
By: **Delegates Perry, Conway, Hubbard, and Owings**
Introduced and read first time: February 13, 1998
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Acupuncture - Membership - Prohibition**

3 FOR the purpose of prohibiting a person who has a certain position with, or financial
4 interest in, any acupuncture school or acupuncture educational institution in
5 this State from serving on the State Board of Acupuncture; making a certain
6 exception for certain faculty members; and generally relating to the composition
7 of the State Board of Acupuncture.

8 BY repealing and reenacting, with amendments,
9 Article - Health Occupations
10 Section 1A-202
11 Annotated Code of Maryland
12 (1994 Replacement Volume and 1997 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Health Occupations**

16 1A-202.

17 (a) (1) The Board consists of seven members appointed by the Governor.

18 (2) Of the seven members:

19 (i) Five shall be licensed acupuncturists appointed from a list
20 submitted as provided in subsection (c) of this section; and

21 (ii) Two shall be consumer members.

22 (b) Each acupuncturist member shall:

23 (1) Be a resident of the State; and

24 (2) For at least 5 years immediately before appointment have been
25 engaged in the practice of acupuncture in the State.

1 (c) For each vacancy of an acupuncture member, the Board shall compile a list
2 of names to be submitted to the Governor in the following manner:

3 (1) The Board shall notify all licensed acupuncturists in the State of the
4 vacancy to solicit nominations to fill the vacancy;

5 (2) Each professional association of acupuncturists in the State shall
6 nominate at least one person for every two vacancies that exist; and

7 (3) Each educational institution that provides acupuncture training in
8 the State shall nominate at least one person for every two vacancies that exist.

9 (d) The consumer members:

10 (1) Shall be members of the general public;

11 (2) May not be or ever have been an acupuncturist or in training to
12 become an acupuncturist;

13 (3) May not have a household member who is an acupuncturist or in
14 training to become an acupuncturist;

15 (4) May not participate or ever have participated in a commercial or
16 professional field related to acupuncture;

17 (5) May not have a household member who participates in a commercial
18 or professional field related to acupuncture; and

19 (6) May not have had within 2 years before appointment a substantial
20 financial interest in a person regulated by the Board.

21 (e) (1) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A
22 PERSON WHO IS THE OWNER, DIRECTOR, PRESIDENT, HEAD, OR MEMBER OF THE
23 BOARD OF, OR WHO HAS ANY FINANCIAL INTEREST IN, ANY ACUPUNCTURE SCHOOL
24 OR ACUPUNCTURE EDUCATIONAL INSTITUTION IN THIS STATE MAY NOT SERVE ON
25 THE BOARD.

26 (II) SUBPARAGRAPH (I) OF THIS PARAGRAPH DOES NOT APPLY TO A
27 PERSON WHO IS A MEMBER OF THE FACULTY AT AN ACUPUNCTURE SCHOOL OR
28 ACUPUNCTURE EDUCATIONAL INSTITUTION IN THIS STATE, UNLESS THE PERSON IS
29 ALSO THE OWNER, DIRECTOR, PRESIDENT, HEAD, OR MEMBER OF THE BOARD OF THE
30 ACUPUNCTURE SCHOOL OR ACUPUNCTURE EDUCATIONAL INSTITUTION.

31 (2) While a member of the Board, the consumer member may not have a
32 substantial financial interest in a person regulated by the Board.

33 (f) Before taking office, each appointee to the Board shall take the oath
34 required by Article I, § 9 of the State Constitution.

35 (g) (1) The term of a member is 3 years.

1 (2) The terms of members are staggered as required by the terms
2 provided for members of the Board on July 1, 1994.

3 (3) At the end of a term, a member continues to serve until a successor is
4 appointed and qualifies.

5 (4) A member may not serve more than two consecutive full terms.

6 (5) A member who is appointed after a term has begun serves only for
7 the rest of the term and until a successor is appointed and qualifies.

8 (h) The Governor may remove a member for incompetence or misconduct.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 June 1, 1998.