

**Department of Legislative Services**

Maryland General Assembly

2001 Session

**FISCAL NOTE**

**Revised**

House Bill 1270 (Delegate Menes, *et al.*)

Environmental Matters

Economic and Environmental Affairs

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**State Acupuncture Board - Auricular Detoxification**

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This bill allows an individual who is licensed by the State to practice specified health occupations to provide auricular detoxification if supervised by a licensed acupuncturist.

The bill takes effect October 1, 2001 and sunsets September 30, 2004.

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**Fiscal Summary**

**State Effect:** The bill's requirements could be handled with existing budgeted resources.

**Local Effect:** None.

**Small Business Effect:** Minimal. To the extent that substance abuse programs could provide this type of treatment to more individuals, those businesses would be minimally impacted by the additional revenues and costs associated with providing the treatment.

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**Analysis**

**Bill Summary:** "Auricular detoxification" means an acupuncture technique involving the needling of the external auricle of the human ear for the purpose of assisting a person who is undergoing detoxification to remove addictive substances from the body and restoring health.

An individual may practice auricular detoxification under the direct supervision of a licensed acupuncturist if the individual: (1) is a certified or licensed alcohol, substance abuse, or chemical dependency counselor, a licensed nurse, or a licensed psychologist or

licensed certified social worker who works with alcohol or drug addicted clients at a chemical dependency program; (2) provides documentation to the State Acupuncture Board of the successful completion of a training program in acupuncture for the treatment of alcoholism, substance abuse, or chemical dependency that is approved by the board and meets or exceeds the standards of the National Acupuncture Detoxification Association; (3) does not represent to the public that the individual is authorized to practice acupuncture; (4) agrees to be subject to the board for disciplinary action; and (5) performs auricular detoxification only within the context of a clinical substance abuse program in a hospital, prison, outpatient clinic, or other setting approved by the board. A licensed acupuncturist may supervise up to three individuals performing auricular detoxification in any one setting. The board is required to adopt regulations to carry out the provisions of this bill.

The board is required to prepare an evaluation report recommending reestablishment or termination of the Act by January 1, 2004. The report must be submitted to the Governor and the General Assembly.

**Current Law:** Only a licensed acupuncturist may practice auricular detoxification.

**Background:** The use of auricular (ear) acupuncture in treating acute drug withdrawal began in Hong Kong in 1972. Its practical application in alcohol and drug treatment evolved at New York City's Lincoln Hospital during the 1970s. Over 2,000 clinics in diverse settings have since been established worldwide based upon the protocol developed by the National Acupuncture Detoxification Association (NADA).

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### **Additional Information**

**Prior Introductions:** A similar bill was introduced during the 2000 session as HB 1069, and was withdrawn.

**Cross File:** None.

**Information Source(s):** Department of Health and Mental Hygiene (Boards and Commissions); *Acupuncture: New Perspectives in Chemical Dependency Treatment*, Alex G. Brumbaugh, The Journal of Substance Abuse Treatment, February 12, 1993, V.10, No.1; Department of Legislative Services

**Fiscal Note History:** First Reader – February 21, 2001  
jm/jr Revised – House Third Reader – March 26, 2001  
Revised – Enrolled Bill – April 12, 2001

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