



General Assembly

January Session, 2011

Raised Bill No. 1052

LCO No. 3817

03817_____PH_

Referred to Committee on Public Health

Introduced by:
(PH)

AN ACT CONCERNING THE PRACTICE OF ACUPUNCTURE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 20-206aa of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective October 1, 2011*):

3 As used in this section and sections 20-206bb:

4 (1) "Commissioner" means the Commissioner of Public Health.

5 (2) "Department" means the Department of Public Health.

6 (3) ["Acupuncture" means the treating, by means of mechanical,
7 thermal or electrical stimulation effected by the insertion of needles or
8 by the application of heat, pressure or electrical stimulation at a point
9 or combination of points on the surface of the body predetermined on
10 the basis of the theory of physiological interrelationship of body
11 organs with an associated point or combination of points for diseases,
12 disorders and dysfunctions of the body for the purpose of achieving a
13 therapeutic or prophylactic effect but shall not include the practice of
14 physical therapy.] "The practice of acupuncture" means the system of

15 restoring and maintaining health by the classical and modern oriental
16 medicine principles and methods for diagnosis, treatment and
17 prevention of illness, disease, injury, pain and other conditions. The
18 practice of acupuncture includes:

19 (A) Development of a comprehensive treatment plan according to
20 acupuncture and oriental medicine theory, including: (i) Diagnosis of
21 imbalance by pulse, palpation, observation of the tongue and other
22 physiological observation, and by patient interview and history to
23 identify patterns, differentiate, categorize and evaluate signs and
24 symptoms; (ii) selection of treatment strategies and modalities to
25 address chief complaints, connected symptoms and underlying
26 syndromes; and (iii) evaluation of treatment outcomes, review of
27 patient progress and diagnostic results, adjustment of treatment
28 strategies and modalities, and referral to other health care providers.

29 (B) Modulation and restoration of balance in and between the
30 body's energetic and organ systems and biochemical, metabolic and
31 circulation functions using one or more of the following means: (i)
32 Stimulation of selected points by (I) insertion of needles including
33 trigger point, subcutaneous and dry needling and intramuscular
34 stimulation; (II) application of heat or cold therapy, including the heat
35 needle technique, commonly referred to as "moxibustion"; or (III)
36 acupressure using manual, magnetic, cold laser or electrical
37 stimulation; (ii) stimulation of selected locations by manual application
38 of tissue or muscle pressure or stretching, commonly referred to as "tui
39 na"; and (iii) stimulation of selected dermal locations identified with
40 internal stagnation by (I) cupping, or (II) a friction technique
41 commonly referred to as "gua sha".

42 (C) Promotion and maintenance of balance in the body's energetic
43 and organ systems and biochemical, metabolic and circulation
44 functions by: (i) Recommendation of oriental dietary principles,
45 including use of herbal and other supplements according to oriental
46 medicine theory; (ii) patient education on oriental medicine theory,

47 healing process and progression; and (iii) lifestyle recommendations
48 and self-treatment techniques including oriental exercise and body
49 mechanics commonly referred to as "tai chi" and "qi gong", relaxation,
50 breathing and meditation.

51 (D) Other practices that are consistent with the recognized
52 standards of the acupuncture and oriental medicine profession and
53 accepted by the National Certification Commission for Acupuncture
54 and Oriental Medicine.

55 (4) "Recognized regional accrediting body" means one of the
56 following regional accrediting bodies: New England Association of
57 Schools and Colleges; Middle States Association of Colleges and
58 Schools; North Central Association of Colleges and Schools; Northwest
59 Association of Schools and Colleges; Southern Association of Colleges
60 and Schools; and Western Association of Schools and Colleges.

61 Sec. 2. Section 20-206bb of the general statutes is repealed and the
62 following is substituted in lieu thereof (*Effective October 1, 2011*):

63 (a) No person shall [perform] engage in the practice of acupuncture
64 without a license as an acupuncturist issued pursuant to this section.

65 (b) Each person seeking licensure as an acupuncturist shall make
66 application on forms prescribed by the department, pay an application
67 fee of two hundred dollars and present to the department satisfactory
68 evidence that the applicant (1) has completed sixty semester hours, or
69 its equivalent, of postsecondary study in an institution of
70 postsecondary education that, if in the United States or its territories,
71 was accredited by a recognized regional accrediting body or, if outside
72 the United States or its territories, was legally chartered to grant
73 postsecondary degrees in the country in which located, (2) has
74 successfully completed a course of study in acupuncture in a program
75 that, at the time of graduation, was in candidate status with or
76 accredited by an accrediting agency recognized by the United States
77 Department of Education and included a minimum of one thousand

78 three hundred fifty hours of didactic and clinical training, five
79 hundred of which were clinical, (3) has passed an examination
80 prescribed by the department, and (4) has successfully completed a
81 course in clean needle technique prescribed by the department. Any
82 person successfully completing the education, examination or training
83 requirements of this section in a language other than English shall be
84 deemed to have satisfied the requirement completed in that language.

85 (c) An applicant for licensure as an acupuncturist by endorsement
86 shall present evidence satisfactory to the commissioner of licensure or
87 certification as an acupuncturist, or as a person entitled to perform
88 similar services under a different designation, in another state or
89 jurisdiction whose requirements for practicing in such capacity are
90 equivalent to or higher than those of this state and that there are no
91 disciplinary actions or unresolved complaints pending. Any person
92 completing the requirements of this section in a language other than
93 English shall be deemed to have satisfied the requirements of this
94 section.

95 (d) Notwithstanding the provisions of subsection (b) of this section,
96 the department shall, prior to September 1, 2005, issue a license to any
97 applicant who presents to the department satisfactory evidence that
98 the applicant has (1) earned, or successfully completed requirements
99 for, a master's degree in acupuncture from a program that includes a
100 minimum of one thousand three hundred fifty hours of didactic and
101 clinical training, five hundred of which are clinical, from an institution
102 of higher education accredited by the Department of Higher Education
103 at the time of the applicant's graduation, (2) passed all portions of the
104 National Certification Commission for Acupuncture and Oriental
105 Medicine acupuncture examination, including the acupuncture portion
106 of the comprehensive written examination in acupuncture, the clean
107 needle technique portion of the comprehensive written examination in
108 acupuncture and the practical examination of point location skills, and
109 (3) successfully completed a course in clean needle technique offered
110 by the Council of Colleges of Acupuncture and Oriental Medicine.

111 (e) Licenses shall be renewed once every two years in accordance
112 with the provisions of subsection (e) of section 19a-88. The fee for
113 renewal shall be two hundred fifty dollars.

114 (f) No license shall be issued under this section to any applicant
115 against whom professional disciplinary action is pending or who is the
116 subject of an unresolved complaint in this or any other state or
117 territory of the United States.

118 (g) Nothing in section 19a-89c, 20-206aa, as amended by this act,
119 20-206cc or this section shall be construed to prevent licensed
120 practitioners of the healing arts, as defined in sections 20-1 and 20-196,
121 physical therapists or dentists from providing care or performing
122 services consistent with accepted standards within their respective
123 professions.

124 (h) Notwithstanding the provisions of subsection (a) of this section,
125 any person certified by an organization approved by the
126 Commissioner of Public Health may practice auricular acupuncture for
127 the treatment of alcohol and drug abuse, provided the treatment is
128 performed under the supervision of a physician licensed under chapter
129 370 and is performed in either (1) a private free-standing facility
130 licensed by the Department of Public Health for the care or treatment
131 of substance abusive or dependent persons, or (2) a setting operated by
132 the Department of Mental Health and Addiction Services. The
133 Commissioner of Public Health shall adopt regulations, in accordance
134 with the provisions of chapter 54, to ensure the safe provision of
135 auricular acupuncture within private free-standing facilities licensed
136 by the Department of Public Health for the care or treatment of
137 substance abusive or dependent persons.

138 (i) Notwithstanding the provisions of subsection (a) of this section,
139 no license to [practice] engage in the practice of acupuncture is
140 required of: (1) Students enrolled in a college or program of
141 acupuncture if (A) the college or program is recognized by the
142 Accreditation Commission for Acupuncture and Oriental Medicine or

143 licensed or accredited by the Board of Governors of Higher Education,
144 and (B) the practice that would otherwise require a license is pursuant
145 to a course of instruction or assignments from a licensed instructor and
146 under the supervision of the instructor; or (2) [licensed] faculty
147 members providing the didactic and clinical training necessary to meet
148 the accreditation standards of the Accreditation Commission for
149 Acupuncture and Oriental Medicine at a college or program
150 recognized by the commission or licensed or accredited by the Board
151 of Governors of Higher Education. For purposes of this subsection,
152 ["licensed faculty member" and] "licensed instructor" means a faculty
153 member or instructor licensed under this section or otherwise
154 authorized to [practice] engage in the practice of acupuncture in this
155 state.

156 (j) No person shall use the title "acupuncturist", or use in connection
157 with his or her name, any letters, words or insignia indicating or
158 implying that such person is a licensed acupuncturist or advertise
159 services as an acupuncturist, unless such person holds a license as an
160 acupuncturist issued pursuant to this section. No person shall
161 represent himself or herself as being certified to practice auricular
162 acupuncture for the treatment of alcohol and drug abuse, or use in
163 connection with his or her name the term "acupuncture detoxification
164 specialist", or the letters "A.D.S." or any letters, words or insignia
165 indicating or implying that such person is certified to practice
166 auricular acupuncture for the treatment of alcohol and drug abuse
167 unless such person is certified in accordance with subsection (h) of this
168 section. Nothing in this subsection shall be construed to prevent a
169 person from providing care, or performing or advertising services
170 within the scope of such person's license or as otherwise authorized in
171 this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2011</i>	20-206aa
Sec. 2	<i>October 1, 2011</i>	20-206bb

Statement of Purpose:

To redefine acupuncture as the practice of acupuncture and include all core competencies of the practice in the revised definition.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]