

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1606 Session of
1987

INTRODUCED BY DAWIDA, JUNE 25, 1987

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, JUNE 25, 1987

AN ACT

1 Amending the act of February 14, 1986 (P.L.2, No.2), entitled
2 "An act regulating the right to practice acupuncture;
3 requiring the registration of acupuncturists; and providing a
4 penalty," adding provisions relating to dentists.

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

7 Section 1. Sections 2 and 3 of the act of February 14, 1986
8 (P.L.2, No.2), known as the Acupuncture Registration Act,
9 amended December 15, 1986 (P.L.1618, No.183), are amended to
10 read:

11 Section 2. Definitions.

12 The following words and phrases when used in this act shall
13 have the meanings given to them in this section unless the
14 context clearly indicates otherwise:

15 "Acupuncture." The stimulation of certain points on or near
16 the surface of the body by the insertion of needles to prevent
17 or alleviate the perception of pain or to normalize
18 physiological functions, including pain control, for the

1 treatment of certain diseases or dysfunctions of the body.

2 "Acupuncturist." An individual registered to practice
3 acupuncture by the State Board of Medicine or the State Board of
4 Osteopathic Medicine.

5 "Board." The State Board of Medicine [and], the State Board
6 of Osteopathic Medicine and the State Board of Dentistry.

7 "Commissioner." The Commissioner of Professional and
8 Occupational Affairs in the Department of State.

9 Section 3. Regulation of the practice of acupuncture.

10 (a) Registration required.--Except as provided in subsection
11 (e), an individual, including a physician or dentist, shall be
12 registered with one of the boards before the individual may
13 practice acupuncture in this Commonwealth. Individuals shall
14 renew their registrations biennially with the appropriate board.

15 (b) Regulations to be promulgated.--The boards shall each
16 promulgate regulations requiring the proper training of
17 individuals, including physicians and dentists, before they may
18 be registered to practice acupuncture in this Commonwealth.

19 Proper training shall include, to the extent determined by the
20 appropriate board, education or demonstrated experience in the
21 practice of acupuncture. If a board requires successful
22 completion of a written, oral or practical examination in order
23 to qualify for registration under this act, the examination
24 shall be prepared and administered by a qualified and approved
25 professional testing organization in the manner required for
26 written examinations by section 812.1 of the act of April 9,
27 1929 (P.L.177, No.175), known as The Administrative Code of
28 1929. The board may promulgate such other regulations as are
29 deemed proper and necessary regarding the practice of
30 acupuncture. If an individual is registered to practice

1 acupuncture with one of the boards, the individual shall be
2 considered to have met the requirements to be registered by the
3 other board.

4 (c) Practice to be under general supervision of a physician
5 or dentist.--An acupuncturist is not required to practice
6 acupuncture on the premises of the office of a physician or
7 dentist; however, an acupuncturist, other than a physician or
8 dentist or a person exempted as provided for in subsection (e),
9 is required to practice acupuncture under the general
10 supervision of a physician or dentist. The supervising physician
11 or dentist is not required to be registered with a board as an
12 acupuncturist. "General supervision" means the supervising
13 physician or dentist shall:

14 (1) Perform a medical or dental diagnostic examination
15 or review the results of a recently performed medical or
16 dental diagnostic examination with respect to any ailment or
17 condition to be treated by acupuncture prior to such
18 treatment.

19 (2) Be personally available for consultation on the
20 premises or be available by telephone contact, chart review
21 or other means approved by the appropriate board.

22 (3) Place conditions and restrictions on the course of
23 treatment if required as a matter of sound medical or dental
24 practice.

25 (d) Disciplinary and corrective measures.--Acupuncturists
26 registered with the State Board of Medicine shall be subject to
27 all disciplinary provisions applicable to medical doctors as set
28 forth in the act of December 20, 1985 (P.L.457, No.112), known
29 as the Medical Practice Act of 1985. Acupuncturists registered
30 with the State Board of Osteopathic Medicine shall be subject to

1 all disciplinary provisions applicable to osteopathic medical
2 doctors as set forth in the act of October 5, 1978 (P.L.1109,
3 No.261), known as the Osteopathic Medical Practice Act.
4 Acupuncturists registered with the State Board of Dentistry
5 shall be subject to all disciplinary provisions applicable to
6 dentists as set forth in the act of May 1, 1933 (P.L.216,
7 No.76), known as The Dental Law.

8 (e) Section not applicable to [dentists,] podiatrists and
9 veterinarians.--This section shall not apply to [a dentist
10 performing acupuncture in connection with the practice of
11 dentistry,] a podiatrist performing acupuncture in connection
12 with the practice of podiatry or a veterinarian performing
13 acupuncture on animals in connection with the practice of
14 veterinary medicine. The [State Board of Dentistry with regard
15 to dentists, the] State Board of Podiatry with regard to
16 podiatrists and the State Board of Veterinary Medical Examiners
17 with regard to veterinarians shall assure that licensees of that
18 board who perform acupuncture have what that board determines to
19 be the proper education or demonstrated experience in the
20 performance of acupuncture.

21 Section 2. This act shall take effect in 60 days.