
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1280 Session of
2011

INTRODUCED BY PAYTON, CALTAGIRONE AND READSHAW, APRIL 5, 2011

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, APRIL 5, 2011

AN ACT

1 Amending the act of February 14, 1986 (P.L.2, No.2), entitled,
2 as amended, "An act regulating the right to practice
3 acupuncture; requiring the licensure of acupuncturists; and
4 providing a penalty," further providing for medical
5 diagnosis; and providing for liability insurance.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Section 3.1 of the act of February 14, 1986
9 (P.L.2, No.2), known as the Acupuncture Registration Act, added
10 November 29, 2006 (P.L.1625, No.186), is amended to read:

11 Section 3.1. Medical diagnosis.

12 (a) Treatment without diagnosis.--Except as provided in
13 subsection (b), an acupuncturist may treat a person's condition
14 without the condition being diagnosed by a licensed physician,
15 dentist or podiatrist for 60 calendar days from the date of the
16 first treatment.

17 (b) Treatment with diagnosis.--An acupuncturist may treat a
18 person's condition beyond 60 calendar days from the date of the
19 first treatment if the person obtained a diagnosis of the
20 treated condition from a licensed physician, dentist or

1 podiatrist.

2 (c) Exception.--Subsections (a) and (b) shall not apply if a
3 person does not present any symptoms of a condition.

4 Section 2. The act is amended by adding a section to read:

5 Section 3.2. Liability insurance.

6 (a) Required coverage.--An acupuncturist shall obtain and
7 maintain, to the satisfaction of the board, professional
8 liability insurance coverage in the minimum amount of \$1,000,000
9 per occurrence or claims made.

10 (b) Noncompliance.--Failure to maintain insurance coverage
11 as required under this section shall be actionable under
12 sections 3 and 5.

13 (c) Evidence of coverage.--The board shall accept as
14 satisfactory evidence of insurance coverage under this section
15 the following:

16 (1) self-insurance;

17 (2) personally purchased professional liability
18 insurance; or

19 (3) professional liability insurance coverage provided
20 by the acupuncturist's employer or similar type of coverage
21 acceptable to the board.

22 Section 3. This act shall take effect in 90 days.