

DRAFT; NOT YET EDITED; FOR COMMITTEE DISCUSSION

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Government Operations to which was referred House
3 Bill No. 104 entitled “An act relating to professions and occupations regulated
4 by the Office of Professional Regulation” respectfully reports that it has
5 considered the same and recommends that the bill be amended as follows:

6 First: In Sec. 2, 3 V.S.A. § 122 (Office of Professional Regulation), in
7 subdivision (17), following “~~Board of Radiologic Technology~~”, by striking out
8 “Technologists” and inserting in lieu thereof “Technology”

9 Second: In Sec. 4, 3 V.S.A. § 129a (unprofessional conduct), in
10 subdivision (26), following “Sexually harassing or exploiting a patient, client,
11 or consumer”, by inserting “, or doing so to a coworker in a manner that
12 impacts professional services”

13 Third: In Sec. 13, 26 V.S.A. chapter 47 (Opticians), in § 2672
14 (qualifications), in subdivision (1)(C), following “, including at least one year”,
15 by striking out “or” and inserting in lieu thereof “of”

16 Fourth: In Sec. 19, 26 V.S.A. chapter 75 (acupuncturists), by striking out in
17 its entirety § 3401a (scope of practice) and inserting in lieu thereof the
18 following:

19 § 3401a. SCOPE OF PRACTICE

20 A licensed acupuncturist:

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1 (1) May, in addition to the practice of acupuncture employing fine
2 needles, in a manner consistent with acupuncture theory, employ electrical,
3 magnetic, thermal, and mechanical skin stimulation techniques; non-laboratory
4 diagnostic techniques; nutritional, herbal, and manual therapies; exercise and
5 lifestyle counseling; acupressure; and massage.

6 (2) Shall not offer diagnosis of any human pathology except for a
7 functional diagnosis, based upon the physical complaint of a patient or
8 acupuncture theory, for purposes of developing and managing a plan of
9 acupuncture care, or as necessary to document to insurers and other payers the
10 reason a patient sought care.

11 Fifth: By striking out in its entirety Sec. 20, 26 V.S.A. chapter 81
12 (naturopathic physicians) and its accompanying reader assistance heading and
13 inserting in lieu thereof:

14 [Deleted.]

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18 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE