

SECOND REGULAR SESSION

HOUSE BILL NO. 2159

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HURLBERT.

5193H.01I

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 324, RSMo, by adding thereto fifteen new sections relating to naturopathic medicine.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 324, RSMo, is amended by adding thereto fifteen new sections, to
2 be known as sections 324.1900, 324.1905, 324.1910, 324.1915, 324.1920, 324.1925,
3 324.1930, 324.1935, 324.1940, 324.1945, 324.1950, 324.1955, 324.1960, 324.1965, and
4 324.1970, to read as follows:

324.1900. Sections 324.1900 to 324.1970 shall be known and may be cited as the
2 "Naturopathic Practice Act".

324.1905. As used in sections 324.1900 to 324.1970, the following terms mean:

- 2 (1) "Approved naturopathic medical education program", an education
3 program that the board has approved as meeting the requirements of section
4 324.1930 and that prepares naturopathic doctors for the practice of naturopathic
5 medicine;
6 (2) "Board", the board of naturopathic medicine;
7 (3) "Common diagnostic procedure", any diagnostic procedure commonly
8 performed by health care professionals including, but not limited to, the following
9 diagnostic procedures:
10 (a) Taking and recording a patient's health history;
11 (b) Performing a physical examination;
12 (c) Performing venipuncture;
13 (d) Ordering, but not interpreting, radiography examinations;

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 14 (e) Performing laboratory medicine; and
- 15 (f) Obtaining samples of human tissues, except surgical excision beyond surgical
- 16 excision that is authorized as a minor office procedure;
- 17 (4) "Controlled substance", a drug, substance, or immediate precursor
- 18 enumerated in Schedules I through V of section 195.017;
- 19 (5) "Division", the division of professional registration of the department of
- 20 commerce and insurance;
- 21 (6) "Drug", the same meaning given to the term in section 195.010;
- 22 (7) "Laboratory medicine", the collection and analysis of body fluids to provide
- 23 information to help aid the diagnosis and treatment of patients;
- 24 (8) "Legend drug", the same meaning given to the term in section 338.330;
- 25 (9) "License", a license issued by the board to an individual in accordance with
- 26 sections 324.1900 to 324.1970 and rules of the board authorizing that individual to
- 27 practice naturopathic medicine in this state;
- 28 (10) "Licensee", an individual who holds a license to practice naturopathic
- 29 medicine;
- 30 (11) "Minor office procedure", any minor office procedure including, but not
- 31 limited to, the following:
- 32 (a) Care and procedures incident thereto of superficial lacerations, lesions, or
- 33 abrasions and the removal of foreign bodies located in superficial structures, not to
- 34 include the eye;
- 35 (b) The use of antiseptics and topical or local anesthetics in connection with the
- 36 procedures described in paragraph (a) of this subdivision;
- 37 (c) Intramuscular, intravenous, subcutaneous, and intradermal injections of
- 38 substances consistent with the practice of naturopathic medicine;
- 39 (d) Trigger point therapy;
- 40 (e) The use of noninvasive and minimally invasive aesthetic lasers that cannot be
- 41 used for major surgeries or cutting;
- 42 (f) Dermal stimulation; and
- 43 (g) Allergy testing.
- 44
- 45 The definition of "minor office procedures" does not include general anesthetics or
- 46 surgery;
- 47 (12) "Naturopathic doctor", an individual licensed in this state to practice
- 48 naturopathic medicine as a naturopathic doctor in accordance with sections 324.1900 to
- 49 324.1970;

50 (13) "Naturopathic medicine", a system of health care for the prevention,
51 diagnosis, and treatment of human health conditions, injury, and disease; the promotion
52 or restoration of health; and the support and stimulation of a patient's inherent self-
53 healing processes through patient education and the use of naturopathic therapies;

54 (14) "Naturopathic physical medicine", the use of one or more of the following
55 physical agents or treatments in a manner consistent with naturopathic medical practice
56 on a part or the whole of the body, by hand or by mechanical means, in the resolution of
57 a human ailment or condition: air, water, heat, cold, sound, light, electromagnetism,
58 nondiagnostic ultrasound, cold laser, colon hydrotherapy, soft tissue therapy, joint
59 mobilization, therapeutic exercise, and treatments taught in any approved naturopathic
60 medical education program that are not otherwise prohibited by sections 324.1900 to
61 324.1970;

62 (15) "Naturopathic therapies", any of the following exemplified in a standard
63 naturopathic medical text, journal, or pharmacopeia: food; extracts of food; vitamins;
64 minerals; nutraceuticals; oxygen; botanicals; enzymes; amino acids; homeopathics;
65 hormones; hormonal or pharmaceutical contraceptives; all dietary supplements and
66 nonprescription drugs as defined by the Federal Food, Drug, and Cosmetic Act, 21
67 U.S.C. Section 301 et seq.; human cellular and tissue-based products that are not
68 regulated as drugs; such legend drugs and controlled substances that are consistent with
69 naturopathic medical practice; and any other physiologic substances;

70 (16) "Nutritional counseling", the prevention and treatment of disease or other
71 human conditions through the use of food, water, herbs, roots, bark, or natural food
72 elements;

73 (17) "Prescription", the same meaning given to the term in section 338.095;

74 (18) "Professional examination", a competency-based national licensing
75 examination administered by the North American Board of Naturopathic Examiners
76 or its successor agency, which board has been nationally recognized to administer a
77 naturopathic examination that represents federal standards of education and training;

78 (19) "Radiography", radiographic diagnostic and other imaging studies
79 including, but not limited to, x-ray, diagnostic ultrasound, mammogram, bone
80 densitometry, computed tomography, positron emission tomography, and magnetic
81 resonance imaging;

82 (20) "Therapeutic device", an instrument or an apparatus intended for use in
83 diagnosis or treatment and in the prevention of disease or maintenance or restoration of
84 health.

 324.1910. 1. There is hereby created within the division a board to be known as
2 the "Board of Naturopathic Medicine".

3 2. The board of naturopathic medicine shall consist of five members appointed
4 by the governor, all of whom shall be residents of this state. Three members shall be
5 naturopathic doctors as described in subsection 5 of this section, one member shall be a
6 physician licensed under chapter 334, and one member shall be a public member as
7 described in subsection 6 of this section.

8 3. The initial members of the board shall be appointed for staggered terms, the
9 longest of which shall not exceed four years. Following the initial appointments, all
10 terms shall be for three years, and no member of the board shall serve more than three
11 terms.

12 4. The initial physician member licensed under chapter 334 shall have at least
13 four years of experience in the practice of medicine or osteopathic medicine.

14 5. (1) The initial three naturopathic doctor members shall each have at least
15 four years of experience in the practice of naturopathic medicine and shall each be
16 eligible to become licensed under sections 324.1900 to 324.1970.

17 (2) Any naturopathic doctor member appointed following the initial
18 appointments to the board shall be licensed under sections 324.1900 to 324.1970 and
19 shall actively practice naturopathic medicine in this state for the duration of his or her
20 appointment.

21 6. The public member shall be, at the time of the member's appointment, a
22 citizen of the United States, a resident of this state for a period of at least one year, and a
23 registered voter. The public member shall not have been a member of any profession
24 licensed or regulated under sections 324.1900 to 324.1970 or an immediate family
25 member of such a person. The public member shall not have had a material financial
26 interest in the provision of naturopathic medicine or in an activity or organization
27 directly related to any profession licensed or regulated under sections 324.1900 to
28 324.1970. The duties of the public member shall not include any determination of the
29 technical requirements to be met for licensure or whether any candidate for licensure
30 meets such technical requirements or any determination of the technical competence or
31 technical judgment of a licensee or candidate for licensure.

32 7. In the event of death, resignation, or removal of any member of the board
33 before the expiration of the term to which he or she was appointed, the vacancy shall be
34 filled for the unexpired portion of the term in the same manner as the original
35 appointment.

36 8. The board shall, within thirty days after the appointment of all members, and
37 at least annually thereafter, hold a meeting and elect from its membership a chair, a vice
38 chair, and a secretary. The board may hold additional meetings as may be required in
39 the performance of its duties at the call of the chair or upon the written request of any

40 two members of the board. Notice of every meeting shall be given to each member at
41 least three days before the date of the meeting.

42 9. The board may appoint such committees as it considers necessary to carry out
43 its duties.

44 10. A quorum of the board shall consist of a majority of its voting members. The
45 affirmative vote of a majority of a quorum of the board shall be required to carry a
46 motion or resolution, to adopt a rule, or to pass a measure.

47 11. The governor may remove a board member for misconduct, incompetence,
48 or neglect of official duties after giving the board member written notice of the charges
49 and an opportunity to be heard.

50 12. Notwithstanding any other provision of law, any appointed member of the
51 board shall receive as compensation an amount established by the director of the
52 division, not to exceed seventy-five dollars per member per day for commission business
53 plus actual and necessary expenses including, but not limited to, travel expenses. The
54 director of the division shall establish by rule guidelines for payment. All staff for the
55 board shall be provided by the division.

324.1915. 1. The board shall adopt rules that are necessary or proper for the
2 administration of sections 324.1900 to 324.1970 including, but not limited to, rules on:

3 (1) Regulating the licensure of naturopathic doctors and determining the hours
4 of continuing education units required for maintaining licensure as a naturopathic
5 doctor;

6 (2) Establishing the manner in which records of examinations and treatments
7 shall be kept and maintained;

8 (3) Establishing standards for professional responsibility and conduct;

9 (4) Identifying disciplinary actions and circumstances that require disciplinary
10 action;

11 (5) Developing a means to provide information to all licensees in the state;

12 (6) Providing for the investigation of complaints against licensees or persons
13 holding themselves out as naturopathic doctors in this state;

14 (7) Providing for the publication of information for the public about licensees
15 and the practice of naturopathic medicine in this state;

16 (8) Providing for an orderly process for reinstatement of a license;

17 (9) Establishing criteria for advertising or promotional materials;

18 (10) Establishing continuing education requirements related to hours and
19 acceptable content;

20 (11) Establishing standards for the state jurisprudence examination;

21 (12) Establishing procedures and standards for reviewing licensing examination
22 scores;

23 (13) Establishing procedures for reviewing transcripts demonstrating
24 completion of the approved naturopathic medical education program;

25 (14) Establishing the requirements for issuance and renewal of licenses; and

26 (15) Regulating any other matter necessary to implement sections 324.1900 to
27 324.1970.

28 2. The board shall establish and maintain a list of naturopathic medical
29 education programs that meet the requirements of section 324.1930.

30 3. The board shall administer and enforce all provisions of sections 324.1900 to
31 324.1970 and all rules adopted by the board under the authority granted in sections
32 324.1900 to 324.1970.

33 4. The board shall set the amount of the fees that sections 324.1900 to 324.1970
34 authorize and require by rules and regulations promulgated under section 536.021. The
35 fees shall be set at a level to produce revenue that shall not substantially exceed the cost
36 and expense of administering sections 324.1900 to 324.1970.

37 5. All fees payable under sections 324.1900 to 324.1970 shall be collected by the
38 division and transmitted to the department of revenue for deposit in the state treasury
39 to the credit of the board of naturopathic medicine fund established under section
40 324.1920.

41 6. The board shall employ permanent or temporary personnel it deems
42 necessary to carry out the purposes of sections 324.1900 to 324.1970 and designate their
43 duties.

44 7. Any rule or portion of a rule, as that term is defined in section 536.010, that is
45 created under the authority delegated in this section shall become effective only if it
46 complies with and is subject to all of the provisions of chapter 536 and, if applicable,
47 section 536.028. This section and chapter 536 are nonseverable and if any of the powers
48 vested with the general assembly pursuant to chapter 536 to review, to delay the
49 effective date, or to disapprove and annul a rule are subsequently held unconstitutional,
50 then the grant of rulemaking authority and any rule proposed or adopted after August
51 28, 2026, shall be invalid and void.

 324.1920. 1. There is hereby created in the state treasury the "Board of
2 Naturopathic Medicine Fund". All fees authorized to be charged by the board shall be
3 collected by the director of the division and shall be transmitted to the department of
4 revenue for deposit in the state treasury for credit to this fund. The state treasurer shall
5 be custodian of the fund. In accordance with sections 30.170 and 30.180, the state
6 treasurer may approve disbursements. The fund shall be a dedicated fund and, upon

7 appropriation, moneys in this fund shall be used solely in payment of expenses of
8 maintaining the board and for the enforcement of the provisions of law concerning the
9 practice of naturopathic medicine.

10 2. Notwithstanding the provisions of section 33.080 to the contrary, moneys in
11 this fund shall not be transferred and placed to the credit of general revenue until the
12 amount in the fund at the end of the biennium exceeds three times the amount of the
13 appropriation from the fund for the preceding fiscal year. The amount, if any, in the
14 fund that shall lapse is that amount in the fund that exceeds the appropriate multiple of
15 the appropriations from the fund for the preceding fiscal year.

16 3. The state treasurer shall invest moneys in the fund in the same manner as
17 other funds are invested. Any interest and moneys earned on such investments shall be
18 credited to the fund.

324.1925. The board shall issue a license to an applicant who:

2 (1) Is of good moral character, in accordance with standards established by rules
3 of the board;

4 (2) Submits, in accordance with rules of the board, the following items to the
5 board:

6 (a) An application for licensure designed and approved by the board and
7 submitted in accordance with rules of the board;

8 (b) An application fee submitted in an amount and manner established by rules
9 of the board;

10 (c) Evidence that the applicant has graduated from an approved naturopathic
11 medical education program;

12 (d) Evidence that the applicant has successfully completed a professional
13 examination or, for graduates of approved naturopathic medical education programs in
14 the United States prior to the existence of the Council on Naturopathic Medical
15 Education, a competency-based state naturopathic medicine licensing examination or
16 equivalent Canadian provincial licensing examination for the practice of naturopathic
17 medicine approved by the board;

18 (e) Evidence that the applicant has passed a pharmacy examination authorized
19 by rules of the board and administered by the North American Board of Naturopathic
20 Examiners;

21 (f) Evidence that the applicant has passed a state jurisprudence examination
22 that meets standards established in rules of the board; and

23 (g) Evidence of professional liability insurance;

24 (3) Is determined by the board to be physically and mentally capable of safely
25 practicing naturopathic medicine with or without reasonable accommodation; and

26 (4) Has not had a license to practice naturopathic medicine or other health care
27 license, registration, or certificate refused, revoked, or suspended by any other
28 jurisdiction for reasons that relate to the applicant's ability to skillfully and safely
29 practice naturopathic medicine unless that license, registration, or certification has been
30 restored to good standing by that jurisdiction.

 324.1930. 1. The board shall establish by rule guidelines for the licensure
2 requirements described in section 324.1925 relating to graduation from an approved
3 naturopathic medical education program. The guidelines shall meet the requirements of
4 this section and the board's specifications for the education of naturopathic doctors.

5 2. The requirement for graduation from an approved naturopathic medical
6 education program shall be interpreted in the guidelines as requiring, at a minimum,
7 graduation from:

8 (1) A naturopathic medical education program in the United States providing
9 the degree of doctor of naturopathic medicine, which shall:

10 (a) Offer graduate-level, full-time didactic and supervised clinical training;

11 (b) Be accredited or have achieved candidacy status for accreditation by the
12 Council on Naturopathic Medical Education or an equivalent federally recognized
13 accrediting body for naturopathic medical programs also recognized by the board; and

14 (c) Be an institution of higher education or part of an institution of higher
15 education that is either accredited or is a candidate for accreditation by a regional or
16 national institutional accrediting agency recognized by the United States Secretary of
17 Education;

18 (2) A degree-granting institution of higher education that, prior to the existence
19 of the Council on Naturopathic Medical Education, offered a full-time, structured
20 curriculum in basic sciences and supervised patient care comprising a doctoral
21 naturopathic medical education requiring not less than one hundred thirty-two weeks of
22 coursework to be completed within a period of not less than thirty-five months, which
23 was reputable and in good standing in the judgment of the board and which if still in
24 existence has current programmatic accreditation by the Council on Naturopathic
25 Medical Education or a federally recognized equivalent accrediting agency;

26 (3) A diploma-granting, degree-equivalent institution of higher education
27 located in Canada that, prior to the existence of the Council on Naturopathic Medical
28 Education, had provincial approval for participation in government-funded student aid
29 programs, offered a full-time, structured curriculum in basic sciences and supervised
30 patient care comprising a doctoral naturopathic medical education requiring not less
31 than one hundred thirty-two weeks of coursework to be completed within a period of
32 not less than thirty months, was reputable and in good standing in the judgment of the

33 board, and if still in existence, has current programmatic accreditation by the Council
34 on Naturopathic Medical Education or a federally recognized equivalent accrediting
35 agency and currently has provincial approval for participation in government-funded
36 student aid programs; or

37 (4) A diploma-granting, degree-equivalent institution of higher education
38 located in Canada that has provincial approval for participation in government-funded
39 student aid programs, offers graduate-level, full-time didactic and supervised clinical
40 training, and is accredited or has achieved candidacy status for accreditation by the
41 Council on Naturopathic Medical Education or an equivalent federally recognized
42 accrediting body for naturopathic medical programs also recognized by the board.

324.1935. 1. A person who holds a license under sections 324.1900 to 324.1970
2 shall display the licensee's license in the licensee's place of business in a location clearly
3 visible to the licensee's patients and shall also display evidence of the licensee having
4 completed an approved naturopathic medical education program.

5 2. A person who practices, conducts affairs, or is employed at more than one
6 location and who maintains a continuing activity as authorized by the license shall
7 display a duplicate of such document issued by the board at each location.

324.1940. A licensee may practice naturopathic medicine to provide primary
2 care in alignment with naturopathic medical education by:

- 3 (1) Performing common diagnostic procedures;
- 4 (2) Administering, dispensing, and ordering naturopathic therapies;
- 5 (3) Recommending, prescribing, administering, dispensing, and ordering:
 - 6 (a) All legend drugs and over-the-counter drugs;
 - 7 (b) Controlled substances within Schedules III, IV, and V of section 195.017,
8 excluding all opioids and opioid derivatives; and
 - 9 (c) Durable medical equipment and devices;
- 10 (4) Administering substances authorized for intradermal, subcutaneous,
11 intramuscular, intravenous, ligamentous, tendinous, periarticular, intra-articular,
12 intravaginal, and intrauterine administration consistent with the education and
13 training of a naturopathic doctor;
- 14 (5) Performing naturopathic physical medicine;
- 15 (6) Recommending, ordering, and using therapeutic devices;
- 16 (7) Recommending, ordering, and using barrier contraception and contraceptive
17 devices, including intrauterine devices;
- 18 (8) Performing minor office procedures;
- 19 (9) Providing biofeedback and neurofeedback therapies; and

20 (10) Providing health care counseling, nutritional counseling, and dietary
21 therapy.

 324.1945. A naturopathic doctor who prescribes in accordance with section
2 324.1940 shall:

3 (1) Record each prescription order in writing, which may include an
4 electronically recorded and transmitted communication. The order shall include the
5 name, address, and telephone number of the naturopathic doctor;

6 (2) Prescribe only when the naturopathic doctor has adequate education,
7 training, and experience to safely manage the medical regimen; and

8 (3) Register with the United States Drug Enforcement Administration (DEA) in
9 order to prescribe controlled substances authorized by sections 324.1900 to 324.1970.

 324.1950. A licensee shall refer to a physician licensed and authorized to engage
2 in the practice of medicine as described in section 334.010 any patient whose medical
3 condition should, at the time of evaluation or treatment, be determined to be beyond the
4 scope of practice of the licensee.

 324.1955. A licensee shall not:

2 (1) Perform major surgery;

3 (2) Use general or spinal anesthetics;

4 (3) Administer ionizing radioactive substances for therapeutic purposes;

5 (4) Perform a surgical procedure using a laser device;

6 (5) Perform a surgical procedure involving any of the following areas of the body
7 that extends beyond superficial tissue: eyes, ears, tendons, nerves, veins, or arteries;

8 (6) Perform a surgical or medical abortion;

9 (7) Treat any lesion suspected of malignancy or requiring surgical removal;

10 (8) Practice chiropractic medicine;

11 (9) Practice acupuncture; or

12 (10) Practice physical therapy.

 324.1960. Nothing in sections 324.1900 to 324.1970 shall be construed to prohibit
2 or to restrict:

3 (1) The practice of a health care profession by an individual who is licensed,
4 certified, or registered under other laws of this state and who is performing services
5 within the individual's authorized scope of practice;

6 (2) The practice of naturopathic medicine by a student enrolled in an approved
7 naturopathic medical education program, provided that the practice of naturopathic
8 medicine by a student is performed as specified by a course of instruction or an
9 assignment from an instructor and under the supervision of an instructor who is a
10 licensee or a duly licensed professional in the instructed field;

11 (3) Any person who sells a vitamin or herb from providing information about
12 the vitamin or herb;

13 (4) The practice of naturopathic medicine by persons who are licensed to
14 practice in any other state or district in the United States and who enter this state to
15 consult with a naturopathic doctor of this state, provided that the consultation is limited
16 to examination, recommendation, or testimony in litigation; or

17 (5) Any person or practitioner who is not licensed as a naturopathic doctor from
18 recommending ayurvedic medicine, herbal remedies, nutritional advice, homeopathy, or
19 other therapy that is within the scope of practice of naturopathic medicine, provided
20 that the person or practitioner shall not:

21 (a) Use a title protected under section 324.1965;

22 (b) Represent or assume the character or appearance of a licensee; or

23 (c) Otherwise use a name, title, or other designation that indicates or implies that
24 the person is a licensee.

 324.1965. 1. A licensee shall use the title "naturopathic physician" or
2 "naturopathic doctor" and the recognized abbreviation "N.D.".

3 2. A licensee has the exclusive right to use the following terms in reference to the
4 licensee's self: "naturopathic physician", "naturopathic doctor", "doctor of
5 naturopathic medicine", "N.D.", "ND", "NMD", and "N.M.D.".

6 3. An individual represents the individual's self to be a naturopathic physician or
7 a naturopathic doctor when the individual uses or adopts any of the following terms in
8 reference to the individual's self: "naturopathic physician", "naturopathic doctor",
9 "doctor of naturopathic medicine", "N.D.", "ND", "NMD", and "N.M.D.".

10 4. An individual shall not represent the individual's self to the public as a
11 naturopathic physician, a naturopathic doctor, or a doctor of naturopathic medicine, or
12 as being otherwise authorized to practice naturopathic medicine in this state, unless the
13 individual is a licensee.

 324.1970. 1. The board may refuse to issue, renew, or reinstate any license
2 required by sections 324.1900 to 324.1970 for one or any combination of causes stated in
3 subsection 2 of this section. The board shall notify the applicant in writing of the
4 reasons for the refusal and shall advise the applicant of his or her right to file a
5 complaint with the administrative hearing commission as provided in chapter 621.

6 2. The board may cause a complaint to be filed with the administrative hearing
7 commission as provided by chapter 621 against any holder of a license issued under
8 sections 324.1900 to 324.1970 or any person who has failed to renew or has surrendered
9 his or her license for any one or any combination of the following causes:

10 (1) The person has been finally adjudicated and found guilty, or entered a plea of
11 guilty or nolo contendere, in a criminal prosecution under the laws of any state, of the
12 United States, or of any country for any offense directly related to the duties and
13 responsibilities of the occupation, as set forth in section 324.012, regardless of whether a
14 sentence is imposed;

15 (2) Use of fraud, deception, misrepresentation, or bribery in securing any license
16 issued under sections 324.1900 to 324.1970 or in obtaining permission to take any
17 examination given or required under sections 324.1900 to 324.1970;

18 (3) Obtaining or attempting to obtain any fee, charge, tuition, or other
19 compensation by fraud, deception, or misrepresentation;

20 (4) Incompetency, misconduct, gross negligence, fraud, misrepresentation, or
21 dishonesty in the performance of the functions or duties of the profession regulated by
22 sections 324.1900 to 324.1970;

23 (5) Violation of, or assisting or enabling any person to violate, any provision of
24 sections 324.1900 to 324.1970 or of any lawful rule or regulation adopted under sections
25 324.1900 to 324.1970;

26 (6) Impersonation of any person holding a license or allowing any other person
27 to use his or her diploma from any school;

28 (7) Disciplinary action against the holder of a license or other right to practice
29 the profession regulated by sections 324.1900 to 324.1970 granted by another state,
30 territory, federal agency, or country upon grounds for which revocation or suspension is
31 authorized in this state;

32 (8) A person is finally adjudged insane or incompetent by a court of competent
33 jurisdiction;

34 (9) Issuance of a license based upon a material mistake of fact; or

35 (10) Use of any advertisement or solicitation that is false, misleading, or
36 deceptive to the general public or persons to whom the advertisement or solicitation is
37 primarily directed.

38 3. Any person, organization, association, or corporation that reports or provides
39 information to the board or division in accordance with the provisions of sections
40 324.1900 to 324.1970 and that does so in good faith and without negligence shall not be
41 subject to an action for civil damages as a result thereof.

42 4. After the filing of a complaint under subsection 2 of this section, the
43 proceedings shall be conducted in accordance with the provisions of chapter 621. Upon
44 a finding by the administrative hearing commission that one or more of the grounds for
45 disciplinary action provided in subsection 2 of this section are met, the board may,
46 singly or in combination, censure or place the person named in the complaint on

47 **probation or suspension or revoke the license of the person on such terms and**
48 **conditions as the board deems appropriate.**

✓