



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature  
Second Regular Session

Senate: HHS DPA 8-0-0-0 | 3<sup>rd</sup> Read 29-0-1-0

## **SB 1080: acupuncture; scope of practice; assistants**

**Sponsor: Senator Barto, LD 15**  
**Committee on Health & Human Services**

### **Overview**

Establishes the scope of duties for acupuncture assistants and expands the definition of *acupuncture*.

### **History**

The Acupuncture Board of Examiners (Board) is authorized to: 1) adopt rules necessary to enforce statute; 2) initiate investigations and take disciplinary actions to enforce applicable laws; 3) evaluate the qualifications of applicants and issue licenses to qualified applicants; and 4) adopting rules for clinical training ([A.R.S. § 32-3903](#)).

To receive a license to practice acupuncture, a person must apply as prescribed by the Board. The applicant must disclose specified information and document to the Board's satisfaction that the applicant has completed a Board-approved clean needle technique course and meets all of the following requirements:

- 1) That the applicant has either:
  - a) Been certified in acupuncture by the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) or its successor organization or another certifying body or examination that is Board recognized;
  - b) Passed specified modules offered by NCCAOM; or
  - c) Been licensed by another state with substantially similar standards and has not had their certification or license revoked.
- 2) Has graduated from or completed training in a Board-approved program of acupuncture with a minimum of 1,850 hours of training which includes at least 800 hours of Board-approved clinical training; and
- 3) Has submitted a full set of fingerprints to the Board for the purpose of obtaining a state and federal criminal records check pursuant to applicable laws, the Department of Public Safety may exchange the fingerprint data with the Federal Bureau of Investigation ([A.R.S. § 32-3924](#)).

### **Provisions**

#### ***Acupuncture Assistants***

1. Outlines the scope of duties for acupuncture assistants to include:
  - a) Removing acupuncture needles;
  - b) Monitoring acupuncture procedures such as the application of heat or moxibustion; and
  - c) Performing noncritical functions such as gathering basic patient information, taking blood pressure and attending to patient treatment rooms. (Sec. 4)

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2. Forbids an acupuncture assistant from inserting acupuncture needles or evaluating, interpreting, designing or modifying established treatment programs of acupuncture care. (Sec. 4)
3. Directs an acupuncture assistant to register with the Board on a form prescribed by the Board. (Sec. 4)
4. Grants the Board the authority to suspend or revoke the registration of an acupuncture assistant that violates any provisions related to the practice of acupuncture or indulges in conduct or practices that are detrimental to the health or safety of the public. (Sec. 4)
5. Deems it unlawful for a person to either:
  - a) Work as an acupuncture assistant except under the supervision of a licensed acupuncturist pursuant to statute and Board adopted rules; or
  - b) Use the abbreviation *A.A* or the term *acupuncture assistant* unless the person is working under the supervision of a licensed acupuncturist pursuant to statute and Board-adopted rules. (Sec. 4)
6. Clarifies that these provisions do not prohibit an acupuncture assistant from assisting a licensed acupuncturist pursuant to Board-adopted rules that are consistent with the aforementioned provisions. (Sec. 4)
7. Directs the Board to adopt rules pursuant to statute for the purpose of regulating acupuncture assistants. (Sec. 8)
8. Specifies that until the Board adopts rules and approves training programs for acupuncture assistants, a licensed acupuncturist may supervise an unlicensed person who completes a training program for acupuncture assistants that includes specified practices. (Sec. 8)

***Fingerprint Clearance Card Requirements***

9. Deletes the requirement that an applicant seeking an acupuncture license or acupuncture detoxification specialist certification must submit a full set of fingerprints to the Board for obtaining a state and federal criminal records check. (Sec. 2-3)
10. Directs an applicant for initial or renewal of an acupuncture license or acupuncture detoxification specialist certificate to possess a valid fingerprint clearance card beginning January 1, 2023. (Sec. 2-3)
11. Modifies the definition of *agency* relating to the Board of Fingerprinting and Fingerprinting Division in the DPS to include the Board. (Sec. 5, 6)
12. Includes acupuncture licensees and acupuncture detoxification specialists certificate holders in the definition of *person* as it relates to the Board of Fingerprinting and Fingerprinting Division in the Department of Public Safety (DPS). (Sec. 5-6)

***Miscellaneous***

13. Modifies the definition of *acupuncture* to mean a system of medicine based in traditional practices and informed by contemporary science that includes:
  - a) Prescribing adjunctive therapies;
  - b) Using and prescribing herbal therapies commensurate with the acupuncturist's education and training;
  - c) Using decision support tools, including physical and clinical examinations; and

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- d) Ordering diagnostic imaging and clinical laboratory procedures to determine the nature of care or to form a basis for referral to other licensed health care professionals, or both. (Sec. 1)
- 14. Modifies the definition of *adjunctive therapies* by removing the use of herbal poultices and including the use of nutritional counseling and nonionizing lasers. (Sec. 1)
- 15. Deems failure to demonstrate professional standards of care, training and education qualifications as established by the Board in rule for performing a therapeutic modality as an act of unprofessional conduct for acupuncturists. (Sec. 1)
- 16. Classifies prescribing or administering medicine or drugs, except as allowed by statute as an act of unprofessional conduct for acupuncturists. (Sec. 1)
- 17. Contains a delayed effective date of January 1, 2023, relating to the fingerprint clearance card provisions. (Sec. 9)
- 18. Defines *acupuncture assistant*, *herbal therapies* and *supervision*. (Sec. 1)
- 19. Makes technical and conforming changes. (Sec. 1, 2, 3, 5, 6, 7)