

# SENATE BILL REPORT

## SB 5535

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As of February 17, 2009

**Title:** An act relating to creating the Washington state acupuncture quality assurance commission.

**Brief Description:** Creating the acupuncture quality assurance commission.

**Sponsors:** Senators Shin and Fairley.

**Brief History:**

**Committee Activity:** Health & Long-Term Care: 2/16/09.

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### SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

**Staff:** Edith Rice (786-7444)

**Background:** Acupuncture is defined under current state law 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." The practice of acupuncture and acupuncturists has been regulated in Washington State since 1985. The Secretary of the Department of Health is currently responsible for regulating the practice of acupuncture, including applications for licensure, examinations, training requirements, and discipline under the Uniform Disciplinary Act. The Secretary can appoint members of the profession to serve on an ad hoc advisory committee to assist the Secretary in regulating the acupuncture profession.

**Summary of Bill:** A Washington State Acupuncture Quality Assurance Commission (commission) is established with membership appointed by the Governor. Members of the commission are appointed to four-year terms. Of the nine members appointed, seven must be practicing acupuncturists and two must be public members. State acupuncture associations can make recommendations to the Governor for commission membership. The Acupuncture Quality Assurance Commission can appoint three-member panels to conduct business.

The commission has authority to regulate the practice of acupuncture including applications for licensure, examinations, training requirements, and discipline under the Uniform Disciplinary Act. The members of the Acupuncture Quality Assurance Commission can appoint members of the profession to serve on an ad hoc advisory committee to assist the commission in regulating the acupuncture profession.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony:** PRO: Use of the term "oriental" is appropriate when referring to a "thing," in this case medicine. It is not appropriate to use it in referring to a human being. We intend to update our profession by using appropriate descriptions. This does not expand the scope of practice. Although acupuncture is understood better by Westerners, the practice of Oriental Medicine is really what we do. Acupuncture is merely one modality of the practice. We need better accountability and by creating a commission we will accomplish this and have a better understanding with the Department of Health. It is extremely costly to defend against a frivolous complaint, and can be financially devastating. Having an acupuncture commission will address these issues better.

**Persons Testifying:** PRO: Senator Shin, prime sponsor; Ezra Eickmeyer, Robert Doane, Jeannette Bautista, Oriental Medicine Advocates; Scott Paglin, Acupuncture Health Center; Howie Sun, 1st Choice Acupuncture; Ronald Ada, Tian Zang Acupuncture.