

Department of Legislative Services

Maryland General Assembly

2003 Session

FISCAL AND POLICY NOTE

Senate Bill 117 (Chairman, Education, Health, and Environmental Affairs Committee)

(By Request – Departmental – Health and Mental Hygiene)

Education, Health, and Environmental Affairs

State Acupuncture Board - Examination Requirements and Membership of Board

This departmental bill increases the term of members of the State Acupuncture Board to four years and requires applicants for licensure to both complete a training course and pass an examination. The course of study must be approved by the Maryland Higher Education Commission or the Accreditation Commission for Acupuncture and Oriental Medicine. A passing score is required for each portion of the exam provided by the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM).

The board may waive the examination requirement if a licensee obtained his/her license by October 1, 2003 or was enrolled in a course of training that satisfied current law as of October 1, 2003.

Fiscal Summary

State Effect: None. The bill would not materially affect State operations or finances.

Local Effect: None.

Small Business Effect: The Department of Health and Mental Hygiene has determined that this bill has a meaningful impact on small business (attached). Legislative Services concurs with this assessment as discussed below.

Analysis

Current Law: Members of the board serve three-year terms.

Applicants must complete either: (1) a training course that is approved by the Maryland Higher Education Commission or accredited by the National Accreditation Commission for Schools and Colleges of Acupuncture and Oriental Medicine; or (2) pass an examination approved by the National Accreditation Commission for Schools and Colleges of Acupuncture and Oriental Medicine.

Background: The board is the only health occupation regulatory board that does not require an examination for licensure.

Currently 41 states regulate the practice of acupuncture. Of those 41 states, only two do not require passage of an examination for licensure. Thirty-seven of the 39 states that do require an examination use the NCCAOM exam. California and New Mexico have developed their own exams. New Mexico requires passage of both the NCCAOM and state examinations.

NCCAOM requires continuing education to maintain national certification. This bill would not require further education or examination to maintain a license to practice acupuncture in Maryland.

Small Business Effect: Individuals applying for a new acupuncture license in Maryland would have to pay \$900 to the National Certification Commission for Acupuncture and Oriental Medicine to sit and pass the national examination. This expense applies only to new, incoming applicants (approximately 60 per year) and does not affect existing licensees or those enrolled in a certification course by October 1, 2003.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Health and Mental Hygiene, Department of Legislative Services

Fiscal Note History: First Reader - January 29, 2003
lc/jr

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