

HOUSE BILL REPORT

SB 5320

As Reported by House Committee On:
Health Care & Wellness

Title: An act relating to modifying the name of and titles within the acupuncture profession.

Brief Description: Modifying the name of and titles within the acupuncture profession.

Sponsors: Senators Murray, Kohl-Welles and Shin.

Brief History:

Committee Activity:

Health Care & Wellness: 3/17/09, 3/26/09 [DPA].

**Brief Summary of Bill
(As Amended by House)**

- Changes the term "acupuncture" to "Oriental medicine."
- Changes the term "acupuncturist" to "Oriental medicine practitioner."

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: Do pass as amended. Signed by 13 members: Representatives Cody, Chair; Driscoll, Vice Chair; Ericksen, Ranking Minority Member; Bailey, Campbell, Clibborn, Green, Herrera, Hinkle, Kelley, Moeller, Morrell and Pedersen.

Staff: Jim Morishima (786-7191)

Background:

No person may practice acupuncture, or hold themselves out to the public as an acupuncturist, unless he or she is licensed by the Department of Health (DOH). Acupuncture is defined as a health care service based on an Oriental system of medical theory utilizing Oriental diagnosis and treatment to promote health and treat organic or functional disorders by treating specific acupuncture points or meridians. Acupuncture includes the following techniques:

- use of acupuncture needles to stimulate acupuncture points and meridians;

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- use of electrical, mechanical, or magnetic devices to stimulate acupuncture points and meridians;
- moxibustion;
- acupressure;
- cupping;
- dermal friction technique;
- infra-red;
- sonopuncture;
- laserpuncture;
- point injection therapy; and
- dietary advice based on Oriental medical theory.

Acupuncturists are subject to licensure and discipline by the DOH under the Uniform Disciplinary Act.

Summary of Amended Bill:

Statutory references to "acupuncture" and "acupuncturist" are changed to "Oriental medicine" and "Oriental medicine practitioner." A person licensed as an acupuncturist prior to the bill's effective date must, at his or her next license renewal date, be given the title of Oriental medicine practitioner.

Amended Bill Compared to Original Bill:

The amended bill removes the provisions of the original bill that do not directly relate to changing the name of acupuncture/acupuncturist by:

- restoring the treatment of "specific acupuncture points or meridians" to the definition of acupuncture/Oriental medicine;
 - removing provisions allowing Oriental medicine practitioners licensed in other jurisdictions to practice in Washington during a disaster or emergency;
 - restoring the ad hoc advisory committee and removing the permanent advisory committee;
 - restoring the requirement that an acupuncturist/Oriental medicine practitioner develop a written plan for consultation, emergency transfer, and referral; and
 - restoring the requirement that acupuncture/Oriental medicine treatment ceases if a patient with a serious disorder refuses consultation or diagnosis from a licensed physician.
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Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The statutes relating to acupuncture/Oriental medicine have not been updated since 1985. This bill is an incremental approach to clarifying and updating these statutes to bring them in line with current educational standards: the bill only updates terms; creates an advisory committee; and makes some housekeeping changes. This bill does not affect scope of practice. The current statutes use the name of a single modality (acupuncture) to describe multiple modalities based on a system of medicine; Oriental medicine is therefore a more accurate term. Acupuncturists/Oriental medicine practitioners have extensive educational requirements and a low complaint rate. The practice of Oriental medicine is currently growing.

(Opposed) None.

Persons Testifying: Leslie Emerick, Washington Acupuncture and Oriental Medicine Association; George Whiteside, Washington Acupuncture and Oriental Medicine Association; Christine Hansen, Washington Acupuncture and Oriental Medicine Association; and Ezra Eickmeyer, Oriental Medicine Advocates of Washington.

Persons Signed In To Testify But Not Testifying: None.