

H.690

An act relating to the practice of acupuncture by health care professionals acting within their scope of practice.

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 26 V.S.A. § 3402 is amended to read:

§ 3402. PROHIBITIONS; OFFENSES; EXEMPTIONS

(a) Except as provided in section 3412 of this title, ~~no~~ a person shall not practice acupuncture unless he or she is licensed in accordance with the provisions of this chapter.

(b)(1) ~~No~~ A person shall not use in connection with the person's name any letters, words, or insignia indicating or implying that the person is an acupuncturist unless the person is licensed in accordance with this chapter.

(2) The only title a licensed acupuncturist may use in reference to that license is "licensed acupuncturist" or its abbreviation, as "Lic. Ac."

(c) A person who violates any of the provisions of subsection (a) or (b) of this section shall be subject to the penalties provided in 3 V.S.A. § 127(e).

(d) Nothing in subsection (a) of this section shall prevent a student from performing acupuncture under the supervision of a competent licensed acupuncturist instructor:

(1) within a school or a college or an acupuncture department of a college or university that is licensed by the Vermont Agency of Education or

certified by the Accreditation Commission for Acupuncture and Oriental
Medicine; or

- (2) as a student in a Director-approved apprenticeship; or
- (3) as an intern in any hospital.

(e) Nothing in subsection (a) of this section shall prevent a person who is licensed or certified as an acupuncturist in another state or Canadian province from practicing acupuncture for no more than five days in a calendar year as part of a health care professional educational seminar or program in Vermont, if the educational seminar or program is directly supervised by a Vermont-licensed health care professional whose scope of practice includes acupuncture.

(f) This chapter shall not be construed to limit or restrict in any way the right of a licensed practitioner of a health care profession regulated under this title from performing services within the scope of his or her professional practice.

Sec. 1a. DIRECTOR OF PROFESSIONAL REGULATION; EVALUATING
NON-ACUPUNCTURISTS

The Director of Professional Regulation, with cooperation of the relevant professional regulatory boards, shall monitor and evaluate whether non-acupuncturists employing acupuncture as a therapeutic modality are doing

so safely, within their scopes of practice, and in a manner consistent with the
public health, safety, and welfare.

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.