

# HOUSE BILL REPORT

## SHB 1398

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### As Amended by Senate

**Title:** An act relating to acupuncture.

**Brief Description:** Regulating acupuncture licensing.

**Sponsors:** By House Committee on Health Care (originally sponsored by Representatives Dyer, Dellwo, Backlund, Quall, Conway, Cody, Morris and Casada).

**Brief History:**

**Committee Activity:**

Health Care: 2/9/95, 2/10/95 [DPS].

**Floor Activity:**

Passed House: 2/22/95, 97-0.

Senate Amended.

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### HOUSE COMMITTEE ON HEALTH CARE

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Dyer, Chairman; Backlund, Vice Chairman; Hymes, Vice Chairman; Dellwo, Ranking Minority Member; Cody, Assistant Ranking Minority Member; Campbell; Casada; Conway; Crouse; Kessler; Morris; Sherstad and Skinner.

**Staff:** Bill Hagens (786-7131).

**Background:** Persons who practice acupuncture must be certified to practice by the Department of Health unless otherwise authorized by law to perform such procedures.

Acupuncture is regulated under other practice laws as well. Physician assistants and osteopathic physician assistants, when certified by their respective boards, may practice acupuncture under the direct supervision of either a physician or osteopathic physician. Physicians may also practice acupuncture as their scope of practice includes medicine and surgery generally.

The acupuncture certification law defines acupuncture as a health care service based on an Oriental system of medical theory which treats organic or functional disorders by employing specified techniques, such as needles or other modalities, at specific acupuncture points or meridians on the human body. The rendering of dietary advice

based on traditional Oriental medical theory is also within the scope of acupuncture certification law.

**Summary of Bill:** The regulatory terminology of the practice of acupuncture is changed from certification to licensure, and only persons qualifying for licensure may practice acupuncture, unless otherwise authorized by law in other practice acts.

The rendering of dietary advice is included in the scope of practice only in conjunction with the use of other acupuncture techniques. A license would not be required solely for the rendering of dietary advice per se.

The Secretary of Health is authorized to develop training guidelines for acupuncture performed by other professions. Other professionals authorized to practice acupuncture may follow the guidelines to determine the level of training sufficient for safe acupuncture services.

**EFFECT OF SENATE AMENDMENT(S):**

**The amendment deletes authority for the Acupuncture Advisory Committee to develop training guidelines for other health professions.**

**Appropriation:** None.

**Fiscal Note:** Not Requested.

**Effective Date of Bill:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** These changes are technical and only reflect the nature of the current regulatory program which meets the definition of licensure. This accords with the recommendations of the legislative Sunrise review.

**Testimony Against:** None.

**Testified:** Steve Berchowitz, Department of Health (pro); and Steve Lindstrom and Karen Boyd, Washington Acupuncture Association (pro).

**Votes on Final Passage:**

Yeas 97; Excused 1

Excused: Dellwo