

# Senate Health and Human Services Committee

*Sophie Walsh 271-3469*

**SB 452**, enabling health care providers to offer certain complementary and alternative health care services.

**Hearing Date:** February 11, 2026

**Time Opened:** 9:37 a.m.

**Time Closed:** 10:29 a.m.

**Members of the Committee Present:** Senators Rochefort, Avard, Birdsell, Prentiss and Long

**Members of the Committee Absent:** None

**Bill Analysis:** This bill enables an individual to offer certain complementary and alternative health care services to patients notwithstanding state licensing requirements, provided that the individual does not engage in certain conduct, and the individual discloses their qualifications and obtains informed consent from the patient for such services.

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**Sponsors:**

Sen. Ward

Sen. Long

Sen. Avard

Sen. Rochefort

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**Who supports the bill:** Sen. Ward, Sen. Rochefort, Leslie Jose, Jessie Mulligan, Julie Booras (National Health Freedom Action), Aubrey Freedman, Lori Schreier, Tara Lamper, Melanie Kasparian, Daniel Richardson, Catherine Ruel, Pamela Harders, Kaitlyn Stefanski, Eleanore Kruger, Sabine Duran, Susan Fitzgerald, Joseph Modugno, Shoko Franklin, MaryEllen Bridges, Rozlyn Levine, David Levine, Jill Capriccio, Rosina Lis, Timothy Lis, Anna Cronin, Alice Richer, Gabrielle Lamontagne, Polly Mahoney, Lisa Pendergast, Colleen Hartman, and Elizabeth Lefebvre.

**Who opposes the bill:** Ben Bradley (NH Hospital Association), Eric Zaenglein, Corinne Gordon, Ashleigh Shenton, Julia Mead, Katie McLaughlin, Suzanna Derynioski, Cathy Stratton (NH Medical Society), Danielle Albushies, and Alex de Geofroy.

**Who is neutral on the bill:** Deanna Jurius (OPLC).

**Summary of testimony presented:**

Senator Ruth Ward, Senate District 8

- Senator Ward stated that she is introducing this bill on behalf of a constituent.

- This bill will enable an individual to offer certain complementary and alternative health care services to patients notwithstanding state licensing requirements, provided that the individual does not engage in certain conduct and the individual discloses their qualification and obtains informed consent from the patient.
- Similar legislation has passed in several states, including Maine, Nevada, Colorado, New Mexico, Arizona, Louisiana, Rhode Island, California, Minnesota, and Idaho.
- Allowing these services will increase the types of treatments available to patients, while preserving consumer protections.
- Through disclosure and transparency, patients are able to better understand the difference between licensed and unlicensed providers.
- These practitioners would not be able to provide surgery, administer X-Rays, set fractures, prescribe or dispense prescription drugs, manipulate joints or the spine, recommend an individual discontinue current medical treatment prescribed by a licensed health care practitioner, or indicate they are licensed as a provider if they are not.
- Senator Ward introduced an amendment that would better align this bill with legislation in other states by making a technical correction to the definition of complementary and alternative health care services.

Deanna Jurius, Office of Professional Licensure and Certification

- While the Office of Professional Licensure and Certification (OPLC) is not taking a position on this policy, there are concerns about the broadness of this language and unintended consequences.
- Director Jurius expressed concern about people who hold licenses potentially being able to provide complementary and alternative services. Currently, if someone provides services outside of their scope of practice, there is cause for potential discipline within their profession. She believes this language may cause some confusion with existing law.
- While Director Jurius does not think this is the intent of the bill, she does think this is what the bill as written could imply.
- Director Jurius asked for greater clarity and narrowing of scope to address these concerns.
- Director Jurius reviewed the amendment and said she believes this may make the language even broader. She said she is happy to work with the Committee on this.
- Senator Rochefort noted that there is a standard of practice for licensed professions and asked how Director Jurius would see oversight mixing without any standard of practice, given the broadness of the bill.

- Director Jurius does not see this as creating any oversight, licensing, credentialing, rulemaking, or discipline. While unclear on the intent, she sees this as saying individuals can do things they define as complementary and alternative health care services without a license. She believes this may be the current situation if the statute is silent on this.
- She emphasized that including this in a licensing scheme introduces confusion for licensed professionals. She questioned what would stop anyone licensed in the health care profession from claiming that they were providing alternative care in situations.
- Senator Rochefort asked what would stop someone trained in homeopathy from using that training in New Hampshire currently, as it is not prohibited. He also asked if this would provide any delineation or protection.
- Director Jurius said she does not see anything in the language that creates more protection.
- Senator Avard confirmed that there would be no credentialing or rulemaking if this goes forward, and Director Jurius confirmed.
- Senator Prentiss asked if there is a list of who this may or may not apply to. She noted that there are businesses, such as spas with licensed massage therapists, that may advertise these treatments and asked if this is what the bill is referring to.
- Director Jurius said she believes this may apply to things like Ayurveda, Reiki healing, and things like homeopathy. She noted that none of this is in the language, nor is there a mention of licensed professions.
- Senator Prentiss noted that there is a section of the bill applying to transparency and consent. She asked if this could be enacted without any implications without requiring licensure.
- Director Jurius emphasized that she does not see any enforcement mechanism and noted that it would seem to be a civil remedy.
- Senator Long asked if Director Jurius' major concern is licensed professionals crossing into different scopes of practice.
- Director Jurius explained that every licensed profession has a narrow scope of practice and code of ethics. If a professional were to step outside those bounds, there could be discipline via a licensing entity. The concern is that this may open a way through and muddy the waters. She noted that someone may claim that a practice that was discontinued for not meeting national standards is alternative care.

#### Aubrey Freedman

- Mr. Freedman stated that he is speaking in support of the bill.
- This bill would add more options for consumers.

- People will be more willing to provide health care if they do not have to worry about getting in trouble with a licensing entity. Mr. Freedman described this as a safe harbor law.
- The bill specifically excludes safety-related procedures, so that they will remain with licensed professionals.
- Mr. Freedman listed herbalists, naturopaths, energy healers, wellness consultants, homeopaths, and body workers as potential practitioners this may apply to. These are practices that may help people improve their health.
- Mr. Freedman referenced informed consent and emphasized that there are many things at play to ensure consumers are aware that these providers are not licensed.
- Mr. Freedman explained that the health care system is currently overburdened, particularly in rural areas. He emphasized that this may help reduce that burden and noted that the right to sue is retained if there is harm or negligence.

#### Julie Booras, National Health Freedom Action

- Ms. Booras stated that she is speaking in support of the bill.
- New Hampshire residents want to provide a safe harbor for complementary and alternative health care practitioners who do not have conventional medical or health profession licenses, such as herbalists and homeopaths.
- This bill would protect consumer access to these practitioners and set clear expectations for unlicensed practitioners, including a list of prohibited acts and disclosure requirements.
- This bill would allow abiding complementary and alternative practitioners to practice without the worry of being charged with practicing medicine or other health professions without a license.
- In most states, the definitions in health care profession statute are very broad, sometimes covering all forms of healing. Under these definitions, anyone acting within that scope unlicensed could be criminally charged or fined.
- This bill does not change current health care profession statute or the definitions. It provides an exemption to professional licensing requirements for unlicensed complementary and alternative practitioners, so they will not be accused of unlicensed practice if they follow guidelines.
- This bill will protect the broad domain of complementary and alternative healing modalities that do not rise to the level of potential harm requiring regulation. It also adds transparency and consumer protections.
- Consumers want to use these therapies alongside conventional options. They want access to practitioners who can help them navigate holistic health choices. Yet, finding a practitioner to discuss these choices with can be challenging because they work in a vulnerable legal environment.

- Senator Long asked Ms. Booras if she sees this as being beneficial for unlicensed people or licensed professionals.
- Ms. Booras said she sees this as being beneficial for those who are unlicensed.
- Senator Rochefort asked if Ms. Booras envisions a scenario in which a professional who is licensed in one modality and wants to pursue something else that is not licensed would be able to do both things.
- Ms. Booras noted that there are exclusions outlined in the end of the bill and said she would have to get back to the Committee with an answer.
- Senator Rochefort explained that the state licenses and oversees professionals in the name of patient safety. He expressed concern about this applying to anyone as long as there is informed consent, as there isn't a specification of who this applies to.
- Ms. Booras said she believes the goal of this bill is to protect some of the ancient and long-time holistic healing therapies that are not harmful and thus do not rise to the level of needing licensure.

#### Jessie Mulligan

- Ms. Mulligan stated that she is speaking in support of the bill as someone with lived experience and a scientific background.
- As an herbalist, Ms. Mulligan does not diagnose disease or replace licensed medical care. She works transparently within clear boundaries and with informed consent.
- This bill allows individuals like Ms. Mulligan to practice without legal ambiguity. This directly impacts her work and her ability to serve the community ethically and transparently.
- This bill sets clear boundaries and requires honest disclosure. It respects the roles of licensed medical professionals, while recognizing that health is dynamic.
- This bill strengthens public safety and brings alternative wellness practices into the light.
- This bill respects adults' rights to make informed choices about their own bodies, while preserving the role of licensed medical professionals.
- Senator Rochefort asked how Ms. Mulligan's practice would change if this bill were signed into law today.
- Ms. Mulligan explained that she would be able to operate without fear of legal ambiguity.
- Senator Rochefort asked what is currently ambiguous in Ms. Mulligan's role.
- Ms. Mulligan explained that people often look for licensing or a systemic right to practice when seeking advice about livelihood and wellness, but there is no license for the advice and support that she provides. This change will give her confidence to provide care.

- Senator Rochefort asked if Ms. Mulligan is saying there should be licensing, and she said there cannot be licensing for this vast work because there is no license that can catch all of it. This bill provides confidence for practitioners to disclose their work and experience, letting patients make an informed decision.
- Senator Rochefort noted that he is a licensed professional and has consulted people in the past on herbal therapy, homeopathy, and lifestyle changes. He explained that if he were to make a mistake and someone gets hurt, he would lose his license. He questioned why some individuals should have a license that could be lost, while others don't.
- Ms. Mulligan said that some people choose to follow their heart.

#### Leslie Jose

- Ms. Jose stated that she is speaking in support of the bill.
- The practices being impacted by this are wellness practices. Practices within the medical system have a need for licensing and oversight, but these practices are non-invasive and do not need licensure.
- There is nothing alternative about these practices. They are complementary to other health care services and a person's wellbeing.
- Ms. Jose referenced a Pew Research Center study from 2016 indicating that 49% of Americans utilize complementary and alternative health care options. Since then, the use of these services has increased.
- Both practitioners and consumers will benefit from this bill. Passage of this bill will support the continuation of Ms. Jose's livelihood and the services the public wants.
- Ms. Jose described this bill as a win-win for both the state and citizens.
- She emphasized that these services do not and should not replace access to the medical system.
- These services often enhance an individual's sense of wellbeing and often enhance the outcomes of mainstream medicine.
- As stress in peoples' lives increase, supporting access to holistic and non-invasive practitioners keeps residents healthy.
- Senator Long asked if Ms. Jose currently has informed consent, and she confirmed. She explained that she does not know of any practitioner who does not have disclosure. She emphasized that these services serve as an important link to the medical system.
- Senator Long asked if Ms. Jose has ever determined in her years of practice that something she was doing may not have been the best practice.
- Ms. Jose explained that there is no harm in being a part of life's energy. She emphasized that there are scopes of practice and she does not diagnose anything.

- Ms. Jose addressed Senator Rochefort's earlier question about licensed professionals simultaneously providing unlicensed practices and said that would need to be taken up with the individual's licensing entity.
- Senator Avard asked if this is protecting against the fear of something like malpractice.
- Ms. Jose emphasized that this is about access rather than fear. If this were to move towards licensure, many practitioners would not have the financing to support it. She emphasized that there is no need for licensure.
- Senator Avard asked if Ms. Jose is currently aware of any instances in which people have gone out of business or experienced negative impacts in practicing these services.
- Ms. Jose explained that she is not aware of any instances. She noted that the bill addresses those who step out of appropriate actions.
- Senator Rochefort asked how today's state of government is getting in the way of these practices.
- Ms. Jose explained that the instability about what is going to happen is in the way. There is security in having a law that places safeguards and a clear foundation. She noted that she is less concerned with the legal piece and more concerned about being told a license is needed for something that does not need to be licensed.
- Senator Rochefort asked if this bill would validate these services or give a claim of efficacy or value, if passed.
- Ms. Jose said this bill offers stability for practitioners where they are. The bill does not give permission for practitioners to do more than what they are currently doing. She also noted that this will ensure availability of practitioners for consumers.
- Senator Avard noted that he is a cosponsor of this bill and explained that if passed, it would have to go through rulemaking. He asked how this would be enforced.
- Ms. Jose emphasized that language is important. Having this bill go forward would allow more clarity for both her and the public accessing these services.
- Senator Long asked how many of the clients Ms. Jose provides for also see a licensed health professional.
- Ms. Jose explained that all of her clients have a licensed health care professional and emphasized that these services do not replace health care services. Intake paperwork asks if clients have a primary care provider, and if one does not, Ms. Jose can help direct them in finding one.