

Testimony of Jessica Oski, on behalf of The Vermont Acupuncture Association
Senate Government Operations Committee
April 18, 2019
H.104

On behalf of the Vermont Acupuncture Association, I want to thank the committee for the opportunity to comment on **H.104 – An act related to professions and occupations regulated by the Office of Professional Regulation**. The VTAA is a non-profit association, representing Vermont practitioners and consumers of Acupuncture, Chinese Herbal Medicine, Asian Bodywork, Tai Chi and Qi Gong. Among its goals are to improve the quality of care by educating consumers and professionals of the best clinical practices, and to protect patients' access to all forms of Oriental Medicine, and their right to receive it from a properly trained professional.

Section 23 of the bill makes a number of technical changes to the acupuncture chapter and most importantly, modernizes the acupuncture scope of practice. The VTAA supports these changes. We appreciate the patience and persistence of OPR over the last two years in their work with us to get to a mutually agreeable and beneficial update to the acupuncture scope of practice.

There are **3 technical changes** that we would like the committee to consider.

- The **first and second** changes are in §3406 (a)(2) and (3) – delete the word **“Traditional.”**

§ 3406. EXAMINATION

(a) The ~~director~~ Director shall examine applicants for licensure and may use a standardized national examination. The examination shall include the following subjects:

- (1) Anatomy and physiology.
- (2) ~~Traditional Oriental~~ acupuncture pathology.
- (3) ~~Traditional Oriental~~ acupuncture diagnosis.

When the word "oriental" was deleted, the word "Traditional" should also have been deleted.

1. Removing the word "traditional" is consistent with the changes in scope - which remove reference to "traditional and modern Oriental...."
2. The progression from Traditional Chinese Medicine to Traditional Oriental Medicine to simply Acupuncture (as in the scope) more clearly defines the practice.
3. It is sufficient to encompass the range of the field from classical to traditional to contemporary in the least restrictive way.
4. Removes any opportunity for confusion about what “traditional acupuncture pathology” and “traditional acupuncture diagnosis” means.

- The **third** change is in §3407(b). The reference to "National Commission for the Certification of Acupuncturists" should read "National Certification Commission for Acupuncture and Oriental Medicine." The NCCA was the predecessor of the NCCAOM (it changed in the 90's).

§ 3407. LICENSURE WITHOUT EXAMINATION

(a) The ~~director~~ Director may waive the examination requirement under subdivision ~~3405(3)~~ 3405(2) of this ~~title~~ chapter if the applicant is an acupuncturist regulated under the laws of another state who is in good standing to practice acupuncture in that state and, in the opinion of the ~~director~~ Director, the standards and qualifications required for regulation of acupuncturists in that state are substantially equivalent to those required by this chapter.

(b) The ~~director~~ Director may waive the examination requirement under subdivision ~~3405(3)~~ 3405(2) of this ~~title~~ chapter for an applicant who has furnished evidence of having passed the examination administered by the ~~National Commission for the Certification of Acupuncturists~~ National Certification Commission for Acupuncture and Oriental Medicine.