



# Senate

General Assembly

**File No. 71**

February Session, 2012

Substitute Senate Bill No. 276

*Senate, March 21, 2012*

The Committee on Public Health reported through SEN. GERRATANA of the 6th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

## **AN ACT CONCERNING LICENSING REQUIREMENTS FOR ACUPUNCTURISTS.**

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

1 Section 1. Section 20-206bb of the 2012 supplement to the general  
2 statutes is repealed and the following is substituted in lieu thereof  
3 (*Effective October 1, 2012*):

4 (a) No person shall engage in the practice of acupuncture without a  
5 license as an acupuncturist issued pursuant to this section.

6 (b) Each person seeking licensure as an acupuncturist shall make  
7 application on forms prescribed by the department, pay an application  
8 fee of two hundred dollars and present to the department satisfactory  
9 evidence that the applicant (1) has completed sixty semester hours, or  
10 its equivalent, of postsecondary study in an institution of  
11 postsecondary education that, if in the United States or its territories,  
12 was accredited by a recognized regional accrediting body or, if outside  
13 the United States or its territories, was legally chartered to grant

14 postsecondary degrees in the country in which located, (2) has  
15 successfully completed a course of study in acupuncture in a program  
16 that, at the time of graduation, was in candidate status with or  
17 accredited by an accrediting agency recognized by the United States  
18 Department of Education and included a minimum of [one thousand  
19 three hundred fifty] one thousand nine hundred five hours of didactic  
20 and clinical training, [five hundred] six hundred sixty of which were  
21 clinical, (3) has passed the National Certification Commission for  
22 Acupuncture and Oriental Medicine examination required for  
23 acupuncture certification or an examination prescribed by the  
24 department, and (4) has successfully completed a course in clean  
25 needle technique prescribed by the department. Any person  
26 successfully completing the education, examination or training  
27 requirements of this section in a language other than English shall be  
28 deemed to have satisfied the requirement completed in that language.

29 (c) An applicant for licensure as an acupuncturist by endorsement  
30 shall present evidence satisfactory to the commissioner of licensure or  
31 certification as an acupuncturist, or as a person entitled to perform  
32 similar services under a different designation, in another state or  
33 jurisdiction whose requirements for practicing in such capacity are  
34 equivalent to or higher than those of this state and that there are no  
35 disciplinary actions or unresolved complaints pending. Any person  
36 completing the requirements of this section in a language other than  
37 English shall be deemed to have satisfied the requirements of this  
38 section.

39 (d) Notwithstanding the provisions of subsection (b) of this section,  
40 the department shall, prior to September 1, 2005, issue a license to any  
41 applicant who presents to the department satisfactory evidence that  
42 the applicant has (1) earned, or successfully completed requirements  
43 for, a master's degree in acupuncture from a program that includes a  
44 minimum of one thousand three hundred fifty hours of didactic and  
45 clinical training, five hundred of which are clinical, from an institution  
46 of higher education accredited by the Board of Regents for Higher  
47 Education at the time of the applicant's graduation, (2) passed all

48 portions of the National Certification Commission for Acupuncture  
49 and Oriental Medicine acupuncture examination, including the  
50 acupuncture portion of the comprehensive written examination in  
51 acupuncture, the clean needle technique portion of the comprehensive  
52 written examination in acupuncture and the practical examination of  
53 point location skills, and (3) successfully completed a course in clean  
54 needle technique offered by the Council of Colleges of Acupuncture  
55 and Oriental Medicine.

56 (e) Licenses shall be renewed once every two years in accordance  
57 with the provisions of subsection (e) of section 19a-88. The fee for  
58 renewal shall be two hundred fifty dollars. Each person seeking to  
59 have a license renewed shall provide documentation of current  
60 acupuncture certification by the National Certification Commission for  
61 Acupuncture and Oriental Medicine or documentation of having  
62 passed an examination prescribed by the department.

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

67 (g) Nothing in section [19a-89c,] 20-206aa or 20-206cc or this section  
68 shall be construed to prevent licensed practitioners of the healing arts,  
69 as defined in [sections 20-1 and 20-196] section 20-1, physical therapists  
70 or dentists from providing care or performing services consistent with  
71 accepted standards within their respective professions.

72 (h) Notwithstanding the provisions of subsection (a) of this section,  
73 any person certified by an organization approved by the  
74 Commissioner of Public Health may practice auricular acupuncture for  
75 the treatment of alcohol and drug abuse, provided the treatment is  
76 performed under the supervision of a physician licensed under chapter  
77 370 and is performed in either (1) a private free-standing facility  
78 licensed by the Department of Public Health for the care or treatment  
79 of substance abusive or dependent persons, or (2) a setting operated by  
80 the Department of Mental Health and Addiction Services. The

81 Commissioner of Public Health shall adopt regulations, in accordance  
82 with the provisions of chapter 54, to ensure the safe provision of  
83 auricular acupuncture within private free-standing facilities licensed  
84 by the Department of Public Health for the care or treatment of  
85 substance abusive or dependent persons.

86 (i) Notwithstanding the provisions of subsection (a) of this section,  
87 no license to engage in the practice of acupuncture is required of: (1)  
88 Students enrolled in a college or program of acupuncture if (A) the  
89 college or program is recognized by the Accreditation Commission for  
90 Acupuncture and Oriental Medicine or licensed or accredited by the  
91 Board of Regents for Higher Education, and (B) the practice that would  
92 otherwise require a license is pursuant to a course of instruction or  
93 assignments from a licensed instructor and under the supervision of  
94 the instructor; or (2) faculty members providing the didactic and  
95 clinical training necessary to meet the accreditation standards of the  
96 Accreditation Commission for Acupuncture and Oriental Medicine at  
97 a college or program recognized by the commission or licensed or  
98 accredited by the Board of Regents for Higher Education. For purposes  
99 of this subsection, "licensed instructor" means a faculty member or  
100 instructor licensed under this section or otherwise authorized to  
101 engage in the practice of acupuncture in this state.

102 (j) No person shall use the title "acupuncturist", or use in connection  
103 with his or her name, any letters, words or insignia indicating or  
104 implying that such person is a licensed acupuncturist or advertise  
105 services as an acupuncturist, unless such person holds a license as an  
106 acupuncturist issued pursuant to this section. No person shall  
107 represent himself or herself as being certified to practice auricular  
108 acupuncture for the treatment of alcohol and drug abuse, or use in  
109 connection with his or her name the term "acupuncture detoxification  
110 specialist", or the letters "A.D.S." or any letters, words or insignia  
111 indicating or implying that such person is certified to practice  
112 auricular acupuncture for the treatment of alcohol and drug abuse  
113 unless such person is certified in accordance with subsection (h) of this  
114 section. Nothing in this subsection shall be construed to prevent a

115 person from providing care, or performing or advertising services  
 116 within the scope of such person's license or as otherwise authorized in  
 117 this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2012	20-206bb

**Statement of Legislative Commissioners:**

In section 1(e), "or documentation of having passed an examination prescribed by the department" was added at the end of the sentence for consistency with subsection (b)(3).

**PH**      *Joint Favorable Subst.-LCO*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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***OFA Fiscal Note******State Impact:*** None***Municipal Impact:*** None***Explanation***

This bill does not result in a fiscal impact to the state. It makes changes to required training hours for acupuncturists among related provisions.

***The Out Years******State Impact:*** None***Municipal Impact:*** None

**OLR BILL ANALYSIS****sSB 276*****AN ACT CONCERNING LICENSING REQUIREMENTS FOR ACUPUNCTURISTS.*****SUMMARY:**

This bill increases required didactic and clinical training for acupuncturist licensure applicants from 1,350 hours to 1,905 hours. It also increases required clinical training from 500 hours to 660 hours, as part of the total 1,905 required training hours.

Current law requires someone seeking acupuncturist licensure to pass a Department of Public Health (DPH) prescribed examination. The bill alternatively allows applicants to pass the acupuncture certification examination required by the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM). In practice, DPH already requires applicants to pass the NCCAOM exam.

By law, acupuncturist licenses must be renewed every two years. The bill requires acupuncturists seeking license renewal to document that they have (1) current NCCAOM acupuncture certification or (2) passed a DPH-prescribed examination.

The bill also makes technical changes.

EFFECTIVE DATE: October 1, 2012

**COMMITTEE ACTION**

Public Health Committee

Joint Favorable

Yea 25 Nay 0 (03/09/2012)