

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE

House Bill 234 (Chair, Health and Government Operations Committee)
(By Request – Departmental – Health and Mental Hygiene)
Health and Government Operations

State Board of Acupuncture - Practice and Licensure

This departmental bill expands the practice of acupuncture to include other oriental medical therapies. In addition, the bill repeals the specified number of acupuncture and clinical practice hours as a condition of licensure. Finally, the bill removes the continuing education requirement for a practitioner who has maintained an active practice out of state and wishes to reinstate a Maryland license.

Fiscal Summary

State Effect: The bill would not directly affect governmental operations or finances.

Local Effect: None.

Small Business Effect: The Department of Health and Mental Hygiene has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

Analysis

Current Law: The practice of acupuncture includes • stimulation of points of the body by the insertion of acupuncture needles; • application of moxibustion; and • manual, mechanical, thermal, or electrical therapies only when performed in accordance with the principles of oriental acupuncture medical theories.

To qualify for an acupuncture license from the State Acupuncture Board, an applicant must be at least 18 years old, of good moral character, and able to communicate in the English language. In addition, the applicant has to demonstrate competence in performing acupuncture by meeting one of two standards for education or training:

- graduation from a course of training of at least 1,800 hours in acupuncture, including 300 clinical hours, that is • approved by the Maryland Higher Education Commission; • accredited by the Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM); or • found by the board to be equivalent to a course approved by ACAOM; *or*
- achievement of a • diplomat in acupuncture from the National Certification Commission for Acupuncture and Oriental Medicine; or • passing score on an examination that is determined by the board to be equivalent to the examination given by the National Certification Commission for Acupuncture and Oriental Medicine.

The board may reinstate the license of a former licensee who has failed to renew the license for any reason if the former licensee • meets certain continuing education requirements; • applies for reinstatement more than 30 days after the license renewal deadline; • submits a reinstatement application to the board; and • pays a reinstatement and renewal fee.

The board may not assess a reinstatement fee on an individual who has been on inactive status for more than six years if the individual can provide documentation of maintaining an active license in another state.

Background: According to the board, the education hour requirement should be removed because the national accrediting body, ACAOM, frequently changes the national standards for education requirements. Thus, statute must be amended each time this happens.

Additional Information

Prior Introductions: None.

Cross File: None.

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

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ncs/ljm

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