

SENATE BILL REPORT

SHB 2448

As of February 23, 2016

Title: An act relating to the practice of certain East Asian medicine therapies.

Brief Description: Concerning the practice of certain East Asian medicine therapies.

Sponsors: House Committee on Health Care & Wellness (originally sponsored by Representatives Robinson, Harris and Stanford).

Brief History: Passed House: 2/17/16, 96-2.

Committee Activity: Health Care: 2/23/16.

SENATE COMMITTEE ON HEALTH CARE

Staff: Evan Klein (786-7483)

Background: East Asian Medicine Practitioners (EAMPs). EAMPs are licensed by the Department of Health (DOH). East Asian medicine is a health care service that uses East Asian medicine diagnosis and treatment to promote health and treat organic or functional disorders. It includes, among other procedures: acupuncture, moxibustion; laserpuncture, point injection therapy - aquapuncture, dietary advice and health education based on East Asian medical theory, and relaxation.

Point Injection Therapy. Point injection therapy is not defined in statute or rule, but generally involves the injection of substances into muscle trigger points to prevent or treat pain.

Legend Drugs. It is unlawful to sell, deliver, or possess any legend drug except upon the order or prescription of specified health care professionals; however there is an exemption for a practitioner acting within the scope of his or her license. Legend drugs include any drugs which are required by state law or rule of the Pharmacy Quality Assurance Commission (PQAC) to be dispensed on prescription only or are restricted to use by practitioners only. The PQAC determines which drugs are classified as legend drugs, which are those designated under federal law and listed as legend drugs in the 2009 edition of the Drug Topics Red Book.

Summary of Bill: EAMPs are permitted to administer legend drugs.

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.

The DOH, in consultation with the East Asian Medicine Advisory Committee must establish by rule, the definition of point injection therapy, and limit the substances that can be used in point injection therapy to saline, sterile water, herbs, minerals, vitamins in liquid form, and homeopathic and nutritional substances. The definition of point injection therapy must not include injection of controlled substances contained in Schedules I through V of the uniform controlled substances.

Prior to providing point injection therapy, an EAMP must obtain the education and training necessary to provide the service. DOH must adopt rules by July 1, 2017, to specify the education and training necessary to provide point injection therapy.

Appropriation: None.

Fiscal Note: Available.

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: It's a simple bill that will allow the Department of Health to do rulemaking to clarify the practice of point injection therapy. The East Asian Medicine Association supports this bill. This is a technical clarification that puts East Asian Medicine Practitioners (EAMPs) under the legend drug act. EAMPs have been able to practice point injection therapy for over 30 years.

Persons Testifying: PRO: Representative Robinson, Prime Sponsor; Curtis Eschels, WA East Asian Medicine Association.

Persons Signed In To Testify But Not Testifying: No one.