

(S.B. 1447)

(No. 133)

(Approved July 24, 2006)

AN ACT

To amend Section 4 of Act No. 208 of December 30, 1997, as amended, known as the “Act to Regulate the Practice of Naturopathic Medicine in Puerto Rico,” in order to establish that one (1) of the three (3) duly licensed and of known professional competence Doctors in Naturopathy that are part of the Board of Examiners of Doctors in Naturopathy, shall only have to have practiced Naturopathic Medicine for a term of not less than one (1) year.

STATEMENT OF MOTIVES

Act No. 208 of December 30, 1997, as amended, known as the “Act to Regulate the Practice of Naturopathic Medicine in Puerto Rico, established the legal juridical parameters needed to practice Naturopathic Medicine so as to provide the citizens with quality health services by means of modern health care and disease prevention trends.

Subsection (d) of Section 2 of the aforementioned Act No. 208 defines Naturopathic Medicine as “the care system practiced by a Doctor in Naturopathy for the prevention, diagnosis and treatment of human health conditions through the use of natural medicine, therapy and patient education in order to maintain and stimulate the intrinsic self-healing system of every individual.” It is thus the Doctor in Naturopathy the health professional authorized to practice Naturopathic Medicine. To comply with their ministerial duty, these health professionals must obtain a Doctor’s Degree in Naturopathic Medicine at an institution accredited by the Council

of Naturopathic Medical Education or by the Puerto Rico Council on Higher Education or any other accrediting institution recognized by the corresponding authorities. They must also pass a licensing examination offered by the Naturopathic Physician Licensing Examination or its equivalent in order to obtain the License as Doctor in Naturopathy which will allow them to exercise said practice in Puerto Rico.

It has been determined that the services offered by the health professionals in this medical field must be available to all patients and that the need for the services and treatments these professionals offer is increasing according to statistics from the Center for Disease Control of the Department of Health of the United States. For this reason, several universities are interested in offering a Doctor's Degree in Naturopathic Medicine in Puerto Rico, thus giving many men and women of our society the opportunity of pursuing studies in this branch of medicine, which is also important because of the philosophical principles behind the healing power of nature, the prevention of disease, the search for the causes of disease, the use of healing methods without side effects and the treatment of patients in an all encompassing manner.

Because one must move to the United States to obtain a Doctor's Degree in Naturopathic Medicine, at present there are only five (5) duly licensed Doctors in Naturopathy on the Island after the approval of the aforementioned Act No. 208 nine years ago. It is therefore quite difficult to comply with Section 4 of that Act which establishes the requirements to become a member of the Board of Examiners of Doctors in Naturopathy of Puerto Rico. Said Section establishes that three (3) of the members of the Board must be duly licensed Doctors in Naturopathy who have practiced the profession of Naturopathic Medicine for a term of not less than three (3)

years. Even when Section 5 of the aforementioned Act provides that “until their successors have been appointed and qualify,” a Legal Opinion issued April 25, 2005 by the Department of State on the application of the Continuity Clause to members of the Boards of Examiners and adopted by the Department of Health, states that said Clause allows the members whose term of office has elapsed to continue holding office until the next Legislative Session has concluded.

In view of the limited number of Doctors in Naturopathy licensed to practice in Puerto Rico and their interest to actively participate in the development of their profession this Legislature believes it meritorious to amend Section 4 of Act No. 208, *supra*, to permit one of the three duly licensed and of known professional competence Doctors in Naturopathy to become members of the Board, provided he/she has practiced his/her profession for a term of not less than one year.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.-Section 4 of Act No. 208 of December 30, 1997, as amended, is hereby amended to read as follows:

“Section 4.-Members of the Board.-

The Board shall be constituted by five (5) members appointed by the Governor, with the advice and consent of the Senate. The members of the Board shall be persons of recognized moral integrity, good repute, who have not been convicted of any felony, or a misdemeanor implying moral turpitude, over twenty-one (21) years of age, and residents of Puerto Rico for at least one (1) year prior to their appointment. Two (2) of the members of the Board shall be duly licensed Doctors in Naturopathy, of recognized professional competence, who have practiced Naturopathic Medicine for a term of not less than three (3) years. One (1) of the members shall be a duly

licensed and of recognized professional competence Doctor in Naturopathy who has practiced the profession of Naturopathic Medicine for a term of not less than one (1) year. Of the remaining members one (1) shall be a Physician authorized to practice his/her profession in Puerto Rico and the other member shall be a representative of the public interest.

Section 2.-This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 133 (S.B. 1447) of the 3rd Session of the 15th Legislature of Puerto Rico:

AN ACT to amend Section 4 of Act No. 208 of December 30, 1997, as amended, known as the “Act to Regulate the Practice of Naturopathic Medicine in Puerto Rico,” in order to establish that one (1) of the three (3) duly licensed and of known professional competence Doctors in Naturopathy that are part of the Board of Examiners of Doctors in Naturopathy, shall only have to have practiced Naturopathic Medicine for a term of not less than one (1) year,

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, today 3rd of October of 2006.

Francisco J. Domenech
Director