

Amendment to SB 282

1 Amend the title of the bill by replacing it with the following:

2
3 AN ACT relative to the board of acupuncture licensing and relative to the qualifications for
4 licensure as an acupuncturist.
5

6 Amend the bill by replacing all after the enacting clause with the following:

7
8 1 Acupuncture; Titles for Licensees. Amend RSA 328-G:9, V to read as follows:

9 V.(a) Whoever, not being licensed or exempted as provided in this chapter, shall advertise
10 oneself or in any way hold oneself out as qualified to practice acupuncture, or shall practice
11 acupuncture, or whoever does so after receiving notice that one's license has been revoked, and
12 whoever, being licensed as provided in this chapter, shall advertise or call oneself or allow oneself to
13 be advertised or called a physician or a doctor in such a way as to imply that such credential relates
14 to the provision of acupuncture services, or use any physician's or doctor's insignia for such purposes
15 shall be in violation of this chapter.

16 (b) ***Notwithstanding subparagraph (a), the only persons licensed under this***
17 ***chapter that shall be allowed to call themselves a doctor shall be those who have earned a***
18 ***doctoral degree in the practice of acupuncture from an accredited educational institution***
19 ***or other program approved by the board pursuant to administrative rules.***

20 2 Board of Acupuncture Licensing; Qualification. Amend RSA 328-G:3, I(a)(1) to read as follows:

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

25 3 Board of Acupuncture Licensing; Terms. Amend RSA 328-G:3, III to read as follows:

26 III. The terms of office shall be 3 years for all board members. ***No member shall serve***
27 ***more than 2 consecutive full terms. Members shall serve until the expiration of the term for***
28 ***which they have been appointed, or until their successors have been appointed and***
29 ***qualified, whichever is later.*** The initial board appointees shall consist of one acupuncturist for a
30 term of 3 years, one acupuncturist for a term of 2 years, 2 acupuncturists for a term of one year each,
31 and one public member for a term of 3 years. A member may be removed from office by the governor
32 and council for malfeasance, misfeasance, or dishonorable conduct.

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4 License Issuance; Certification. Amend RSA 328-G:9, II to read as follows:

II. The board shall issue a license to any applicant who satisfies all of the following requirements:

(a) ~~[Is 21 years of age or older]~~ ***Has reached the age of majority.***

(b) Has current, active NCCAOM certification ***or equivalent certification approved by the board*** through examination or Credentials Documentation Review.

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

~~[(d)]~~ (c) Has paid the ~~[\$110]~~ ***required*** license ***application*** fee and filed the ***board approved licensure*** application ~~[established by the board]~~.

~~[(e)]~~ (d) Is of good ~~[moral]~~ ***professional*** character.

~~[(f)]~~ (e)(1) Has earned a baccalaureate, registered nurse, or physician's assistant degree from an accredited institution~~[- An applicant who possesses]~~, ***and has*** a current, valid license to practice acupuncture from another state ~~[who meets all other requirements of licensure may have this requirement waived at the discretion of the board.]~~ ***whose requirements are substantially equal to or exceed the requirements of RSA 328-G:9, II; or***

~~[(g)]~~ (2) Has successfully completed a post-secondary acupuncture college program which is ~~[ACAOM]~~ ***approved by the Accreditation Commission for Acupuncture and Herbal Medicine ("ACAHM"), including its successors or predecessors, or the 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 NCCAOM standards. In addition, 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.]; or~~

(3) ***Has successfully completed an apprenticeship program that was in compliance with NCCAOM standards for certification at the time of completion. All applicants seeking licensure via apprenticeship route who have not graduated from an accredited acupuncture school must be able to meet all NCCAOM standards for certification or hold a valid license to practice acupuncture from another state whose requirements are substantially similar to or exceed the requirements of RSA 328-G:9, II.***

5 License Renewal; Continuing Education. Amend RSA 328-G:9, X to read as follows:

X. ~~[As a condition of renewal of license, the board shall require each licensee to show proof of having completed for each biennial period 30 continuing education units at approved institutions or as approved by the board. Maintaining continuous NCCAOM certification shall fulfill the continuing~~

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1 ~~education requirement as long as NCCAOM certification continues to require at least 30~~
2 ~~Professional Development Activity points for each biennium]~~ ***Maintaining current, active***
3 ***NCCAOM certification shall fulfill the continuing education requirement.***

4 6 Acupuncture Detoxification Specialist; General Supervision. Amend RSA 328-G:9-a, II(b) to
5 read as follows:

6 (b) "General supervision" ~~[includes, but is not limited to, being available by phone, or~~
7 ~~other electronic means during business hours, with at least 2 site visits by a licensed acupuncturist a~~
8 ~~year]~~ ***shall be provided by site visit, phone, or other electronic means during business hours***
9 ***with at least 2 site visits per year by a licensed acupuncturist currently licensed in New***
10 ***Hampshire pursuant to RSA 328-G:9. The supervising licensed acupuncturist shall not be***
11 ***required to be on site for direction and supervision, but shall be available at least by***
12 ***telecommunications.***

13 7 Effective Date. This act shall take effect 60 days after its passage.

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AMENDED ANALYSIS

This bill allows certain persons licensed by the board of acupuncture licensing who are doctors of acupuncture to use that title. The bill limits board of acupuncture licensing members to 2 consecutive full terms. The bill also provides for alternative certification for licensure or renewal and modifies a definition of general supervision of an acupuncture detoxification specialist.