
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 990 Session of
2013

INTRODUCED BY BROWNE AND MENSCH, JUNE 12, 2013

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
JUNE 12, 2013

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 licensure of acupuncturists; and providing a
4 penalty," further providing for medical diagnosis; and
5 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 Licensure 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

1 treated condition from a licensed physician, dentist or
2 podiatrist.

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

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

6 Section 3.2. Liability insurance.

7 (a) Required coverage.--A licensee shall obtain and
8 maintain, to the satisfaction of the board, professional
9 liability insurance coverage in accordance with the provisions
10 of this section.

11 (b) Minimum coverage.--A licensee under this act, practicing
12 in this Commonwealth, shall maintain a level of professional
13 liability insurance coverage in the minimum amount of \$1,000,000
14 per occurrence or claims made. Failure to maintain insurance
15 coverage as required shall subject the licensee to disciplinary
16 proceedings.

17 (c) Noncompliance.--A licensee shall notify the board within
18 30 days of the licensee's failure to be covered by the required
19 insurance. Failure to notify the board shall be actionable under
20 sections 3 and 5. The license to practice shall automatically be
21 suspended upon failure to be covered by the required insurance
22 and shall not be restored until submission to the board of
23 satisfactory evidence that the licensee has the required
24 professional liability insurance coverage.

25 (d) Evidence of compliance.--The board shall accept from a
26 licensee as satisfactory evidence of insurance coverage under
27 this subsection any or all of the following:

28 (1) Self-insurance.

29 (2) Personally purchased professional liability
30 insurance.

1 (3) Professional liability insurance coverage provided
2 by the licensee's employer or any similar type of coverage
3 acceptable to the board.

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