

On page 2, line 14, of the Introduced bill, after "service--" insert "Duties--"

On page 2, line 15, of the Introduced bill, after "service--Meetings." insert "There is hereby established the Acupuncture Licensing Board within the Department of Health. The board shall submit records, information, and reports in the form and as required by the secretary of health. The board shall report at least annually to the Department of Health.

"

On page 2, line 19, of the Introduced bill, after "to" insert ":

(1)"

On page 2, line 19, of the Introduced bill, delete "determine " and insert "Determine "

On page 2, line 21, of the Introduced bill, after "license" insert ";

(2) Hold examinations of candidates for licensure; and

(3) Conduct such business as may properly come before the board"

On page 2, line 22, of the Introduced bill, after "year." insert "

At the expiration of a term, or if a vacancy occurs, the Governor shall appoint a new board member. The Governor may stagger terms to enable the board to have different terms expire each year. The Governor may remove any member from the board for neglect of any duty required by law or for incompetency or unprofessional or dishonorable conduct."

On page 2, line 23, of the Introduced bill, after "year." insert "

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

**36-39-3. Officers of board--Rules and regulations--Bond of secretary-treasurer.**

The Board shall organize annually by electing a president, vice-president, and secretary-treasurer, and the board shall have the power to adopt rules and regulations in compliance with chapter 1-26 as shall be reasonably necessary to carry out and make effective the provisions and purposes of this chapter. The secretary-treasurer of the board may be required to give a bond in such sum and with such conditions as the board may direct.

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On page 3, line 9, of the Introduced bill, after "body, " delete "substances topically applied to the body, "

On page 3, line 13, of the Introduced bill, after "means;" insert " and"

On page 3, line 15, of the Introduced bill, after "mobilization, " delete "manipulation, "

On page 3, line 16, of the Introduced bill, after "skin;" delete " and

(iii) Injection therapy including the injection of inert substances which include injectable saline, vitamin B12, and homeopathics for the purpose of the stimulation of acupuncture points, including painful trigger points. Injection therapy of any of the substances mentioned above is limited by training approved by the National Certification Commission for Acupuncture and Oriental Medicine and subject to federal regulation;"

On page 4, line 5, of the Introduced bill, delete "A chiropractor licensed under chapter 36-5" and insert " Any person otherwise licensed under title 36"

On page 4, line 5, of the Introduced bill, after "36-5;" insert " and"

On page 4, line 8, of the Introduced bill, after "year" delete "; and

(4) Any acupuncturist licensed to practice in another state or country may practice acupuncture in this state without a license if the acupuncturist is conducting treatment in relation to disaster relief for a period of time not to exceed three consecutive months"

On page 4, line 13, of the Introduced bill, after "months." insert "

**Section 7.** That a NEW SECTION be added:

**36-39-7. Advertising or practicing without license or annual license renewal--  
Misdemeanor.**

Any person who advertises, practices, or attempts to practice acupuncture or who uses the title acupuncturist or any other authorized title to induce any person to believe that the person is an acupuncturist without first having secured a license from the Board or an annual license renewal from the Board is guilty of a Class 1 misdemeanor.

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On page 4, line 16, of the Introduced bill, after "acupuncturist, " delete "doctor of acupuncture and Oriental medicine, "

On page 5, line 6, of the Introduced bill, after "board;" delete " and"

On page 5, line 8, of the Introduced bill, after "§ 36-39-13" insert "; and

(7) Pass a board-administered exam on the laws governing the practice of acupuncture in the state"

On page 5, line 17, of the Introduced bill, delete "may " and insert "shall "

On page 5, line 17, of the Introduced bill, after "education " delete "or other proof of competency "

On page 5, line 20, of the Introduced bill, after "licensure." insert "

Each person receiving a license under the provisions of this chapter shall procure from the secretary-treasurer of the board on or before the thirty-first day of December of each year, a renewal of license. The renewal shall be issued by the secretary-treasurer upon payment of the fee set by rule,

promulgated by the board pursuant to chapter 1-26. The renewal license shall be in the form of a receipt acknowledging payment of the required fee and signed by the secretary-treasurer."

On page 6, line 12, of the Introduced bill, delete "two " and insert "five "

On page 7, line 1, of the Introduced bill, after "collected." insert "

**Section 16.** The Governor is not required to appoint members to the board and the board is not required to begin issuing licenses pursuant to this Act until the balance in the acupuncture regulation fund is greater than twenty thousand dollars.

"

On page 7, line 1, of the Introduced bill, after "collected." insert "

**Section 17.** That a NEW SECTION be added:

**36-39-16. Signature, seal and display of license.**

The license to practice acupuncture shall be signed by each member of the Board and authenticated by the seal of the board, and the license and renewal certificate shall be conspicuously displayed at the office of the practitioner.

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On page 7, line 1, of the Introduced bill, after "collected." insert "

**Section 18.** That a NEW SECTION be added:

**36-39-17. Grounds for refusal or revocation of license--Procedure.**

The board may, in compliance with chapter 1-26, refuse to grant a license to any person otherwise qualified, and may revoke the license of any acupuncturist who is not of good moral character; who solicits professional patronage by agents; who is guilty of unprofessional conduct, incompetency, habitual intoxication, the use of narcotics, fraud, or deception; who shall be convicted of a felony; or who practices contrary to the provisions of this chapter or the rules of the board. The board shall define by rule, in compliance with chapter 1-26, the foregoing grounds for revocation and refusal.

"

On page 7, line 1, of the Introduced bill, after "collected." insert "

**Section 19.** That a NEW SECTION be added:

**36-39-18. Criminal background investigation of applicants for licensure.**

Each applicant for licensure in this state shall submit to a state and federal criminal background investigation by means of fingerprint checks by the Division of Criminal Investigation and the Federal Bureau of Investigation. Upon application, the Board shall submit completed fingerprint cards to the Division of Criminal Investigation. Upon completion of the criminal background check, the Division of Criminal Investigation shall forward to the board all information obtained as a result of the criminal background check. This information shall be obtained prior to permanent licensure of the applicant. The Board may require a state and federal criminal background check for any licensee who is the subject of a disciplinary investigation by the board. Failure to submit or cooperate with the criminal background investigation is grounds for denial of an application or may result in revocation of a license. The applicant shall pay for any fees charged for the cost of fingerprinting or the criminal background investigation.

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