

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Health Care to which was referred House Bill No. 690
3 entitled “An act relating to the practice of acupuncture by physicians and
4 osteopaths” respectfully reports that it has considered the same and
5 recommends that the bill be amended by striking out all after the enacting
6 clause and inserting in lieu thereof the following:

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

8 § 3402. PROHIBITIONS; OFFENSES; EXEMPTIONS

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

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

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

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

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

1 (1) within a school or a college or an acupuncture department of a
2 college or university that is licensed by the Vermont Agency of Education or
3 certified by the Accreditation Commission for Acupuncture and Oriental
4 Medicine; ~~or~~

5 (2) as a student in a Director-approved apprenticeship; or

6 (3) as an intern in any hospital.

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

14 (f) The provisions of this chapter shall not apply to the following persons
15 acting within the scope of his or her professional practice:

16 (1) a person licensed to practice medicine under chapter 23 of this title;

17 (2) a person licensed to practice osteopathic medicine under chapter 33
18 of this title; or

19 (3) a person licensed as a physician assistant under chapter 31 of this
20 title.

1 Sec. 2. EFFECTIVE DATE

2 This act shall take effect on passage.

3 and that after passage the title of the bill be amended to read: “An act relating
4 to the practice of acupuncture by physicians, osteopaths, and physician
5 assistants”

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8 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE