

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 557

2016 Regular Session

Jay Morris

ACUPUNCTURISTS: Provides for the licensing of acupuncturists

Synopsis of Senate Amendments

1. Requires a licensed acupuncturist to establish and maintain a relationship with a physician in accordance with rules and regulations promulgated by the La. State Board of Medical Examiners.
2. Makes technical changes.

Digest of Bill as Finally Passed by Senate

Present law requires the La. State Board of Medical Examiners (LSBME) to certify, as an acupuncturist of traditional Chinese acupuncture, a physician licensed to practice medicine in Louisiana who has successfully completed either of the following:

- (1) Six months' training in traditional Chinese acupuncture in a school or clinic approved by the board.
- (2) 300 credit hours of continuing medical education in acupuncture designated as category one continuing medical education hours by the American Medical Association.

Proposed law deletes the reference to traditional Chinese acupuncture and changes the certification title from acupuncturist to physician acupuncturist.

Present law provides that the board shall certify, as an acupuncture detoxification specialist, an individual who works under the general supervision of a physician licensed by the board to practice in the state or under the general supervision of an acupuncturist's assistant certified by the board to practice in the state and has successfully completed the required training.

Proposed law changes the required supervision by an acupuncturist's assistant to supervision by a licensed acupuncturist.

Present law requires the board to certify as an acupuncturist's assistant any of the following:

- (1) An individual who has successfully completed 36 months of training in a school or clinic of traditional Chinese acupuncture approved by the board.
- (2) An individual who has been appointed or employed at a licensed or accredited La. hospital, medical school, or clinic to perform acupuncture for research purposes.
- (3) An individual who has successfully passed the certification examination given by the National Certification Commission for Acupuncture and Oriental Medicine.

Proposed law changes the certification title from acupuncturist's assistant to licensed acupuncturist and deletes the requirement to certify an individual who has been appointed or employed at a licensed or accredited La. hospital, medical school, or clinic to perform acupuncture for research purposes. Further changes the education requirement of 36 months of training in a school or clinic of traditional Chinese acupuncture to a requirement to graduate from an acupuncture school or college accredited by the Accreditation Commission for Acupuncture and Oriental Medicine.

Present law requires an acupuncturist's assistant to work under the direction, control, and supervision of a physician and to perform such duties, services, and functions pertaining to acupuncture as assigned by the supervising physician.

Proposed law changes the requirement for a supervising physician to a requirement for a relationship, in accordance with rules and regulations promulgated by the LSBME, with a physician who operates a physical practice location in La. to provide for referrals and follow-up care which may be necessary.

Present law requires the LSBME to formulate rules and regulations that it deems necessary to regulate the certification of acupuncturists and acupuncturists' assistants and the practice of traditional Chinese acupuncture in La.

Proposed law repeals present law and further authorizes the LSBME to do any of the following:

- (1) Adopt, revise, and enforce rules and regulations that it deems necessary to ensure the competency of applicants, the protection of the public, and the proper administration of this proposed law.
- (2) Approve the license of duly qualified applicants and deny, suspend, revoke, or place on probation any licensee who acts beyond the scope of practice or engages in unprofessional conduct.
- (3) Conduct hearings on charges calling for the denial, suspension, or revocation of or the refusal to renew a license.
- (4) Adopt fees under its authority pursuant to present law, for the purpose of administering the provisions of proposed law.
- (5) Establish an advisory committee on acupuncture to provide such assistance as the board may deem necessary or request in the administration of proposed law.

Present law defines "supervising physician" as a physician who exercises supervision and control over an acupuncturists' assistant when the assistant is engaged in the practice of acupuncture.

Proposed law repeals present law.

(Amends R.S. 37:1356(intro. para.), (1), (4), and (5), 1357(intro. para.) and (1), 1357.1(A)(intro. para.), 1358, 1359, and 1360; Repeals R.S. 37:1356(9))