

# FLORIDA HOUSE OF REPRESENTATIVES BILL ANALYSIS

*This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.*

**BILL #:** [CS/HB 223](#)

**TITLE:** Naturopathic Medicine

**SPONSOR(S):** Smith

**COMPANION BILL:** [SB 688](#) (Rodriguez)

**LINKED BILLS:** None

**RELATED BILLS:** [SB 688](#) (Rodriguez)

## Committee References

[Health Professions & Programs](#)

15 Y, 0 N



[Health Care Budget](#)

7 Y, 4 N



[Health & Human Services](#)

17 Y, 4 N, As CS

## SUMMARY

### **Effect of the Bill:**

HB 223 reestablishes licensure and regulation of naturopathic physicians, and establishes new standards for the practice of naturopathic medicine. The bill provides licensure authority over naturopathic physicians to the Department of Health (DOH), and creates the Board of Naturopathic Medicine to assist DOH in the regulation of naturopathic physicians.

### **Fiscal or Economic Impact:**

The bill will have an insignificant, negative fiscal and workload impact on the Department of Health which can be absorbed with current resources.

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## ANALYSIS

### **EFFECT OF THE BILL:**

#### **Naturopathy**

##### Florida Licensure and Regulation of Naturopathy

HB 223 reestablishes licensure of naturopathic physicians, which the Legislature previously abolished in 1959, and establishes new standards for the practice. The bill provides licensure authority over naturopathic physicians to the Department of Health (DOH).

##### Board of Naturopathic Medicine

The bill creates the Board of Naturopathic Medicine to assist DOH in the regulation of naturopathic physicians. Members of the board serve 4-year terms and must be appointed by the Governor and confirmed by the Senate. The bill provides for the composition of the seven-member board to include the following: (Section [5](#))

- Four licensed naturopathic physicians who are Florida residents.
- Two licensed physicians who are Florida residents.
- One who has never been a health care practitioner and who is a Florida resident.
- At least one who is 60 years of age or older.

##### Scope of Practice

The bill establishes the scope of practice for naturopathic physicians to include the diagnosis, prevention, and treatment of any human disease, pain, injury, deformity, or other physical or mental condition for therapeutic or preventative purposes. Treatment by a naturopathic physician may include botanical or fungal extracts, clinical nutrition, counseling techniques, dietary supplements, environmental medicine, homeopathic remedies, imaging

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studies, laboratory testing, lifestyle medicine, natural substances, physical exams, or physical medicine in accordance with the educational standards and requirements set by the Council on Naturopathic Medical Education, or an equivalent body recognized by the United States Department of Education or the board. (Section [4](#))

The bill expressly excludes the following from the scope of naturopathic medicine: (Section [4](#))

- Prescribing, dispensing, or administering an any legend drug or prescription drug outside of natural, non-pharmacologic substances, including, but not limited to vitamin B12.
- Performing surgical procedures.
- Practicing or claiming to practice as a medical doctor or physician, osteopathic physician, dentist, podiatric physician, optometrist, psychologist, nurse practitioner, physician assistant, chiropractic physician, physical therapist, acupuncturist, midwife, licensed dietitian or any other health care practitioner.
- Using general or spinal anesthetics.
- Administering ionizing radioactive substances.
- Performing chiropractic or osteopathic adjustments or manipulations that include high-velocity thrusts at or beyond the end range of normal joint motion, unless the naturopathic doctor is also licensed as a chiropractic physician or an osteopathic physician.
- Performing acupuncture, unless also licensed as an acupuncturist.
- Managing labor and delivery, unless the naturopathic doctor is also a licensed midwife.

## Licensure

### *Initial Licensure*

The bill requires an applicant for licensure as a naturopathic physician to meet the following requirements: (Section [8](#))

- Be at least 21 years of age.
- Have a bachelor's degree from one of the following:
  - A college or university accredited by an accrediting agency recognized by the United States Department of Education or the Council for Higher Education Accreditation or its successor entity recognized by the board;
  - A college or university in Canada which is a member of Universities Canada; or
  - A college or university in a foreign country, other than Canada, and has provided evidence that her or his educational credentials are deemed equivalent to those provided in this country or Canada.
- Have a naturopathic doctoral degree from a college or program accredited by, or having candidacy status with, the Council on Naturopathic Medical Education or another accrediting agency recognized by the U.S. Department of Education or the board.
- Be physically and mentally fit to practice as a naturopathic physician.
- Be of good moral character.
- Not have been found guilty of a felony.
- Submit fingerprints to DOH for a criminal background check.
- Obtain a passing score on Part I – Biomedical Science Examination, Part II – Core Clinical Science Examination of the competency-based national Naturopathic Physician Licensing Examination administered by the North American Board of Naturopathic Examiners, or an equivalent exam offered by an equivalent or successor entity, as approved by the board.

The bill also authorizes DOH to issue a license by endorsement to any person who meets the requirements for licensure by endorsement under s. 456.0145, F.S., which include: (Section [9](#))

- Having an active, unencumbered license issued by another state, the District of Columbia, or a territory of the United States in a profession with a similar scope of practice, as determined by the board.
- Obtaining a passing score on a national licensure examination or having a national certification recognized by the board applicable to the profession for which the applicant is seeking licensure.
- Actively practicing the profession for which the applicant is applying for at least two years during the four-year period immediately preceding the date of submission of the application.
- Attesting that they are not the subject of a disciplinary proceeding in a jurisdiction in which they hold a license or by the U.S. Department of Defense.
- Having no disciplinary action taken against them in the five years immediately preceding the date of application submission.
- Meeting the financial responsibility requirements of s. 456.048, F.S.
- Submitting fingerprints for a background screening.

If the board determines that an applicant for licensure, including licensure by endorsement, has failed to meet any of the above requirements, it may enter an order imposing one or more of the following: (Section [8](#))

- Refusal to certify an application for licensure to DOH;
- Certification to DOH of an application for licensure with restrictions on the scope of practice of the naturopathic physician; or
- Certification to DOH of an application for licensure with a probationary period for the applicant, subject to such conditions as the board specifies, including, requiring the naturopathic physician to submit to treatment, attend continuing education courses, submit to reexamination, or work under the supervision of another naturopathic physician.

The bill prohibits DOH from issuing a license, including a license by endorsement, to any individual who: (Section [8](#))

- Is under investigation in another jurisdiction for an offense that would constitute a violation of ch. 462, F.S., or ch. 456, F.S., until the investigation has been completed;
- Has committed an act or offense in any jurisdiction which would constitute the basis for disciplining a naturopathic physician under s. 462.017, F.S., until the investigation has been completed.

#### *Licensure Renewal*

The bill requires licensed naturopathic doctors to renew their licenses biennially to continue practicing naturopathic medicine. The amount of the biennial renewal fee, which may not be more than \$1,000, must be determined by DOH. Upon licensure renewal, an applicant must also provide proof of compliance with continuing education requirements. The bill requires DOH to adopt rules to establish standards for biennial licensure renewal. (Section [10](#))

An applicant for licensure renewal must complete 60 hours of continuing education during each biennial renewal period. The board must approve organizations that accredit naturopathic continuing education providers, including, but not limited to, the American Association of Naturopathic Physicians, the North American Naturopathic Continuing Education Accreditation Council. The bill requires licensees to use the electronic continuing education tracking system developed by DOH under s. 456.0361, F.S., to demonstrate compliance with continuing education requirements. The bill authorizes the board to select substitute continuing education programs at their discretion. (Section [11](#))

#### *Reactivating an Inactive License*

The bill requires the board to adopt rules relating to reactivation of inactive licenses, which must address requirements for continuing education and may not require less than 20 classroom hours for each year the license was inactive. (Section [12](#))

### *Disciplinary Action*

The bill authorizes the board to take disciplinary action<sup>1</sup> against a naturopathic physician who commits any of the following acts: (Section [13](#))

- Refusing to provide health care based on a patient's participation in pending or past litigation or participation in any disciplinary action conducted pursuant to this chapter, unless such litigation or disciplinary action directly involves the naturopathic physician requested to provide services.
- Fraudulently altering or destroying records relating to patient care or treatment, including, but not limited to, patient histories, examination results, test results, X rays, records of medicine prescribed, dispensed, or administered, and reports of consultations and hospitalizations.
- Committing medical malpractice or gross medical malpractice.
- Failing to adequately supervise the activities of any persons acting under the supervision of the naturopathic physician.
- Misrepresenting or concealing a material fact at any time during any phase of a licensing or disciplinary process or procedure.
- Interfering with an investigation or with any disciplinary proceeding.
- Failing to report to DOH any person licensed under chapter 458, chapter 459, whom the naturopathic physician knows has violated the grounds for disciplinary action set out in the law under which that person is licensed and who provides health care services in a facility licensed under chapter 395, or a health maintenance organization certificated under part I of chapter 641, in which the naturopathic physician also provides services.
- Being found by any court in this state to have provided, without reasonable investigation, corroborating written medical expert opinion attached to any statutorily required notice of claim or intent, or to any statutorily required response rejecting a claim.
- Failing to provide patients with information about their patient rights and how to file a patient complaint.
- Providing deceptive or fraudulent expert witness testimony related to the practice of naturopathic medicine.
- Promoting or advertising through any communication medium the use, sale, or dispensing of any controlled substance appearing on any schedule in chapter 893 which is not within the scope of the Naturopathic Medical Formulary established under s. 462.025.

If any naturopathic physician commits unprofessional conduct or negligence or demonstrates mental or physical incapacity or impairment such that the Surgeon General determines that she or he is unable to practice with reasonable skill and safety and presents a danger to patients, DOH may bring an action in circuit court enjoining such naturopathic physician from providing medical services to the public until the naturopathic physician demonstrates the ability to practice with reasonable skill and safety and without danger to patients. (Section [13](#))

The bill provides that any person, not licensed as a naturopathic doctor, who practices naturopathic medicine or promotes, identifies, or describes themselves as a doctor of naturopathic medicine or a naturopathic doctor, commits a second-degree misdemeanor, punishable as provided in s. 775.082, F.S., or s. 775.083, F.S. (Section [7](#))

### Conforming Changes

The bill makes various conforming changes to replace the terms “naturopath” with “naturopathic doctor” and “naturopathy” with “naturopathic medicine” to sections of current law that are generally applicable to all practices

<sup>1</sup> S. 456.072(2), F.S. Action taken by the board may include: refusal to certify, or to certify with restrictions, an application for a license; suspension or permanent revocation of a license; restriction of practice or license; imposition of an administrative fine not to exceed \$10,000 for each count or separate offense; issuance of a reprimand or letter of concern; licensure probation; corrective action; imposition of an administrative fine of up to \$100 for non-willful violations and up to \$500 for willful violations; refund of fees billed and collected from the patient; or remedial education.

of medicine, including general medicine, osteopathic medicine, chiropractic medicine, veterinary medicine, podiatric medicine, dentistry, optometry, psychiatry, and psychology. Specifically, makes such conforming changes to the following sections of law:

- Section 381.0031, F.S., which requires practitioners to report a disease of public significance to DOH upon diagnosis or suspicion of the existence of such disease. (Section [16](#))
- Section 468.301, F.S., relating to the definition of a “licensed practitioner”. (Section [17](#))
- Section 476.044, F.S., which exempts practitioners from barbering licensure. (Section [18](#))
- Section 477.0135, F.S., which exempts practitioners from cosmetology licensure. (Section [19](#))
- Section 485.003, F.S., which authorizes practitioners to refer patients for hypnotic treatment by qualified individuals. (Section [20](#))
- Section 486.161, F.S., which provides that the regulations for the use of physical agents by physical therapists does not prohibit the use of physical agents by practitioners of medicine. (Section [21](#))
- Section 627.351, F.S., which requires the Joint Underwriting Association’s medical malpractice plan to provide coverage for practitioners. (Section [22](#))
- Section 893.02, F.S., authorizes a practitioner with a valid federal controlled substance registry number to prescribe controlled substances. (Section [23](#))
- Section 921.0022, F.S., which provides the Offense Severity Ranking Chart of the Criminal Punishment Code. (Section [24](#))

The effective date of the bill is December 31, 2026.

#### **RULEMAKING:**

The bill provides rule-making authority to DOH to adopt rules to establish procedures for licensure renewal and authorizes the Board of Naturopathic Medicine to adopts rules relating to the reactivation and renewal of inactive licenses.

***Lawmaking is a legislative power; however, the Legislature may delegate a portion of such power to executive branch agencies to create rules that have the force of law. To exercise this delegated power, an agency must have a grant of rulemaking authority and a law to implement.***

#### **FISCAL OR ECONOMIC IMPACT:**

#### **STATE GOVERNMENT:**

DOH indicates it will need 4 additional FTE for the workload associated with the implementation of the new licensure program, including an increase in workload associated with additional systems and supporting functions.<sup>2</sup> The department can utilize its existing 97.5 FTE<sup>3</sup> vacancies to fill this need. In addition, DOH will incur costs for developing and supporting a new board website, as well as data integrations, data sharing, and data exchange services as needed.<sup>4</sup> The Department can absorb these costs because DOH has the discretion to set licensure fees in amounts necessary to cover the costs of regulation. Current law in Chapter 462, F.S., authorizes DOH to establish licensure fees based on its estimates for the revenue necessary to license and regulate naturopathic physicians.<sup>5</sup>

<sup>2</sup> Department of Health *Agency Legislative Bill Analysis HB 223 (2026)* pgs. 12-13, on file with Health Care Budget Subcommittee.

<sup>3</sup> DOH *Vacancy Report* as of 1/23/2026 on file with the House Health Care Budget Subcommittee.

<sup>4</sup> Department of Health *Agency Legislative Bill Analysis HB 223 (2026)* pgs. 12-13, on file with Health Care Budget Subcommittee.

<sup>5</sup> S. 456.025(3), F.S., requires each board, or the department if there is no board, to ensure that license fees are adequate to cover all anticipated costs and to maintain a reasonable cash balance.

## RELEVANT INFORMATION

### SUBJECT OVERVIEW:

#### [Naturopathy](#)

The term “naturopathy” was used in the late nineteenth century to refer to an emerging system of natural therapies and philosophy to treat disease. Naturopathic physicians diagnose, treat, and care for patients using a system of practice that bases treatment on natural laws governing the human body. These practitioners may provide treatment to patients using psychological, mechanical, and other means to purify, cleanse, and normalize human tissues for the preservation and restoration of health. This may include the use of air, water, light, heat, earth, food and herb therapy, psychotherapy, electrotherapy, physiotherapy, minor surgery, and naturopathic manipulation. Naturopathic physicians are trained in standard medical sciences and in the use and interpretation of standard diagnostic instruments. Naturopathic medicine stresses a holistic approach to health care, which involves studying, and working with the patient mentally and spiritually, as well as physically, and developing an understanding of the patient in the patient’s chosen environment.<sup>6</sup>

#### [Florida Licensure and Regulation of Naturopathy](#)

Naturopathy was initially recognized by the Legislature in the Medical Act of 1921<sup>7</sup>, which defined the practice of medicine and exempted naturopaths from the medical practice act. Naturopathic practitioners were first licensed in Florida in 1927.<sup>8</sup> Doctors of Naturopathy were required to observe state, county, and municipal regulations regarding the control of communicable diseases, the reporting of births and deaths, and all matters relating to the public health as was required of other “practitioners of the healing arts.” Between 1947 and 1954, legal cases were decided regarding the rights of naturopaths to prescribe narcotic drugs. The Circuit Court in Pinellas County held that practitioners of naturopathy had the right to prescribe narcotic drugs.<sup>9</sup> On appeal, the Florida Supreme Court affirmed the lower court’s decision.<sup>10</sup>

In 1957, the Legislature abolished the Board of Naturopathic Examiners, significantly revised the regulation of naturopathy, and placed the regulation under the Florida State Board of Health.<sup>11</sup> Naturopaths were classified into three groups based on the length of time that the practitioner was licensed in the state. Under that law, those licensed less than two years could not renew their licenses; those licensed more than two years but less than 15 years could not prescribe medicine in any form; and those licensed more than 15 years could not prescribe narcotic drugs. The Florida Supreme Court held that the naturopathic laws, as amended by ch. 57-129, L.O.F., were unconstitutional and void.<sup>12</sup>

In 1959, the Legislature abolished the licensing authority for naturopathy.<sup>13</sup> Only those naturopathic practitioners licensed at that time who had been residents of Florida for two years prior to enactment of ch. 59-164, L.O.F., were authorized to renew their licenses.

<sup>6</sup> Sara Fleming and Nancy Gutknecht, *Naturopathy and the Primary Care Practice*, National Library of Medicine (June 11, 2010), available at <https://pmc.ncbi.nlm.nih.gov/articles/PMC2883816/> (last visited February 12, 2026).

<sup>7</sup> See chapter 8415, Laws of Florida.

<sup>8</sup> See chapter 12286, Laws of Florida.

<sup>9</sup> *In re: Complaint of Melsner*, 32 So.2d 742 (Fla.1947). See also *State Department of Public Works v. Melsner*, 69 So.2d 347 at 353 (Fla. 1954).

<sup>10</sup> *Supra*. See also Attorney General Opinion 54-96 and s. 893.02(19), F.S., relating to controlled substances, which defines “practitioner” to include “... a naturopath licensed pursuant to chapter 462, F.S.” In 1939, the 5th Circuit Fed. Ct. (which includes Louisiana, Mississippi, and Texas) interpreted the Federal Narcotic Drug Act which determined that a “naturopath” was not a “physician;” therefore, they were prohibited from prescribing narcotic drugs. The court determined that even under phytotherapy, they could not prescribe drugs. *Perry v. Larson*, 104 F.2d 728 (1939).

<sup>11</sup> Ch. 57-129, Laws of Fla.

<sup>12</sup> See *Eslin v. Collins*, 108 So.2d 889 (Fla. 1959).

<sup>13</sup> See ch. 59-164, Laws of Fla.

Currently, chapter 462, F.S., governs the practice of naturopathy within the Department of Health (DOH). The current practice act includes a wide variety of healing techniques but prohibits surgery, chiropractic medicine, and the practice of “materia medica”, a term that includes the prescription of drugs.<sup>14</sup>

Chapter 462, F.S., prohibits the issuance of a license to any person who was not practicing naturopathy in Florida as of July 1, 1959.<sup>15</sup> The chapter also authorizes DOH to adopt rules to implement the regulation of naturopathic medicine including the establishment of fees.<sup>16</sup> Additionally, it provides procedures for naturopathic physicians licensed prior to 1959 to renew their license.

Draft legislation proposed by the Florida Naturopathic Physician Association was introduced in 2004 and 2006 to reestablish regulation of naturopathic medicine through licensure. A 2004 Sunrise Report on Proposed Licensure of Naturopathic Physicians, by the Florida House of Representatives, Committee on Health Care, concluded that “while there is evidence for support of licensure based on the existence of accredited training programs and licensure examinations, there is no documented evidence of substantial risk from not licensing naturopathic physicians. Moreover, there is potential risk from licensing naturopathic physicians and allowing them to provide a broad range of primary care services.”<sup>17</sup>

### *National Accreditation*

The Council on Naturopathic Medical Education (CNME) accredits four-year, campus-based doctoral programs in naturopathic medicine (ND programs) that qualify graduates for licensure in the U.S. and Canada. CNME-accredited ND programs may also incorporate online/distance education coursework, as well as hybrid courses that combine online and in-person components. The CNME does not accredit ND programs that are taught entirely or primarily using online/distance instruction, and these types of programs do not qualify individuals for licensure. CNME’s accreditation standards cover areas such as ND program length and content, clinical training requirements, faculty qualifications, student services, student and program assessment, facilities, and library resources.<sup>18</sup>

There are six accredited colleges of naturopathic medicine in the United States: Bastyr University, San Diego, California and Kenmore, Washington; National University of Health Sciences, Chicago, Illinois; National University of Natural Medicine, Portland, Oregon; University of Western States, Portland Oregon; Universidad Ana G. Mendez, Gurabo, Puerto Rico; and Sonoran University of Health Sciences, Tempe, Arizona.<sup>19</sup> The graduates of these programs receive a Doctor of Naturopathic Medicine degree after four years of professional study. Admission requirements include completion of a bachelor’s degree before matriculation into the naturopathic medicine program with specified exceptions, including the following courses: inorganic chemistry with lab, organic chemistry with lab, biology with lab, physics, and psychology.

### Other State Licensure of Naturopathy

Currently, 23 states regulate naturopathic doctors.<sup>20</sup>

<sup>14</sup> S. 462.01(1), F.S., “Naturopathy” and “traditional naturopathy” are defined as synonymous terms and mean the traditional, non-invasive health practice offered by naturopaths and traditional naturopaths focusing on education about natural practices and substances that can be used to promote general health and well-being.

<sup>15</sup> S. 462.023, F.S.

<sup>16</sup> *Id.*

<sup>17</sup> Florida House of Representatives, Committee on Health Care, *Sunrise Report on Proposed Licensure of Naturopathic Physicians* (Jan. 2004), available at [https://web.archive.org/web/20250125142431/https://centerforinquiry.org/wp-content/uploads/sites/33/quackwatch/fl\\_sunrise\\_2004.pdf](https://web.archive.org/web/20250125142431/https://centerforinquiry.org/wp-content/uploads/sites/33/quackwatch/fl_sunrise_2004.pdf) (last visited February 12, 2026).

<sup>18</sup> Council on Naturopathic Medical Education, Naturopathic Program Accreditation, available at <https://cnme.org/naturopathic-accreditation/#verview> (last visited February 12, 2026).

<sup>19</sup> Council on Naturopathic Medical Education, Accredited Naturopathic Schools, available at <https://cnme.org/accredited-programs/#schools> (last visited February 12, 2026).

<sup>20</sup> Association of Accredited Naturopathic Medical Colleges, Naturopathic Doctor Licensure, available at <https://aanmc.org/licensure/> (last visited February 12, 2026). The states include Alaska, Arizona, California, Colorado,

According to the Association of Accredited Naturopathic Medical Colleges, to be licensed as a primary care naturopathic physician by a state which requires licensing, one must:<sup>21</sup>

- Graduate from a four-year, professional-level program at an accredited naturopathic medical school that is recognized by the United States Department of Education;
- Pass the two-part Naturopathic Physicians Licensing Exam, which covers basic sciences, diagnostic and therapeutic subjects, and clinical sciences; and
- Pass jurisprudence examinations and meet other state requirements for regulated professions including background checks and continuing education.

**BILL HISTORY**

| COMMITTEE REFERENCE  | ACTION           | DATE      | STAFF DIRECTOR/<br>POLICY CHIEF | ANALYSIS PREPARED BY |
|--|------------------|-----------|---------------------------------|----------------------|
| <a href="#">Health Professions &amp; Programs Subcommittee</a> | 15 Y, 0 N        | 2/11/2026 | McElroy                         | Guzzo                |
| <a href="#">Health Care Budget Subcommittee</a>                | 7 Y, 4 N         | 2/16/2026 | Clark                           | Day                  |
| <a href="#">Health &amp; Human Services Committee</a>          | 17 Y, 4 N, As CS | 2/24/2026 | Calamas                         | Guzzo                |

THE CHANGES ADOPTED BY THE COMMITTEE:

- Excluded licensed dieticians from the scope of naturopathic medicine.
- Repealed an obsolete section of law relating to penalties and criminal offenses for the unlicensed practice of naturopathy.
- Made technical revisions.

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**THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.**  
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Connecticut, Hawaii, Idaho, Kansas, Maine, Maryland, Massachusetts, Minnesota, Montana, New Hampshire, New Mexico, North Dakota, Oregon, Pennsylvania, Rhode Island, Utah, Vermont, Washington, and Wisconsin (plus the District of Columbia, Puerto Rico, and the U.S. Virgin Islands).

<sup>21</sup> *Id.*