Bill as Introduced

HB 1195 - AS AMENDED BY THE HOUSE

29march00.....3631h

2000 SESSION

00-2175
10/01

HOUSE BILL *1195*

AN ACT making technical changes to the law regulating acupuncture.

SPONSORS: Rep. Bradley, Carr 8; Sen. Wheeler, Dist 21

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill corrects references to certain organizations concerning acupuncture regulation and makes changes in the authority of the board of acupuncture on license fees and renewal.

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

00-2175
10/01

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand

AN ACT making technical changes to the law regulating acupuncture.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Definitions Changed. Amend RSA 328-G:2, VI and VII to read as follows:

VI. [~~"NACSCAOM"~~] ***"ACAOM"*** means the [~~National~~] Accreditation Commission for [~~Schools and Colleges of~~] Acupuncture and Oriental Medicine.

VII. [~~"NCCA"~~] ***"NCCAOM"*** means the National Certification Commission for Acupuncture and Oriental Medicine.

2 Reference Corrected. Amend RSA 328-G:3, I(a)(1) to read as follows:

(1) Be [~~NCCA~~] ***NCCAOM*** certified and hold a current, valid license to practice acupuncture in another state in which licensure requirements are substantially equivalent to, or higher than, those of this state, in the case of the initial board appointees, and a current, valid license to practice under this chapter, in the case of subsequent board appointees.

3 Rulemaking; License Fees. Amend RSA 328-G:7, II to read as follows:

II. Scope of practice [~~and~~], fees for ***applications, and fees for*** licenses issued or renewed under this chapter.

4 Disposition of Receipts; Administrator. Amend RSA 328-G:8 to read as follows:

328-G:8. Disposition of Receipts. All moneys received by the board under this chapter shall be paid to the [~~secretary~~] ***administrator*** of the board, who shall give a receipt therefor and shall, at the end of each month, report to the commissioner of the department of health and human services the total amount of money received and deposit it with the state treasurer.

5 References Corrected. Amend RSA 328-G:9, II(b) and (c) to read as follows:

(b) Has current, active [~~NCCA~~] ***NCCAOM*** certification through examination or Credentials Documentation Review.

(c) Has successfully completed an [~~NCCA~~] ***NCCAOM*** approved Clean Needle Technique Course.

6 References Corrected. Amend RSA 328-G:9, II(g) to read as follows:

(g) Has successfully completed a post-secondary acupuncture college program which is [~~NACSCAOM~~] ***ACAOM*** or board approved. For one year from the date on which the first license is issued this requirement will be waived for an applicant who possesses a current, valid license to practice acupuncture in another state, provided that the applicant meets the other requirements of this chapter. After one year from the date on which the first license is issued, this requirement may only be waived at the discretion of the board. The board of acupuncture licensing will review on a

case by case basis valid apprenticeship programs that demonstrate a balanced approach of clinical training and fundamental sciences and that conform to [~~NCCA~~] ***NCCAOM,*** all applicants who have not graduated from an accredited acupuncture school must show proof of successful completion of a college level course in anatomy and physiology.

7 Initial Licensure; Renewal. Amend RSA 328-G:9, IX and X to read as follows:

IX. All licenses issued by the board shall be valid for 2 years from the date of issuance and shall be renewed biennially or reissued pursuant to rules adopted, and ***upon payment of*** fees established, by the board.

X. As a condition of renewal of license, the board shall require each licensee to show proof of having completed [~~in~~] ***for*** each biennial period 30 continuing education units at approved institutions or as approved by the board. Maintaining continuous [~~NCCA~~] ***NCCAOM*** certification shall fulfill the continuing education requirement as long as [~~NCCA~~] ***NCCAOM*** certification continues to require at least 30 Professional Development Activity points [~~in~~] ***for*** each biennium.

8 Effective Date. This act shall take effect 60 days after its passage.

Committee Minutes

Date: April 24, 2000
Time: 2:30 PM
Room: LOB 102

The Senate Committee on Public Institutions/Health Human Services held a hearing on the following:

HB 1195 making technical changes to the law regulating acupuncture.

Members of Committee present: Senator Squires
Senator Wheeler
Senator Fernald
Senator McCarley

The Chair, Senator James Squires, opened the hearing.

Representative Nancy Stickney, Rock. D. 26: Good afternoon. I'm Representative Nancy Stickney from Salem, Rockingham 26. I am on the ED&A Committee and on the sub-committee that heard this bill and I'd like to just explain to you what we did. It's a very easy bill. We changed acronyms as you can see and we had an amendment, which on page 2 under 7 *Initial Licensure;* we just cleaned up the phrase to accomplish what they wanted to do in which *all licenses issued by the board shall be valid for 2 years from the date of issuance and shall be renewed biannually or reissued pursuant to rules adopted,* and we put down *upon payment of fees.* That's basically everything that was done. The sub-committee vote was 4-0 and the Executive Committee vote was 19-0.

Senator James W. Squires, D. 12: I hate to even raise the question but what does ACAOM do and what does NCCAOM do? What is the difference between these two groups?

Representative Stickney: I would like to let Representative Bradley deal with that.

Senator James W. Squires, D. 12: Are these in competition? Are they in harmony? What?

Representative Jeb Bradley, Carr. D. 8: Thank you. I have to tell you that I don't know.

Senator Mark Fernald, D. 11: Am I correct if I say that the accreditation is for schools and the certification is for practitioners?

Representative Bradley: I really don't know. I mean, this was written by the Board of Acupuncture. I'm assuming they've gotten it right. That's probably the best I could do. If you have questions I could have one of them call you.

Senator James W. Squires, D. 12: It's more of a question of curiosity but it does seem confusing. Maybe Mark's right. One's for schools and one's for practitioners.

Representative Bradley: That could be. I apologize for not knowing. This bill had next to no – I mean it was such a technical fix bill that I told members of the Board not to waste their time in coming. (laughter)

Senator Caroline McCarley, D. 6: I assume, as a follow on your question, that they were having trouble at JLCAR about things not being specific.....

Representative Bradley: Probably.

Senator Caroline McCarley, D. 6: .....applications and licensing.

Representative Bradley: I was the sponsor of the original licensure bill two or three years ago. So they just asked me to do this fix.

Senator James W. Squires, D. 12: In line 25 it says *"has successfully completed a post-secondary acupuncture college program which is ACAOM or board approved.* What board?

Representative Bradley: That would be the licensure board.

Senator Katherine W. Wheeler, D. 21: All I know is that we needed to do this so that they could actually be able to make the licensure that we passed come about. That this technical change is essential because we still don't have licensed acupuncturists in New Hampshire. They're still practicing in other states which is too bad.

Representative Bradley: The JLCAR has no approved the rules so actually I think they do have a licensure procedure but they needed these technical fixes to make it work better especially number 7 on page 2. I think the rest, for the most part, is just changing the acronyms.

Senator James W. Squires, D. 12: Any other comments? Seeing none, I will close the hearing on House Bill 1195.

Hearing closed at 2:40 pm.

Respectfully submitted,

Merideth A. Chandler,
Committee Secretary

Speakers

SENATE PI-HHS COMMITTEE

Date 4/24/00 Time 2:30 PM Public Hearing on HB 1195

Appearing in FAVOR: (Please print) **Please check box at left to speak:**

Speaking?	Name	Address	Representing
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☐	Rep Nancy Sheehney		Ed + A -
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Appearing in OPPOSITION: (Please Print) **Please check box at left to speak:**

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Committee Report

Date: April 24, 2000 Time: 2:30 PM

The Senate Committee on Public Institutions/Health Human Services held its hearing in Room 102 LOB, Concord, New Hampshire.

BILL NO.: HB 1195 TITLE: making technical changes to the law regulating acupuncture.

Members of the Committee present: Senator Squires
Senator Wheeler
Senator Fernald
Senator McCarley

Those appearing in favor:

Name and Address	Representing
See Attached.	

Those appearing in opposition:

Name and Address	Representing
See Attached.	

REPORT OF THE COMMITTEE:

- ☒ Ought to Pass
- ☐ Ought to Pass w/ Amendment
- ☐ Inexpedient to Legislate
- ☐ Rereferred
- ☐ Interim Study
- ☐ Continued Hearing
- ☐ Postponed Hearing

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Date: April 24, 2000

THE COMMITTEE ON Public Institutions/Health Human Services

to which was referred House Bill 1195

AN ACT making technical changes to the law regulating acupuncture.

VOTE: 4-0

Having considered the same, report the same without amendment and recommend that the bill: **OUGHT TO PASS.**

Senator Katie Wheeler
For the Committee