, volunteer, or
9 contractor of an entity;

10 **(23) licensure as a naturopath under AS 08.45.**

11 * **Sec. 19.** The uncodified law of the State of Alaska is amended by adding a new section to
12 read:

13 TRANSITION: EFFECT ON CURRENT LICENSEES. On and after the effective
14 date of secs. 1 - 18 of this Act, a person who holds a valid license to practice naturopathy on
15 the effective date of secs. 1 - 18 of this Act may continue to engage in the practice of
16 naturopathy under the license until the license expires normally under AS 08.45, as AS 08.45
17 read before the effective date of secs. 1 - 18 of this Act, but shall otherwise comply with
18 AS 08.45, as amended by secs. 1 - 18 of this Act.

19 * **Sec. 20.** The uncodified law of the State of Alaska is amended by adding a new section to
20 read:

21 TRANSITION: REGULATIONS. The Department of Commerce, Community, and
22 Economic Development may adopt regulations necessary to implement the changes made by
23 this Act. The regulations take effect under AS 44.62 (Administrative Procedure Act), but not
24 before the effective date of the law implemented by the regulation.

25 * **Sec. 21.** Section 20 of this Act takes effect immediately under AS 01.10.070(c).

26 * **Sec. 22.** Except as provided in sec. 21 of this Act, this Act takes effect January 1, 2024.