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MEMORANDUM

Via E-mail

DATE: April 6, 2018
TO: Assemblywoman Irene Bustamante Adams
FROM: Patrick Ashton, Senior Policy Analyst
Research Division
SUBJECT: **Licensing Homeopathic Physicians**

This memorandum responds to your questions as to which other states license homeopathic physicians and what arguments were presented during the committee hearings on [Senate Bill 237](#) (Chapter 524, *Statutes of Nevada 1983*), which created the Nevada Board of Homeopathic Medical Examiners (BHME).

SUMMARY

Currently, only three states, Arizona, Connecticut, and Nevada, license homeopathic physicians. In 1983 arguments for creating a separate Nevada BHME were to: (1) promote homeopathy as a field of health care; (2) increase understanding of terms and procedures; (3) provide peer examination and regulation; (4) control the development and direction of the profession; and (5) overcome opposition by the Board of Medical Examiners (BME) establishing homeopathy as a branch of medicine. Critics stated that creating the BHME was an unnecessary duplication of the BME's broad licensing services and regulations, and homeopathic physicians should, instead, be regulated by a strengthened advisory committee overseen by the BME.

STATES LICENSING HOMEOPATHIC PHYSICIANS

Arizona

The States of Arizona and Nevada are the only states in America that maintain separate licensing boards for homeopathic physicians. The [Arizona Board of Homeopathic and Integrated Medicine Examiners](#) regulates physicians practicing homeopathic and integrated medicine. It also licenses

homeopathic medical assistants. Currently 72 physicians and 12 medical assistants are licensed active with the board.

On January 18, 2018, [House Bill 2411](#) was introduced to the Arizona House of Representatives that intended to completely abolish the Board. However, during the House Committee on Health meeting on February 15, 2018, the bill was amended to require only additional reporting requirements¹ by the Board. It passed the Senate Committee on Health and Human Services on March 27, 2018.

Connecticut

The State of Connecticut eliminated the Connecticut Homeopathic Medical Examining Board pursuant to [Public Act #13-208](#) in 2013. Instead, the [Connecticut Department of Public Health](#) licenses homeopathic physicians. There are currently eight homeopathic physicians holding active licenses in Connecticut. It is notable that Connecticut consolidated many other health-related occupations under the licensing umbrella of the Department. For example, the Department licenses practitioners of the following professions: barbers and hairdressers, physicians and nurses, social workers, psychologists and counselors, speech pathologists and audiologists. There are no more separate boards for these professions.

Nevada

The BHME regulates the practice of homeopathic physicians in Nevada. In addition to homeopathic physicians, it also licenses [advanced practitioners of homeopathy](#) and [homeopathic assistants](#)². According to the last [quarterly report](#) by the BHME from December 31, 2017, there are currently 30 homeopathic physicians holding an active license in Nevada. In June 2009 a peak of 36 licensees was reported³, and since October 2016 there have not been any new applicants.

The attached tables list eligibility requirements and licensing fees for each of the three states.

HISTORICAL ARGUMENTS FOR CREATING A LICENSING BOARD OF HOMEOPATHIC MEDICAL EXAMINERS

The laws governing the practice of homeopathic medicine and regulating the BHME are set forth in [Chapter 630A](#) ("Homeopathic Physicians, Advanced Practitioners of Homeopathy and Homeopathic Assistants") of *Nevada Revised Statutes*. The chapter was first created by [SB 237](#) (Chapter 524, *Statutes of Nevada 1983*), which was sponsored by Senators James I. Gibson, Floyd R. Lamb, Helen A. Foley and William H. Hernstadt.

¹ According to the current amended bill, the Board of Homeopathic and Integrated Medicine Examiners is required to research and compare licensing requirements of other states. Based on the findings the board must develop recommendations to: (1) reduce the administrative burdens for applicants; (2) streamline the application and renewal process; and (3) apply overall cost reduction measures for licensees and applicants. A report with the recommendations needs to be submitted by the end of December 2018.

² The BHME reported active licenses for 10 homeopathic assistants and 28 advanced practitioners of homeopathy as of December 31, 2017. Therefore, the BHME regulates a total of 68 licensees by the end of 2017.

³ The first available public report is from March 31, 2009.

Senate Committee on Commerce and Labor

The meeting minutes of the Senate Committee on Commerce and Labor of April 8, 1983, indicate support for establishing a board to license homeopathic physicians. Apparently SB 237 was modeled after [Arizona Senate Bill 1167](#) (Chapter 249, *Arizona Revised Statutes 1980*). Much of the testimony consisted of information about homeopathy, its validation as an alternative medical discipline, and the differences to conventional medicine. For example, it was stated homeopathy was an almost two-centuries-old profession and recognized by the United States Congress since 1938. At that time 40 states reportedly practiced it, and homeopathy was considered to have great benefits over conventional medicine because of generally lower medical treatment and medication⁴ costs. Bill sponsors also told personal stories of homeopathic treatments and how they helped heal family members, friends, and themselves, whereas conventional medicine was unsuccessful.

A supporting argument for the creation of a separate board for homeopathic practices addressed the need to recognize homeopathy as a legitimate medical profession. A medical doctor and one of the founders of the Arizona SB 1167 testified in support of SB 237. He stated the Arizona Homeopathic Board has the ability to determine credentials and qualifications of applying physicians and could deny applicants to practice homeopathy if the determination fails. Another argument to create such a board was the resistance of the BME that “*did not wish to be concerned with other medical practices*”, according to the senate committee chairman.

Assembly Committee on Commerce

Historical dissent with the BME was also reported during the Assembly Committee on Commerce meeting on May 9, 1983. The director of the Nevada Clinic in Las Vegas at that time reported that a bill requiring the BME to place a homeopathic physician on the BME failed during the previous legislative session in 1981. Instead, a homeopathic advisory committee for the BME was formed but was never consulted by the BME during the two years prior to the 1983 Session.

In the Assembly committee meeting the main arguments for establishing a board were:

- Promotion and acknowledgment of homeopathy as a field of health care;
- Increased understanding of terms and procedures;
- Examination of applicants by a board of their peers; and,
- Control over homeopathic practitioners to ensure the right development and direction of the profession.

⁴ Homeopathic pharmaceutical products are generally not approved by the Federal Drug Administration (FDA) because “*most of the homeopathic medicines were so dilute in nature, they were not actually considered a medicine in traditional medical practices.*” (Senate Committee on Commerce and Labor Minutes, April 8, 1983, pg. 4.)

HISTORICAL ARGUMENTS AGAINST CREATING A LICENSING BOARD OF HOMEOPATHIC MEDICAL EXAMINERS

Arguments against establishing a licensing board were not about the value of homeopathy but rather the need of creating a licensing board for homeopathic practitioners. It was stated the creation of such a board would mean unnecessary duplication of the BME since homeopathic physicians also need to be licensed by the BME. Other branches of medicine, such as pediatrics, also did not have their own board.

One suggestion offered was to strengthen the existing Homeopathic Medicine Advisory Committee at that time with the ability to evaluate homeopathic physician applicants under the supervision of the BME.

CONCLUSION

I hope this answered your questions. Please e-mail (patrick.ashton@lcb.state.nv.us) or call me (775/684-6825) if you need further assistance on this topic.

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Att.

TABLES: STATES LICENSING HOMEOPATHIC PHYSICIANS

Arizona

Eligibility requirements	Fees
<ul style="list-style-type: none"> Licensed to practice medicine or osteopathic medicine and clean professional and criminal record (<i>Arizona Revised Statutes</i> [ARS] 32-2912 A. Qualifications of applicant; applications; scope of practice) Completion of homeopathic preceptorships or formal postgraduate courses or holder of a diploma or certificate issued by an accredited homeopathic college (ARS 32-2912 G. Qualifications of applicant; applications; scope of practice) Pass an examination by the board (ARS 32-2913. Examination; reexamination) 	<p>\$550 application fee</p> <p>(\$200 additional dispensing permit fee, if applicable)</p> <p>\$250 initial license fee</p> <p>\$1,000 renewal fee (ARS 32-2914. Fees)</p>

Connecticut

Eligibility requirements ¹	Fees
<ul style="list-style-type: none"> Graduation with a medical degree or degree in osteopathic medicine from an accredited medical school Completion of two years of accredited postgraduate medical training A minimum of 120 hours of postgraduate homeopathy training² Pass an examination in homeopathic medicine administered by the Connecticut Department of Public Health 	<p>\$565 application fee</p> <p>\$570 renewal fee</p>

Nevada

Eligibility requirements (NRS 630A.230 , NRS 630A.240)	Fees
<ul style="list-style-type: none"> Graduated with a medical degree or degree in osteopathic medicine Clean, professional, and noncriminal record Completion of three years of accredited postgraduate medical training in allopathic or osteopathic medicine Completion of not less than 600 hours of postgraduate training in homeopathy, 300 hours of which are completed in the state under supervision of a homeopathic physician or through an accredited program by the Board Pass all oral or written examinations as required by the Board 	<p>\$500 application fee</p> <p>\$600 renewal fee</p>

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¹ There are certain other requirements for homeopathic applicants that graduated from a [medical program outside of the United States](#).

² The training must be completed at an institution approved by the [American Institute of Homeopathy](#). Alternatively the training could be completed under direct supervision of a licensed homeopathic physician, which must include at least 30 hours of theory and 90 hours of clinical practice.