

FINAL BILL REPORT

SB 6038

FULL VETO

Synopsis as Enacted

Brief Description: Concerning acupuncture and Eastern medicine.

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

Senate Committee on Health & Long Term Care
House Committee on Health Care & Wellness

Background: In 2010, the Legislature changed the profession of acupuncture to East Asian medicine, and expanded the scope for a licensed East Asian medicine practitioner. In 2019, references to "East Asian medicine" were changed to "acupuncture and Eastern medicine" and references to "East Asian medicine practitioner" were changed to "acupuncturist" or "acupuncture and Eastern Medicine Practitioner." Acupuncture and Eastern medicine practitioners (acupuncturists) are licensed by the Department of Health (DOH).

Scope of Practice. Acupuncture and Eastern medicine means a health care service utilizing diagnosis and treatment to promote health and treat organic or functional disorders and 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;
- infra-red;
- sonopuncture;
- laserpuncture;
- point injection therapy (aquapuncture), as defined in rule by DOH including:
 - injection of substances, limited to saline, sterile water, herbs, minerals, vitamins in liquid form, and homeopathic and nutritional substances, consistent with the practice of Eastern medicine;
 - point injection therapy does not include injection of controlled substances contained in Schedules I through V of the Uniform Controlled Substances Act or steroids;

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- dietary advice and health education based on East Asian medical theory, including the recommendation and sale of herbs, vitamins, minerals, and dietary and nutritional supplements;
- breathing, relaxation, and Eastern exercise techniques;
- Qigong;
- Eastern massage and tui na, which is a method of Eastern bodywork, characterized by the kneading, pressing, rolling, shaking, and stretching of the body and does not include spinal manipulation; and
- superficial heat and cold therapies.

Summary: Acupuncture and Eastern medicine means a holistic system of medicine 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. Acupuncture and Eastern medicine includes:

- acupuncture, including the use of pre-sterilized needles, such as filiform needles, acupuncture needles, syringes or lancets to directly and indirectly stimulate acupuncture points and meridians;
- use of electrical, mechanical, or magnetic devices to stimulate acupuncture points and meridians;
- intramuscular needling and dry needling of trigger points and other nonspecific points throughout the body;
- ear acupuncture, including auricular acupuncture, national acupuncture detoxification association protocol, battlefield acupuncture, and the Nogier system;
- use of contact needling and non-insertion tools;
- moxibustion;
- acupressure;
- cupping;
- dermal friction technique;
- infra-red;
- sonopuncture;
- laserpuncture;
- point injection therapy (aquapuncture), as defined in rule by DOH including:
 - injection of substances, limited to saline, sterile water, herbs, minerals, vitamins in liquid form, and homeopathic and nutritional substances, consistent with the practice of Eastern medicine;
 - injection of local anesthetics for reducing pain during point injection therapy;
 - an acupuncturist who meets training and education requirements may use oxygen and epinephrine for potential emergency purposes;
 - point injection therapy does not include injection of controlled substances contained in Schedules I through V of the Uniform Controlled Substances Act or steroids;
- dietary advice and health education based on Eastern medical theory, including the recommendation and sale of herbs, vitamins, minerals, and dietary and nutritional supplements;
- breathing, relaxation, and Eastern exercise techniques;
- Qigong;

- Eastern massage and tui na, which is a method of Eastern bodywork, characterized by the kneading, pressing, rolling, shaking, and stretching of the body and does not include spinal manipulation; and
- superficial heat and cold therapies.

Prior to administering local anesthetics, epinephrine, or oxygen in providing point injection therapy services, an acupuncturist must satisfy education and training requirements established by DOH. DOH must adopt rules establishing these training requirements by July 1, 2021.

Votes on Final Passage:

Senate	48	1
House	96	0