

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1235 Session of
2006INTRODUCED BY RHOADES, BOSCOLA, ERICKSON, WONDERLING,
C. WILLIAMS, WASHINGTON, O'PAKE AND COSTA, JUNE 22, 2006

AS AMENDED ON SECOND CONSIDERATION, SEPTEMBER 27, 2006

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 acupuncture; and providing a
4 penalty," FURTHER PROVIDING FOR REGULATION OF THE PRACTICE OF <—
5 ACUPUNCTURE; AND providing for medical diagnosis.

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

8 ~~Section 1. The act of February 14, 1986 (P.L.2, No.2), known <—~~
9 ~~as the Acupuncture Registration Act, is amended by adding a~~
10 ~~section to read:~~

11 SECTION 1. SECTION 3(C) OF THE ACT OF FEBRUARY 14, 1986 <—
12 (P.L.2, NO.2), KNOWN AS THE ACUPUNCTURE REGISTRATION ACT,
13 AMENDED MAY 16, 2002 (P.L.326, NO.49), IS AMENDED TO READ:
14 SECTION 3. REGULATION OF THE PRACTICE OF ACUPUNCTURE.

15 * * *

16 [(C) PRACTICE OF CERTAIN ACUPUNCTURISTS.--AN ACUPUNCTURIST,
17 OTHER THAN A LICENSED PHYSICIAN OR A PERSON EXEMPTED AS PROVIDED
18 FOR IN SUBSECTION (H), SHALL, PRIOR TO ADMINISTERING THE FIRST
19 TREATMENT, DO ALL OF THE FOLLOWING:

1 (1) ENSURE THAT THE PATIENT HAS SECURED A WRITTEN
2 REFERRAL FOR TREATMENT BY ACUPUNCTURE FROM A LICENSED
3 PHYSICIAN. A REFERRAL UNDER THIS PARAGRAPH SHALL PLACE
4 CONDITIONS AND RESTRICTIONS ON THE COURSE OF TREATMENT IF
5 REQUIRED AS A MATTER OF SOUND MEDICAL PRACTICE.

6 (2) ENSURE THAT THE PATIENT HAS UNDERGONE A MEDICAL
7 DIAGNOSTIC EXAMINATION OR HAS HAD THE RESULTS OF A RECENTLY
8 PERFORMED MEDICAL DIAGNOSTIC EXAMINATION REVIEWED BY A
9 LICENSED PHYSICIAN.

10 (3) KEEP A COPY OF THE REFERRAL AND THE RESULTS OF THE
11 MEDICAL DIAGNOSTIC EXAMINATION IN THE PATIENT'S FILE.]

12 * * *

13 SECTION 2. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

14 Section 3.1. Medical diagnosis.

15 (1) Except as provided in paragraph (2), an
16 acupuncturist may treat a person's condition without the
17 condition being diagnosed by a licensed physician, dentist or
18 podiatrist for 60 calendar days from the date of the first
19 treatment.

20 (2) An acupuncturist may treat a person's condition
21 beyond 60 calendar days from the date of the first treatment
22 if the person obtained a diagnosis of the treated condition
23 from a licensed physician, dentist or podiatrist.

24 Section ~~2~~ 3. This act shall take effect in 60 days.

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