



General Assembly

February Session, 2014

Raised Bill No. 5327

LCO No. 1533



Referred to Committee on PUBLIC HEALTH

Introduced by:
(PH)

AN ACT CONCERNING HEALTH FREEDOM AND THE PRACTICE OF CLASSICAL HOMEOPATHY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2014*) (a) For purposes of this
2 section:

3 (1) "Complementary and alternative health care services" means
4 advice and services that are: (A) based on complementary and
5 alternative theories of health and wellness; and (B) not prohibited
6 under subsection (c) of this section;

7 (2) "Classical homeopath" means a person who provides
8 complimentary and alternative health care services and is certified by
9 the Council for Homeopathic Certification; and

10 (3) "Client" means the recipient or potential recipient of
11 complementary and alternative health care services from a classical
12 homeopath.

13 (b) Notwithstanding the provisions of section 20-9 of the general

14 statutes, as amended by this act, and section 20-12n of the general
15 statutes, a classical homeopath may provide complementary and
16 alternative health care services.

17 (c) A classical homeopath who is not otherwise licensed or certified
18 by the Department of Public Health to provide health care services
19 described in this subsection shall not: (1) Conduct surgery or any other
20 procedure that punctures the skin or harmfully invades the body; (2)
21 administer or order the taking of x-rays; (3) set a fracture; (4) prescribe
22 or administer a legend drug, as defined in section 20-571 of the general
23 statutes, or a controlled substance; (5) recommend the discontinuance
24 of a legend drug or controlled substance that is prescribed by an
25 appropriately licensed health care provider; or (6) hold out, state,
26 indicate, advertise or imply to another person that he or she is a
27 physician.

28 (d) A classical homeopath who provides services in accordance with
29 this section shall, prior to providing such services: (1) Provide written
30 notification, using plain language, to each client or potential client, that
31 includes (A) a statement that the classical homeopath is not a licensed
32 physician, (B) a statement that the services to be provided are not
33 regulated by the state, (C) a description of the nature of the services to
34 be provided, (D) an explanation of the theory upon which the services
35 to be provided are based, and (E) a description of the classical
36 homeopath's education, training, experience and other qualifications
37 relating to the services to be provided; and (2) obtain a written
38 acknowledgment signed by the client stating that such recipient has
39 received the information described in subdivision (1) of this
40 subsection. The classical homeopath shall, prior to providing services,
41 provide each client with a copy of the signed, written acknowledgment
42 described in subdivision (2) of this subsection. The classical
43 homeopath shall retain such acknowledgment for a period of not less
44 than three years from the date on which the acknowledgement was
45 signed.

46 (e) Any person who advertises complementary and alternative
47 health care services shall disclose in such advertisement that he or she
48 is not a health care provider licensed by the state.

49 Sec. 2. Subsection (b) of section 20-9 of the 2014 supplement to the
50 general statutes, as amended by section 138 of public act 13-234, is
51 repealed and the following is substituted in lieu thereof (*Effective*
52 *October 1, 2014*):

53 (b) The provisions of this chapter shall not apply to:

54 (1) Dentists while practicing dentistry only;

55 (2) Any person in the employ of the United States government while
56 acting in the scope of his employment;

57 (3) Any person who furnishes medical or surgical assistance in cases
58 of sudden emergency;

59 (4) Any person residing out of this state who is employed to come
60 into this state to render temporary assistance to or consult with any
61 physician or surgeon who has been licensed in conformity with the
62 provisions of this chapter;

63 (5) Any physician or surgeon residing out of this state who holds a
64 current license in good standing in another state and who is employed
65 to come into this state to treat, operate or prescribe for any injury,
66 deformity, ailment or disease from which the person who employed
67 such physician, or the person on behalf of whom such physician is
68 employed, is suffering at the time when such nonresident physician or
69 surgeon is so employed, provided such physician or surgeon may
70 practice in this state without a Connecticut license for a period not to
71 exceed thirty consecutive days;

72 (6) Any person rendering service as (A) an advanced practice
73 registered nurse if such service is rendered in collaboration with a
74 licensed physician, or (B) an advanced practice registered nurse

75 maintaining classification from the American Association of Nurse
76 Anesthetists if such service is under the direction of a licensed
77 physician;

78 (7) Any nurse-midwife practicing nurse-midwifery in accordance
79 with the provisions of chapter 377;

80 (8) Any podiatrist licensed in accordance with the provisions of
81 chapter 375;

82 (9) Any Christian Science practitioner who does not use or prescribe
83 in his practice any drugs, poisons, medicines, chemicals, nostrums or
84 surgery;

85 (10) Any person licensed to practice any of the healing arts named
86 in section 20-1, who does not use or prescribe in his practice any drugs,
87 medicines, poisons, chemicals, nostrums or surgery;

88 (11) Any graduate of any school or institution giving instruction in
89 the healing arts who has been issued a permit in accordance with
90 subsection (a) of section 20-11a and who is serving as an intern,
91 resident or medical officer candidate in a hospital;

92 (12) Any student participating in a clinical clerkship program who
93 has the qualifications specified in subsection (b) of section 20-11a;

94 (13) Any person, otherwise qualified to practice medicine in this
95 state except that he is a graduate of a medical school located outside of
96 the United States or the Dominion of Canada which school is
97 recognized by the American Medical Association or the World Health
98 Organization, to whom the Connecticut Medical Examining Board,
99 subject to such regulations as the Commissioner of Public Health, with
100 advice and assistance from the board, prescribes, has issued a permit
101 to serve as an intern or resident in a hospital in this state for the
102 purpose of extending his education;

103 (14) Any person rendering service as a physician assistant licensed

104 pursuant to section 20-12b, a registered nurse, a licensed practical
105 nurse or a paramedic, as defined in subdivision (15) of section 19a-175,
106 acting within the scope of regulations adopted pursuant to section 19a-
107 179, if such service is rendered under the supervision, control and
108 responsibility of a licensed physician;

109 (15) Any student enrolled in an accredited physician assistant
110 program or paramedic program approved in accordance with
111 regulations adopted pursuant to section 19a-179, who is performing
112 such work as is incidental to his course of study;

113 (16) Any person who, on June 1, 1993, has worked continuously in
114 this state since 1979 performing diagnostic radiology services and who,
115 as of October 31, 1997, continued to render such services under the
116 supervision, control and responsibility of a licensed physician solely
117 within the setting where such person was employed on June 1, 1993;

118 (17) Any person practicing athletic training, as defined in section 20-
119 65f;

120 (18) When deemed by the Connecticut Medical Examining Board to
121 be in the public's interest, based on such considerations as academic
122 attainments, specialty board certification and years of experience, to a
123 foreign physician or surgeon whose professional activities shall be
124 confined within the confines of a recognized medical school;

125 (19) Any technician engaging in tattooing in accordance with the
126 provisions of section 20-266o or 20-266p and any regulations adopted
127 thereunder;

128 (20) Any person practicing perfusion, as defined in section 20-162aa;
129 [or]

130 (21) Any foreign physician or surgeon (A) participating in
131 supervised clinical training under the direct supervision and control of
132 a physician or surgeon licensed in accordance with the provisions of

133 this chapter, and (B) whose professional activities are confined to a
134 licensed hospital that has a residency program accredited by the
135 Accreditation Council for Graduate Medical Education or that is a
136 primary affiliated teaching hospital of a medical school accredited by
137 the Liaison Committee on Medical Education. Such hospital shall
138 verify that the foreign physician or surgeon holds a current valid
139 license in another country; or

140 (22) Any person who is a classical homeopath as defined in section 1
141 of this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2014</i>	New section
Sec. 2	<i>October 1, 2014</i>	20-9(b)

Statement of Purpose:

To allow classical homeopaths to provide certain services.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]