

SESSION OF 2023

SUPPLEMENTAL NOTE ON SENATE BILL NO. 113

As Recommended by Senate Committee on
Public Health and Welfare

Brief*

SB 113 would amend the Professional Corporation Law of Kansas to allow naturopathic doctors to engage in the corporate practice of medicine. The bill would authorize a business entity issued a certificate of authorization by the State Board of Healing Arts to employ individuals licensed to practice naturopathy. [Note: Current law, among other things, allows a single professional corporation to be organized to render professional services under any two or more of the types of professions.] The bill would add naturopathic doctors to the list of such professions.

The bill would also amend the definition of “business entity” by adding naturopathic services to the types of services offered by:

- An employer located in Kansas that uses electronic medical records and offers services solely for its employees and their dependents at the employer’s work site; or
- An information technology company that designs, utilizes, or provides electronic medical records for businesses and work site medical clinics for employers located in Kansas and offers services solely to its employees and dependents of such employees at the employer’s work sites in Kansas.

Additionally, the bill would remove outdated language and make technical amendments.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Background

The bill was introduced by the Senate Committee on Public Health and Welfare at the request of Senator Holscher.

Senate Committee on Public Health and Welfare

In the Senate Committee hearing, a representative of the Kansas Naturopathic Doctors Association provided **proponent** testimony, stating all healthcare providers should be included in the corporate practice of medicine doctrine to protect patients from the deceptive behavior that might come with the private ownership of medical offices by non-licensed individuals. The proponent stated the naturopathic doctors are not currently included in this doctrine and, as such, are prohibited from engaging in the corporate practice of medicine. She noted the corporate practice of medicine can interfere with independent medical judgment due to corporate interests that compromise ethical standards of practice and naturopathic doctors are excluded from working with other licensed healthcare providers. She stated the bill would prevent naturopathic doctors from being hired by corporations, with certain exceptions, and allow collaborative care with other licensed medical providers in an outpatient healthcare setting.

No other testimony was provided.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, the State Board of Healing Arts states enactment of the bill would have a negligible fiscal effect on agency operations.

Health; health care; Professional Corporation Law of Kansas; corporate practice of medicine; naturopaths; business entity; certificate of authorization to practice medicine