

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: By adding a new section to be Sec. 4a to read:

14 Sec. 4a. 3 V.S.A. § 129b is amended to read:

15 § 129b. BOARD MEMBER AND ADVISOR APPOINTMENTS

16 * * *

17 (g) For advisor professions, ~~advisors~~:

18 (1) Advisors shall be appointed by the Secretary of State and shall serve
19 at the pleasure of the Secretary of State. Advisor appointments shall be subject
20 to the same conditions as those for board members under this section.

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1 (2) The Office shall warn and conduct an open meeting including
2 advisors, program staff, and interested members of the public:

3 (A) at least once per year for each profession with 500 or fewer
4 active licensees; and

5 (B) at least twice per year for each profession with more than 500
6 active licensees.

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

10 Fifth: In Sec. 14, 26 V.S.A. chapter 51 (radiology), in § 2801 (definitions),
11 in subdivision (6) (“licensed practitioner”), following “practice medicine,
12 osteopathy,” by striking out “nursing,” and inserting in lieu thereof “advanced
13 practice registered nursing,”

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

17 § 3401a. SCOPE OF PRACTICE

18 A licensed acupuncturist:

19 (1) May, in addition to the practice of acupuncture employing fine
20 needles, in a manner consistent with acupuncture theory, employ electrical,
21 magnetic, thermal, and mechanical skin stimulation techniques; non-laboratory

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1 diagnostic techniques; nutritional, herbal, and manual therapies; exercise and
2 lifestyle counseling; acupressure; and massage.

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

8 Seventh: By striking out in its entirety Sec. 20, 26 V.S.A. chapter 81
9 (naturopathic physicians) and its accompanying reader assistance heading and
10 inserting in lieu thereof:

11 [Deleted.]

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15 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE