



2020 South Dakota Legislature

Senate Bill 99

Introduced by: **Senator Monroe**

1 **An Act to prohibit certain persons from practicing acupuncture.**

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 **Section 1.** That a NEW SECTION be added:

4 **36-2-1.1. Acupuncture Practice--Prohibitions.**

5 No person, other than a person exempted under § 36-2-1.2, may engage in the
6 practice of acupuncture.

7 For the purposes of this section, the practice of acupuncture is the stimulation of a
8 certain point or points on or near the surface of the body by the insertion of needles to
9 prevent or modify the perception of pain or to normalize physiological functions for the
10 treatment of certain diseases or dysfunctions of the body based upon oriental medical
11 diagnosis, and includes the technique of eletroacupuncture. The practice of acupuncture
12 does not include the performance of dry needling by a physical therapist in accordance
13 with § 36-10-52.

14 A violation of this section is a Class 2 misdemeanor.

15 **Section 2.** That a NEW SECTION be added:

16 **36-2-1.2. Acupuncture Prohibitions--Exceptions.**

17 The provisions of § 36-2-1.1 do not apply to the following persons who practice
18 acupuncture within the scope of their practice:

19 (1) A physician or osteopath licensed under chapter 36-4; or

20 (2) A chiropractor licensed under chapter 36-5.

21 **Section 3.** That this Act is effective July 1, 2022.