

**First Regular Session
Seventieth General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 15-1027.01 Christy Chase x2008

HOUSE BILL 15-1352

HOUSE SPONSORSHIP

Ginal and Conti, Hullinghorst, Coram, Lee, Singer, Saine, McCann, Primavera, Ryden,
Tyler, Windholz

SENATE SPONSORSHIP

Crowder and Newell, Merrifield, Kefalas, Lundberg, Martinez Humenik

House Committees

Health, Insurance, & Environment

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MODIFICATIONS TO THE NATUROPATHIC FORMULARY OF**
102 **MEDICATIONS THAT A REGISTERED NATUROPATHIC DOCTOR IS**
103 **AUTHORIZED TO USE IN THE PRACTICE OF NATUROPATHIC**
104 **MEDICINE.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/bills summaries>.)

Under current law, a registered naturopathic doctor (ND) may use antiseptics and local anesthetics in connection with performing minor office procedures, such as repair and care of superficial lacerations and

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
2nd Reading Unamended
April 23, 2015

abrasions. This authority under current law does not permit an ND to administer local anesthetics by injection. Additionally, an ND's authority to prescribe, administer, and dispense medications is limited to epinephrine to treat anaphylaxis and barrier contraceptives.

With regard to specified medications, the bill expands the authority of NDs to:

- ! Obtain a medication from a registered or licensed wholesaler, manufacturer, or prescription drug outlet;
- ! Administer, which includes direct application of the medication to the patient; and
- ! Dispense, which includes properly packaging and providing the medication to the patient for subsequent administration.

The expanded authority applies to the following actions and medications:

- ! Obtaining and administering saline, sterile water, topical antiseptics, and local anesthetics, including those with epinephrine, in connection with minor office procedures;
- ! Obtaining and administering oxygen in emergency situations;
- ! Obtaining and administering vitamins B6 and B12;
- ! Obtaining, administering, or dispensing federal food and drug administration (FDA)-regulated substances that do not require a prescription; and
- ! Obtaining and administering vaccines, in accordance with federal guidelines, for patients who are at least 18 years of age.

The bill permits an ND to obtain the specified medications from a manufacturer, wholesaler, or in-state prescription drug outlet licensed or registered by the state board of pharmacy and protects those entities from liability when providing medications to an ND in compliance with the bill and in good-faith reliance on the ND's registration information.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 12-37.3-102, **amend**
3 (1) and (8) (c); and **add** (1.3), (1.5), and (5.5) as follows:

4 **12-37.3-102. Definitions.** As used in this article, unless the
5 context otherwise requires:

6 (1) ~~"Advisory committee" means the naturopathic medicine~~
7 ~~advisory committee created in section 12-37.3-103.~~ "ACIP" MEANS THE

1 ADVISORY COMMITTEE ON IMMUNIZATION PRACTICES TO THE CENTERS FOR
2 DISEASE CONTROL AND PREVENTION IN THE FEDERAL DEPARTMENT OF
3 HEALTH AND HUMAN SERVICES OR ITS SUCCESSOR ENTITY.

4 (1.3) "ADMINISTER" MEANS THE DIRECT APPLICATION OF A DRUG
5 TO THE BODY OF A PATIENT BY INJECTION, INHALATION, INGESTION, OR
6 ANY OTHER METHOD.

7 (1.5) "ADVISORY COMMITTEE" MEANS THE NATUROPATHIC
8 MEDICINE ADVISORY COMMITTEE CREATED IN SECTION 12-37.3-103.

9 (5.5) "DISPENSE" MEANS THE PREPARATION, IN A SUITABLE
10 CONTAINER APPROPRIATELY LABELED FOR SUBSEQUENT ADMINISTRATION
11 TO OR USE BY A PATIENT, OF A MEDICINE THAT A NATUROPATHIC DOCTOR
12 IS AUTHORIZED UNDER THIS ARTICLE TO OBTAIN.

13 (8) "Minor office procedures" means:

14 (c) ~~The use of~~ OBTAINING AND ADMINISTERING SALINE, STERILE
15 WATER, TOPICAL antiseptics, and local anesthetics, INCLUDING LOCAL
16 ANESTHETICS WITH EPINEPHRINE, in connection with a procedure
17 described in paragraph (a) or (b) of this subsection (8).

18 **SECTION 2.** In Colorado Revised Statutes, 12-37.3-105, **amend**
19 (1) (c) as follows:

20 **12-37.3-105. Practice of naturopathic medicine by**
21 **naturopathic doctors - exclusions - protected activities - rules.**

22 (1) The practice of naturopathic medicine by a naturopathic doctor
23 includes the following:

24 (c) (I) OBTAINING, dispensing, administering, ordering, ~~and~~ OR
25 prescribing, AS SPECIFIED, medicines listed in the naturopathic formulary,
26 ~~including~~ WHICH INCLUDES:

27 (⊕) (A) OBTAINING, ADMINISTERING, OR DISPENSING epinephrine

1 to treat anaphylaxis; ~~and~~
2 (H) (B) OBTAINING AND DISPENSING barrier contraceptives,
3 excluding intrauterine devices; ~~and~~
4 (C) OBTAINING AND ADMINISTERING OXYGEN, BUT ONLY FOR
5 EMERGENCY USE;
6 (D) OBTAINING AND ADMINISTERING VITAMINS B6 AND B12;
7 (E) OBTAINING, ADMINISTERING, OR DISPENSING SUBSTANCES
8 THAT ARE REGULATED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION
9 BUT THAT DO NOT REQUIRE A PRESCRIPTION ORDER TO BE DISPENSED; AND
10 (F) OBTAINING AND ADMINISTERING VACCINES, IN ACCORDANCE
11 WITH THE ACIP GUIDELINES, FOR PATIENTS WHO ARE AT LEAST EIGHTEEN
12 YEARS OF AGE.
13 (II) A NATUROPATHIC DOCTOR MAY OBTAIN MEDICATIONS
14 DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (c) FROM A
15 MANUFACTURER, WHOLESALER, OR IN-STATE PRESCRIPTION DRUG OUTLET
16 REGISTERED OR LICENSED BY THE STATE BOARD OF PHARMACY PURSUANT
17 TO ARTICLE 42.5 OF THIS TITLE. AN ENTITY THAT PROVIDES A MEDICATION
18 DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (c) TO A
19 NATUROPATHIC DOCTOR IN ACCORDANCE WITH THIS SECTION, AND THAT
20 RELIES IN GOOD FAITH UPON THE REGISTRATION INFORMATION PROVIDED
21 BY THE NATUROPATHIC DOCTOR, IS NOT SUBJECT TO LIABILITY FOR
22 PROVIDING THE MEDICATION.

23 **SECTION 3. Safety clause.** The general assembly hereby finds,
24 determines, and declares that this act is necessary for the immediate
25 preservation of the public peace, health, and safety.