

SENATE BILL 370

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6lr2026
CF HB 374

By: **Senator Augustine**

Introduced and read first time: January 27, 2026

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **State Acupuncture Board – Revisions**

3 FOR the purpose of defining “manual therapies” as it relates to the practice of acupuncture;
4 requiring the State Acupuncture Board to make available proof of renewal, rather
5 than issuing a renewal certificate; prohibiting a person from employing an individual
6 to practice acupuncture without a license or aiding or abetting the unauthorized
7 practice of acupuncture; and generally relating to the practice of acupuncture.

8 BY repealing and reenacting, with amendments,
9 Article – Health Occupations
10 Section 1A–101, 1A–302(b), 1A–306(e), and 1A–403
11 Annotated Code of Maryland
12 (2021 Replacement Volume and 2025 Supplement)

13 BY adding to
14 Article – Health Occupations
15 Section 1A–403
16 Annotated Code of Maryland
17 (2021 Replacement Volume and 2025 Supplement)

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

20 **Article – Health Occupations**

21 1A–101.

22 (a) In this title the following words have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(b) “Acupuncture” means a form of health care based on East Asian medical theories of energetic physiology that describe the interrelationship of the body organs and functions.

(c) “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.

(d) “Board” means the State Acupuncture Board.

(e) “License” means, unless the context requires otherwise, a license issued by the Board to practice acupuncture.

(F) (1) “MANUAL THERAPIES” MEANS TREATMENT MODALITIES THAT APPLY PRESSURE OR MANIPULATION USING HANDS OR ANOTHER PART OF THE BODY ALONG POINTS OR MERIDIANS THAT NORMALIZE ELECTROMAGNETIC OR ENERGETIC FUNCTION.

(2) “MANUAL THERAPIES” INCLUDE ACUPRESSURE OR OTHER PRESSURE TREATMENT TECHNIQUES BASED ON EAST ASIAN MEDICAL THERAPIES.

[(f)] (G) (1) “Practice acupuncture” means the use of East Asian medical therapies for the purpose of normalizing energetic physiological functions including pain control, and for the promotion, maintenance, and restoration of health.

(2) “Practice acupuncture” includes:

(i) Stimulation of the body by the insertion of needles;

(ii) The application of moxibustion; and

(iii) Manual **THERAPIES**, mechanical **THERAPIES**, thermal **THERAPIES**, electrical **THERAPIES**, or other East Asian medical therapies only when performed in accordance with the principles of East Asian medical theories and practices.

[(g)] (H) “Supervision” means:

(1) A formalized professional relationship between a licensed acupuncturist and an individual performing auricular detoxification that provides evaluation and direction of the individual to adequately ensure the safety and welfare of clients during the course of treatment; and

(2) As defined by the Board in regulations:

(i) Periodic direct supervision where the licensed acupuncturist is present or on-site during treatment; and

(ii) General supervision where the licensed acupuncturist is neither present nor on-site during treatment.

1A-302.

(b) The applicant shall:

(1) Be of good moral character;

(2) Be at least 18 years old;

(3) Demonstrate competence in performing acupuncture by meeting the following standards for education or training:

(i) If the applicant is issued a license on or before May 31, 2026:

1. Graduation from at least a master's level program or its equivalent in acupuncture that is:

A. Approved by the Maryland Higher Education Commission;

B. Accredited by the Accreditation Commission for Acupuncture and [Oriental] **HERBAL** Medicine; or

C. Found by the Board to be equivalent to a course approved or accredited under item A or B of this item; or

2. Achievement of a:

A. Diplomate in acupuncture from the National Certification Commission for Acupuncture and Oriental Medicine; or

B. 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; or

(ii) If the applicant is issued a license on or after June 1, 2026:

1. Graduation from at least a master's level program or its equivalent in acupuncture that is:

A. Approved by the Maryland Higher Education Commission;

B. Accredited by the Accreditation Commission for Acupuncture and [Oriental] **HERBAL** Medicine; or

C. Found by the Board to be equivalent to a course approved or accredited under item A or B of this item; and

2. Achievement of a passing score on an examination given by the National Certification Commission for Acupuncture and Oriental Medicine or determined by the Board to be equivalent to the examination given by the National Certification Commission for Acupuncture and Oriental Medicine;

(4) Demonstrate the ability to communicate in the English language; and

(5) Meet any other qualifications that the Board establishes in regulations.

1A-306.

(e) The Board shall renew the license of and [issue a renewal certificate] **MAKE AVAILABLE PROOF OF RENEWAL** to each licensee who meets the requirements of this section.

1A-403.

EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, A PERSON MAY NOT:

(1) **EMPLOY AN INDIVIDUAL TO PRACTICE ACUPUNCTURE WITHOUT A LICENSE; OR**

(2) **AID OR ABET THE UNAUTHORIZED PRACTICE OF ACUPUNCTURE IN VIOLATION OF § 1A-401 OF THIS SUBTITLE.**

[1A-403.] **1A-404.**

(a) A person who violates [any provision] **§ 1A-401 OR § 1A-402** of this subtitle is [guilty]:

(1) **GUILTY** of a misdemeanor and on conviction is subject to a fine not exceeding \$5,000 or imprisonment not exceeding 3 years or both[.

(b) A person who violates § 1A-401 or § 1A-402 of this subtitle is subject]; **AND**

(2) **SUBJECT** to a civil fine not to exceed \$50,000 to be assessed by the Board in accordance with regulations adopted by the Board.

1 **(B) A PERSON WHO VIOLATES § 1A-403 OF THIS SUBTITLE IS:**

2 **(1) (I) FOR A FIRST OFFENSE, GUILTY OF A MISDEMEANOR AND ON**
3 **CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$5,000 OR IMPRISONMENT NOT**
4 **EXCEEDING 1 YEAR OR BOTH; AND**

5 **(II) FOR A SUBSEQUENT OFFENSE, GUILTY OF A FELONY AND ON**
6 **CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$5,000 PER DAY OR**
7 **IMPRISONMENT NOT EXCEEDING 5 YEARS OR BOTH; AND**

8 **(2) SUBJECT TO A CIVIL FINE NOT TO EXCEED \$10,000 TO BE**
9 **ASSESSED BY THE BOARD IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE**
10 **BOARD.**

11 **(C) THE BOARD SHALL REMIT ANY PENALTY COLLECTED UNDER THIS**
12 **SECTION INTO THE GENERAL FUND OF THE STATE.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2026.