



ARIZONA STATE SENATE

Fifty-First Legislature, Second Regular Session

FACT SHEET FOR S.B. 1136

acupuncture board of examiners

Purpose

Modifies statutes relating to the Acupuncture Board of Examiners (Board) including requiring licensees to have valid fingerprint clearance cards and allowing all Board members to receive compensation.

Background

Laws 1998, Chapter 239 established the Board to promote the professional and safe practice of acupuncture within the state of Arizona. The Board consists of nine members appointed by the Governor, including four licensed acupuncturists, three consumers and two health professionals as outlined. The members serve three-year terms and are required to meet at least quarterly. Consumer board members are eligible to receive up to \$50 in compensation for each day of service (A.R.S. § 32-3902).

Current law requires an applicant for licensure to have: 1) successfully completed a clean needle technique course approved by the Board; 2) been certified as outlined or licensed by another state with similar standards to Arizona; and 3) graduated or completed a Board-approved training. One such training for which the Board has the authority to approve and adopt rules is a preceptorship. A preceptorship training is *a program in which a student studies under a Board-approved supervisor who assumes responsibility for the training of the student* (Arizona Administrative Code R4-8-101).

The fingerprint clearance card (FCC) application costs \$67 for employees (\$65 for volunteers) and is valid for six years. According to the Department of Public Safety, the FCC Program is self-funded through the application fees and the current turn-around time on applications is about 21 days if there is no criminal history.

As of December 2013, the Board has 553 licensees and 40 auricular certificates, which are certificates for people who practice auricular acupuncture for the purpose of treating alcoholism, substance abuse and chemical dependency. Auricular acupuncture uses only points found on the ears.

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

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Provisions

1. Allows all Board members, rather than only consumer members, to receive compensation up to \$50 for each day of Board service.
2. Requires a licensee to post the license, or an official duplicate, in the reception area, rather than in that person's office, of each of the licensee's office facilities.
3. Requires an applicant for licensure to disclose all other active and past professional health care licenses and certificates issued to the applicant in the United States.
4. Provides an additional mechanism for applicants to fulfill one of the licensure requirements by allowing them to pass prescribed modules offered by the National Certification Commission for Acupuncture and Oriental Medicine.
5. Requires each applicant for licensure or relicensure, beginning July 1, 2016, to have met one of the following requirements:
 - a) possesses a valid fingerprint clearance card (FCC); or
 - b) provides proof of having submitted a FFC application; an applicant who has been denied a FFC must also provide proof that the applicant qualifies for a good cause exception hearing.
6. Requires a licensee, beginning July 1, 2016, to maintain a valid FCC during the valid period of the person's license.
7. Modifies the definition of *acupuncture*, updates the name of a national certifying commission, and removes all references of preceptorships.
8. Makes technical and conforming changes.
9. Becomes effective on the general effective date.

Prepared by Senate Research

February 17, 2014

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