

**BENEFIT ANALYSIS OF  
LICENSING NATUROPATHIC DOCTORS**

May 2011



S1803/ A1937

Sponsored by Senator LaValle and Assembly Member Hoyt

# Summary of Provisions

**A new Article 132-A is added to the Education Law to establish naturopathic doctors as licensed professionals in New York State.**

This legislation also includes specific requirements for the education and residency training for naturopaths, the creation of a state board for naturopathy, and continuing education provisions.

## Justification

**Licensure will provide access to qualified Naturopathic Doctors (NDs) who provide care not offered by other currently licensed professionals: well-care. Licensure also allows for the creation of educational institutions that train NDs in New York (which is not possible until licensure exists).**

Considering the rapidly increasing rate of chronic health issues, the lack of practitioners licensed to address chronic health issues, and the costs involved in addressing chronic health issues, licensing Naturopathic Doctors is a much-overdue and critical step in the future financial and medical well-being of New York State.



ACCESS TO NATUROPATHIC DOCTORS



LOWER HEALTHCARE COSTS WITH WELL-CARE BY PREVENTING DISEASE



NEW EDUCATIONAL INSTITUTIONS IN NY

## Definition

### Definition of Naturopathy

Naturopathy is a science-based health care practice, that has existed in New York since the 1800's, in which the least invasive therapies are applied first to address underlying causes of illness and to support the body to heal, thereby preventing progression of disease states. Underlying causes include various types of stress (from life factors, the environment, or nutritional deficiencies) that create difficulties for the body's organs and biochemical imbalances. Naturopaths address chronic health issues, such as diabetes, obesity, asthma, and heart disease, using natural therapies. Natural therapies include diet and lifestyle, as well as clinical use of nutrients, nutritional supplements, botanicals (herbal therapies), homeopathic remedies and natural (plant based or glandular) hormones. Naturopathic Doctors are trained as primary care practitioners.

## Current Problems in New York Health Care:

### #1 Chronic Disease and Obesity is Increasing Every Year

Chronic diseases are the most prevalent and costly health care problems in the United States. Nearly half of all Americans suffer from at least one chronic disease.

The majority of New York adults - 61.9% - were either overweight or obese in 2008, a dramatic increase over the past two decades. <sup>1</sup>

#### Overweight and obesity rates among adults

Upstate New York, New York State and the United States, 2003 vs. 2007



Sources: Prevalence data for upstate New York were obtained from the New York State Department of Health, Behavioral Risk Factor Surveillance System, 2007. To request access, go to <http://www.health.state.ny.us/nysdoh/brfss/> State and National prevalence data were obtained from the U.S. Centers for Disease Control and Prevention, Behavioral Risk Factor Surveillance System, available at <http://apps.nccd.cdc.gov/brfss/>

## Preventable Disease is Not Being Prevented

Chronic diseases such as diabetes, heart disease and some cancers are all considered preventable conditions yet the current health care system has shown little efficacy in preventative medicine. <sup>2</sup>

Chronic diseases are leading causes of disability and death in the United States. Every year, chronic diseases claim the lives of more than 1.7 million Americans. These diseases account for more than 70% of the \$1 trillion spent on health care each year in the United States. <sup>3</sup>

Although chronic diseases are among the most prevalent and costly health problems, they are also among the most preventable. Effective measures exist today to prevent or delay much of the chronic disease burden and curtail its devastating consequences, yet, the numbers continue to increase. <sup>3</sup>

<sup>1</sup> The Facts About Overweight and Obesity Rates Among Upstate New York Adults. Report prepared by Excellus. Fall 2009

<sup>2</sup> The Journal of the American Medical Association, New England Journal of Medicine, American Cancer Society, American Heart Association, and American Diabetes Association.

<sup>3</sup> CDC website. Chronic Disease Prevention: The Burden of Chronic Diseases and Their Risk Factors, 2004.

## #2 Health Care Costs are Rising

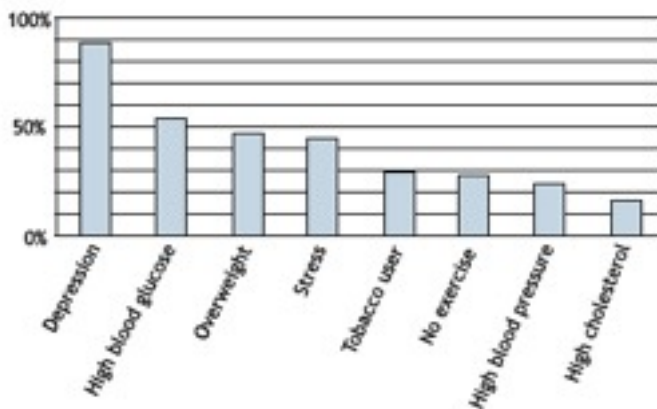
In New York State, \$5.4 billion is spent annually in excess health care costs for obese adults.<sup>1</sup>

Obese adults and excess medical costs		
Region	Excess annual medical costs related to adult obesity	Excess annual medical costs related to adult obesity per adult resident
Western New York	\$458 million	\$382
Finger Lakes Region	\$362 million	\$447
Southern Tier	\$174 million	\$442
Central New York	\$309 million	\$374
Utica/Rome/North Country	\$197 million	\$329
Upstate New York Total	\$1.5 billion	\$392

Individuals who are overweight or obese are more likely to develop chronic medical conditions that not only hurt their quality of life, but also contribute to the rising cost of health care.<sup>1</sup>

Overweight and obese individuals and their increased risk of developing certain medical conditions			
Disease	Overweight (BMI 25-29.9)	Obese (BMI 30-34.9)	Severely Obese (BMI of 35+)
Arthritis	56%	87%	139%
Heart Disease	39%	86%	67%
Diabetes (type 2)	142%	235%	516%
Gallstones	97%	230%	448%
Hypertension	92%	182%	277%
Stroke	53%	59%	75%

### Health Risks Influence Excess Health Costs



Chronic disease accounts for about 75 percent of the nation's aggregate health care spending - or about \$5,300 per person in the U.S. each year.<sup>4</sup>

Source: Goetzel RZ, et al. The relationship between modifiable health risks and health care expenditures. J Occup Environ Med 1998;40:843-854

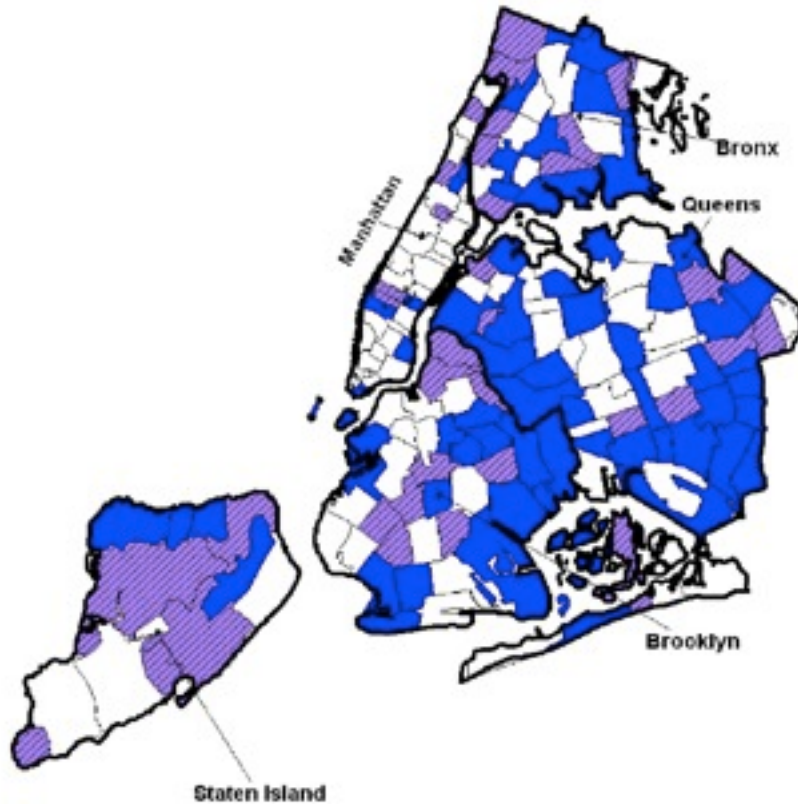
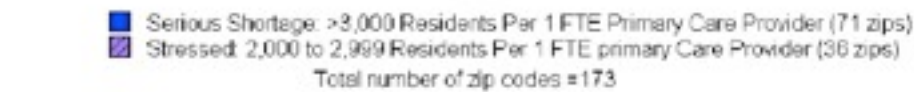
<sup>4</sup> Centers for Disease Control and Prevention (CDC)

## #3 Shortage of Primary Care Practitioners in New York

Nearly 60% of New York City's zip codes have an inadequate supply of primary care physicians for low-income New Yorkers.<sup>5</sup>

Although 39% of New York City's residents are enrolled in Medicaid, they have access to just 25% of the primary care physicians based in the City. New York City needs to eliminate primary care shortages for Medicaid-enrolled residents to meet Federal capacity benchmarks.<sup>5</sup>

### NYC Primary Care Physician Shortage Areas for Medicaid-Enrolled Residents, By Zip Code



Source: Center for Health Workforce Studies, SUNY, Albany, NYS Physician Re-registration Survey 2004-2006

Ample research shows that a strong primary care system is necessary to reduce health system costs and improve health outcomes over the mid- and long-term.

Reconfiguring the existing primary care system into the model of a "health care home," with an emphasis on prevention, health promotion, and early detection and treatment. This includes ensuring that every New Yorker has a personal primary care provider as well as continuity and care management. It means that providers need to be supported in adopting and using health information technology and implementing proven best practices in access, prevention, and care management.<sup>5</sup>

<sup>5</sup> A Primary Care Capacity Shortage in New York City & The Potential Impact of Hospital Closures. Report prepared by The Primary Care Development Corporation & The New York City Health and Hospitals Corporation. September 2006



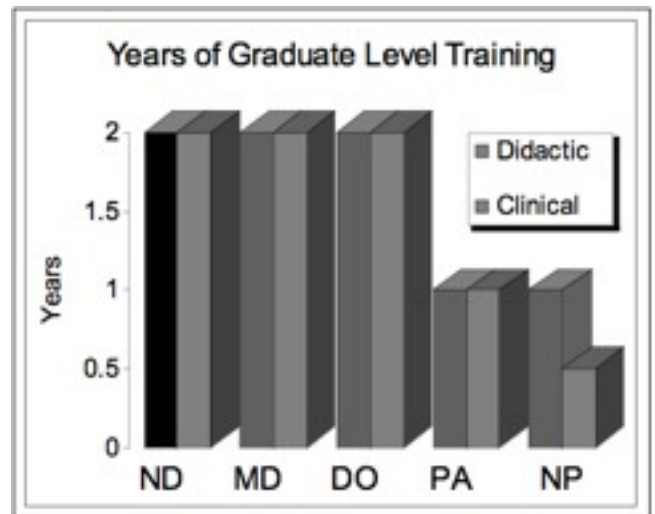
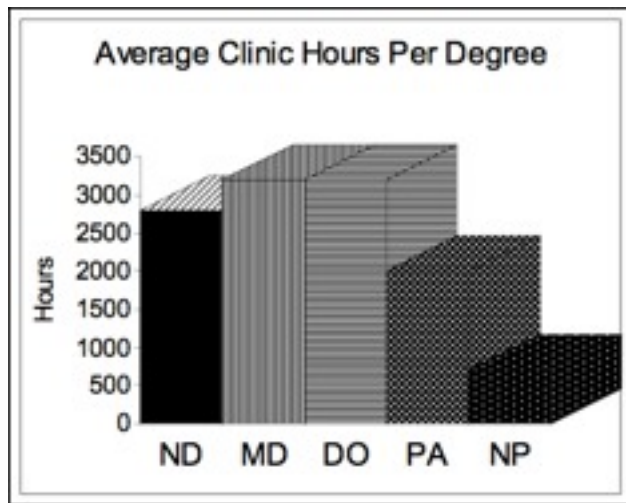
# Naturopathic Doctors are New York's Solution:

## #1 Naturopathic Doctors Are Primary Care Practitioners

NDs solve a large percentage of the increasing primary care shortage.<sup>6</sup>

Physicians (MDs & DOs) and Nurse Practitioners (NPs) are currently licensed to offer primary care services in New York. Naturopathic Doctors (NDs) receive adequate training to provide primary care services.

The tables below compare the training completed by MDs and NPs to training requirements for NDs.



Education	ND	MD	DO	PA	NP
Degree Title	Naturopathic Doctor	Medical Doctor	Doctor of Osteopathy	Physician Assistant	Nurse Practitioner
Graduate Level Didactic	2 years	2 years	2 years	1 year	1 year
Graduate Level Clinical	2 years	2 years	2 years	1 year	0.5 year
Average Clinical Hours	2,800	3,200	3,200	2,000	700
Pharmacology	100 hours	70 hours	90 hours	60 hours	50 hours
Nutrition	130 hours	0	0	0	0
Botanical Medicine	110 hours	0	0	0	0
Chinese Medicine	160 hours	0	0	0	0
Scope of Practice	Primary Care	Primary care, specialties, subspecialties, surgery, anesthesiology, radiology, etc	Primary care, specialties, subspecialties, surgery, anesthesiology, radiology, etc	0	Primary Care

<sup>6</sup>Association of American Medical Colleges & U.S. Census Bureau

## #2 Naturopathic Care Has Been Shown to be Safe

Malpractice claims against CAM practitioners occur less frequently and typically involved less severe injury than claims against Conventional Physicians.<sup>7,8</sup>

Jury Verdicts Northwest with civil court records in states where 55% of naturopathic doctors practice, reported that their records show zero cases against naturopathic doctors.

### Comparative Malpractice Claims

	Year(s)	U.S.
MD/DO Malpractice Claims Paid	2009	107,391
MD/DO Malpractice Claims Estimated Total Filed	2009	1 million
MD/DO Malpractice Claims Total Paid	2009	\$34.7 Billion
ND Malpractice Claims Total Filed	1990-2010	17

### Naturopathic Licensing Boards - Disciplinary Actions

	ND Licensure Enacted	Number of Practicing NDs	Disciplinary Actions Taken	Relative Years
Alaska	1986	40	1	Since 1995
Arizona	1935	636	5	Average Per year
California	2005	398	0	Since licensure
Kansas	2003	17	0	2006-2010
Maine	1995	35	1	Past 10 years
Minnesota	2009	35	0	Since licensure 1/2009
Oregon	1927	925	5	2010
Vermont	1995	190	0	2004-2009
Washington	1919	1025	4	Since 2008

<sup>7</sup> Mark Cohen MH. Malpractice and vicarious liability for providers of complementary & alternative medicine. Benders Health Care Law Mon. 1996 Jun:3-13.

<sup>8</sup> Mark Studdert DM, Eisenberg DM, Miller FH, Curto DA, Kaptchuk TJ, Brennan TA. Medical malpractice implications of alternative medicine. JAMA. 1998 Nov 11;280(18):1610-5.

## #3 NDs Prevent Chronic Disease & Decrease Health Costs

**Naturopathic doctors are trained specifically in the prevention and early intervention of chronic conditions thus reducing premiums for those employees utilizing naturopathic medicine. <sup>9</sup>**

**Naturopathic Medicaid Services are 57.5% more cost effective than MD/DO/NP combined services. <sup>10</sup>**

**848 employees for the Vermont Automobile Dealers Association were examined and advised by NDs for one year. The organization saved \$1.5 million in direct and indirect medical costs the first year; that is \$1800 per employee. <sup>11</sup>**

The drastic reduction in health risk factors has resulted in a decrease in insurance premiums for each year the program has been in place.

- 36% reduction in the incidence of hypertension
- 16% reduction in the incidence of high cholesterol
- 35% reduction in multiple cardiovascular risks
- 17% reduction in smokers
- 21% reduction of physically inactive employees
- 25% reduction of excessive stress (both work and personal)
- Direct health care costs were reduced by an estimated \$315,817 leading to a 4.6 to 1 return on investment
- Indirect health care costs were reduced by an estimated \$1,143,657 leading to a 16.5 to 1 return on investment
- Combined direct and indirect health care savings lead to overall 21.1 to 1 return on investment (\$21.10 saved for every dollar invested)
- Only 0.2% increase in per member claims cost last year (2005) compared to a national average of over 7%.



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<sup>9</sup> Am J Health Promot. 2000 Sep-Oct;15(1):45-52. The relationship between modifiable health risks and group-level health care expenditures. Health Enhancement Research Organization (HERO) Research Committee. Anderson DR, Whitmer RW, Goetzel RZ, Ozminkowski RJ, Dunn RL, Wasserman J, Serxner S; Health Enhancement Research Organization (HERO) Research Committee.

<sup>10</sup> The Cost Effectiveness of Naturopathic Delivery of Oregon Medicaid Services Statistics provided by Leslie Hendrickson, Office of Medical Assistance. Feb 11, 1991

<sup>11</sup> Vermont Automobile Dealer's Association and Green Mountain Wellness Solutions <http://www.greenmountainwellness.com/> ; <http://www.vermontada.org/wellness.asp> ; <http://www.vermontfitness.org/news/051806.html>





## Patient Testimonials

**"Naturopathic medicine has helped me tremendously after being exposed to the dangers of Ground Zero after 9/11."**

NYC Fireman,  
Naturopathic Patient

**"I've had a good amount of medical problems as a child and young adult. However, and quite unfortunately, NONE of the methods ever cured me of my symptoms, and only further frustrated me or caused me more pain. My hopelessness and helplessness dissipated once I started working with Naturopathic Doctors. Naturopathy has not only nursed me back to health and cured me of my ailments, but it has inspired me to become a Naturopathic Doctor and to bring healing and relief to others a few years from now."**

Kaitlyn Stall, Naturopathic Patient and Medical Student



## Doctor Testimonials



**"I would like to start a practice in NYC. I am currently a primary care physician in my state. Patients from NY fly to Arizona to see me. Why are they not being given the choice in New York?"**

Host of PBS TV show  
"Health Hot Seat"  
Dr. Donese Worden, N.M.D.

**"I live in New York but my patients and I have to travel to Connecticut for me to treat them."**

Dr. Donielle Wilson, N.D.,  
President of NYANP



# Licensure Bill: S1803 / A1937

**Bill Includes:**

1. License to diagnose and treat, using natural therapies.
2. Educational standards, including 4 years of naturopathic medical school, board exams, residency and continuing education requirements.
3. Licensure fee covers the cost of establishing the board.
4. Exemption for MDs, licensed practitioners and unlicensed practitioners who do not diagnose.

**Bill Excludes:**

- |                  |  |
|------------------|--|
| 1. Surgery       | 4. Radiation, Electrical Shock Therapy and EMG                                 |
| 2. Childbirth    | 5. Setting Fractures   |
| 3. Psychotherapy | 6. Claiming to practice as other type of practitioner, unless licensed as such |

<b>Comparative Scopes of Naturopathic Licensed States</b>								
	Licensure Enacted	Number of ND's	Primary Care	Prescriptive Authority	Imaging and Labs	Minor Office Procedures	Nutrition	Pharmacognosy
Arizona	1935	636	Yes	Yes	Yes	Yes	Yes	Yes
Montana	1991	90	Yes	Yes	Yes	Yes	Yes	Yes
Oregon	1927	925	Yes	Yes	Yes	Yes	Yes	Yes
Utah	1997	41	Yes	Yes	Yes	Yes	Yes	Yes
Virgin Islands			Yes	Yes	Yes	Yes	Yes	Yes
Washington	1919	1025	Yes	Yes	Yes	Yes	Yes	Yes
Idaho		30	Yes	Yes	Yes	Yes	Yes	Yes
Puerto Rico			Yes	Yes	Yes	Yes	Yes	Yes
DC		16	yes	Yes	Yes	Yes	Yes	Yes
Hawaii	1925	114	Yes	Yes	Yes	Yes	Yes	Yes
Maine	1995	35	Yes	Yes	Yes	Yes	Yes	Yes
California	2005	398	Yes	Yes	Yes	Yes	Yes	Yes
New Hampshire	1995	62	Yes	Yes	Yes	Yes	Yes	Yes
Minnesota	2009	35	Yes	Yes	Yes	Yes	Yes	Yes
Vermont	1995	190	Yes	Yes	Yes	Yes	Yes	Yes
Kansas	2003	17	Yes	Yes	Yes	No	Yes	Yes
Alaska	1996	40	Yes	No	Yes	No	Yes	Yes
Connecticut	1920	210	Yes	No	Yes	No	Yes	Yes