

HOUSE BILL REPORT

SB 6038

As Passed House:
March 3, 2020

Title: An act relating to acupuncture and Eastern medicine.

Brief Description: Concerning acupuncture and Eastern medicine.

Sponsors: Senators Rivers, Cleveland, Keiser, Short, Conway, Kuderer, Saldaña and Wilson, C.

Brief History:

Committee Activity:

Health Care & Wellness: 2/20/20, 2/21/20 [DP].

Floor Activity:

Passed House: 3/3/20, 96-0.

Brief Summary of Bill

- Modifies the definition of Acupuncture and Eastern medicine.
- Allows acupuncturists and Eastern medicine practitioners, if education and training requirements are met, to inject local anesthetics for reducing pain during point injection therapy and use oxygen and epinephrine for potential emergency purposes.
- Allows acupuncturists to practice intramuscular and dry needling, ear acupuncture, and use contact needling and noninsertion tools.

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: Do pass. Signed by 14 members: Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Chambers, Chopp, Davis, DeBolt, Harris, Maycumber, Riccelli, Robinson, Stonier, Thai and Tharinger.

Staff: Kim Weidenaar (786-7120).

Background:

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.

Acupuncture and Eastern medicine practitioners are licensed by the Department of Health (DOH).

Scope of Practice.

Acupuncture or Eastern medicine is defined as a health care service utilizing acupuncture or Eastern medicine diagnosis and treatment to promote health and treat organic or functional disorders. It includes:

- acupuncture, including the use of acupuncture needles or lancets to directly and indirectly stimulate acupuncture points and meridians;
- use of electrical, mechanical, or magnetic devices to stimulate acupuncture points and meridians;
- moxibustion;
- acupressure;
- cupping;
- dermal friction technique;
- infrared;
- sonopuncture;
- laserpuncture;
- point injection therapy of saline, sterile water, herbs, minerals, vitamins in liquid form, and homeopathic and nutritional substances;
- dietary advice and health education based on Acupuncture or Eastern medical theory;
- Qigong;
- breathing, relaxation, and Eastern exercise techniques;
- East Asian massage and Tui na; and
- superficial heat and cold therapies.

Prior to providing point injection therapy services, an acupuncturist or acupuncture and Eastern medicine practitioner must obtain education and training necessary to provide the service.

Sunrise Review.

In 2019 the DOH conducted a sunrise review analyzing changes to the scope of practice for acupuncturists, including increasing point injection therapy injectables, clarifying substance use disorder treatments, and providing for the practice of dry needling. The report recommended the inclusion of local anesthetics, oxygen, and epinephrine to the practice of point injection therapy with restrictions but did not make recommendations as to some of the other clarifications.

Summary of Bill:

Acupuncture and Eastern medicine is defined as the holistic system of medicine often referred to as traditional Chinese medicine, Eastern medicine, and by other terms, which includes a variety of traditional and modern therapeutic treatments, such as the practice of acupuncture techniques and herbal medicine to maintain and promote wellness, prevent, manage, and reduce pain, treat substance use disorder, and promote health and treat organic or functional disorders. It includes:

- use of presterilized disposable needles, acupuncture needles, syringes, or lancets to directly and indirectly stimulate meridians, acupuncture points, ashi points, motor points, trigger points, and other nonspecific points;
- intramuscular needling and dry needling of trigger points and other nonspecific points in accordance with Acupuncture and Eastern medicine training;
- all points and protocols for ear acupuncture including auricular acupuncture, national acupuncture detoxification association protocol, battlefield acupuncture, and the Nogier system;
- use of contact needling and noninsertion tools such as teishin, enshin, or zanshin;
- use of electrical, mechanical, or magnetic devices to stimulate meridians, acupuncture points, ashi points, motor points, trigger points, and other nonspecific points;
- moxibustion;
- acupressure;
- cupping;
- dermal friction technique;
- infrared;
- sonopuncture;
- laserpuncture;
- point injection therapy of saline, sterile water, herbs, minerals, vitamins in liquid form, and homeopathic and nutritional substances;
- dietary advice and health education based on Acupuncture or Eastern medical theory;
- Qigong;
- breathing, relaxation, and Eastern exercise techniques;
- East Asian massage and Tui na; and
- superficial heat and cold therapies.

The practice of point injection therapy includes the injection of local anesthetics for pain reduction and the use of oxygen and epinephrine for potential emergency purposes. Prior to administering local anesthetics, epinephrine, or oxygen, an acupuncturist or Eastern medicine practitioner must complete education and training requirements established in rule. The Department of Health must establish these requirements in rule by July 1, 2021.

Appropriation: None.

Fiscal Note: Available.

Effective Date: 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 companion to this bill was already heard in committee. The proponents of the bills worked hard with other stakeholders to make sure that there was no controversy around the bill. There have been no amendments and the bill passed out of the Senate 48-1. The proponents appreciate the support and want to keep the bill moving to the Governor's desk.

(Opposed) None.

Persons Testifying: Leslie Emmerick, Washington East Asian Medicine Association.

Persons Signed In To Testify But Not Testifying: None.