



ARIZONA STATE SENATE
Fifty-Sixth Legislature, First Regular Session

AMENDED
FACT SHEET FOR S.B. 1401

~~technical correction; malpractice claim review~~
(NOW: animal acupuncture)

Purpose

Allows an acupuncturist to become certified to treat animals if the acupuncturist is nationally certified for acupuncture and oriental medicine to treat animals and is in compliance with outlined requirements.

Background

To receive a license to practice acupuncture, a person must submit an application to the Board of Acupuncture Examiners (Board) that documents that the applicant has successfully completed an approved clean needle technique course and have either: 1) been certified in acupuncture by the National Certification Commission for acupuncture and oriental medicine; 2) have passed the point location, foundations of oriental medicine, biomedicine and acupuncture modules; or 3) have been licensed by another state with similar standards. The applicant must additionally have graduated from or completed training in a Board-approved program of acupuncture with a minimum of 1,850 hours of training that includes at least 800 hours of Board-approved clinical training ([A.R.S. § 32-3924](#)).

Acupuncture is a system of medicine based in traditional practices and informed by contemporary science and includes the following: 1) puncturing the skin by thin, solid needles to reach subcutaneous structures; 2) stimulating the needles to effect a positive therapeutic response; 3) removing needles; 4) using and prescribing adjunctive and herbal therapies; 5) using decision-support tools, including physical and clinical examinations; and 6) ordering diagnostic 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 ([A.R.S. § 32-3901](#)).

A *veterinarian* is a person who has received a doctor's degree in veterinary medicine from a veterinary college. A *licensed veterinarian* is a person who is currently licensed to practice veterinary medicine in this state ([A.R.S. § 32-2201](#)).

Oriental medicine, also called Traditional Chinese Medicine, is a medical system that has been used for thousands of years to prevent, diagnose, treat disease and includes acupuncture, diet, herbal therapy, meditation, physical exercise, and massage ([National Institute of Health](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Allows an acupuncturist to apply for Board certification to treat animals if the acupuncturist is nationally certified by the American Board of Animal Acupuncture or the National Certification Commission for acupuncture and oriental medicine to treat animals.
2. Allows the Board to prescribe procedures for applying for certification and paying the certification fee.
3. Allows a certified acupuncturist to apply all appropriate acupuncture modalities while treating animals.
4. Excludes the actions of an animal acupuncturist from acts that constitute the practice of veterinary medicine if the acupuncturist:
 - a) is nationally certified by the American Board of Animal Acupuncture or the National Certification Commission for Acupuncture and Oriental Medicine to treat animals;
 - b) provides proof of current certification in animal acupuncture to the Board;
 - c) has received a referral for acupuncture treatment from a licensed veterinarian who has diagnosed the animal;
 - d) maintains records on every animal and provides the record to the treating veterinarian on request;
 - e) maintains adequate insurance to specifically cover any injuries to the animal, the animal's owner or staff members working on the animal; and
 - f) assesses and treats the animal consistent with the acupuncturist's training and, on request, communicates the findings, treatment and results to the treating licensed veterinarian in a timely manner.
5. Specifies that an animal acupuncturist is solely liable for the acupuncture treatment provided to an animal that is also under the care of a licensed veterinarian.
6. Requires an acupuncturist that is not providing the treatment in a licensed veterinary premises that is operated by a licensed veterinarian to comply with the following requirements:
 - a) the animal is not treated in the same area as human patients;
 - b) the premises has secured areas to contain animals safely during any treatment;
 - c) the staff is trained to properly hold any animal being treated;
 - d) protocols are in place to handle emergency situations that may arise with the animal that is being treated;
 - e) sanitation protocols are in place to ensure human and animal safety; and
 - f) any rules adopted by the Board.
7. Requires the Board to adjudicate complaints arising from acupuncture treatment on animals and consult a licensed veterinarian as a subject matter expert on animal health.
8. Applies the statutory definition of *licensed veterinarian* used for the licensing, oversight and regulation of doctors of veterinary medicine.
9. Makes technical changes.
10. Becomes effective on the general effective date.

Amendments Adopted by Committee

- Adopted the strike-everything amendment.

Amendments Adopted by Committee of the Whole

1. Requires, to be nationally certified by the American Board of Animal Acupuncture or the National Certification Commission for Acupuncture and Oriental Medicine rather than the Board, before treating an animal.
2. Outlines additional certification, referral, record keeping, treatment and liability requirements for animal acupuncturists.
3. Prescribed requirements for animal acupuncture performed outside of a licensed veterinary premises.
4. Requires the Board to adjudicate complaints relating to animal acupuncture treatment and to consult a licensed veterinarian as a subject matter expert on animal health.

Senate Action

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Prepared by Senate Research

March 14, 2023

MM/JM/slp