

RE: S.B. No. 2276
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii
Sir:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 2276, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO ACUPUNCTURE,"

begs leave to report as follows:

The purpose and intent of this measure is to make comprehensive updates to chapter 436E, Hawaii Revised Statutes, regarding acupuncture practitioners to reflect modernized scopes of practice, titles, and licensing and renewal requirements, including thirty hours of continuing education per licensing biennium, beginning July 1, 2023.

Your Committee received testimony in support of this measure from the Board of Acupuncture, Mala Healing Arts, AcuPlan Hawaii, Windward Wellness, Hawaii Acupuncture Association, Institute of Clinical Acupuncture and Oriental Medicine, Kailua Acupuncture Clinic, Longevity Health Center, and eleven individuals. Your Committee received testimony in opposition to this measure from the Hawaii Medical Association. Your Committee received comments on this measure from one individual.

Your Committee finds that existing laws concerning the scope of practice and other licensing-related statutes for acupuncturists are outdated. Updating the scopes of practice and titles of acupuncture practitioners will allow them to practice to their fullest potential and will bring the State into compliance with national standards of competency and safety. Additionally, updating scopes of practice will assist insurance companies better determine reimbursement for approved services. This measure is therefore necessary to make updates to the State's acupuncture licensing laws to reflect modernized scopes of practice, titles, and licensing and renewal requirements, including continuing education to further promote public health and safety.

Your Committee has amended this measure by:

- (1) Inserting language to allow the Board of Acupuncture to issue a license by reciprocity under certain circumstances;
- (2) Clarifying the definition of "practice of advanced acupuncture medicine" to mean the practice of acupuncture medicine as further determined by administrative rules;
- (3) Clarifying that compliance with the continuing education requirements shall begin with the renewal for the licensing biennium commencing July 1, 2025;
- (4) Inserting language authorizing the Board of Acupuncture to adopt rules relating to the requirements and standards that continuing education programs shall meet to obtain recognition and approval from the Board;
- (5) Authorizing the Board of Acupuncture to conduct random audits of licensees' continuing education documentation;
- (6) Reinstating existing statutory language to allow visiting acupuncturists who are not performing services on patients in the State to be exempt from the licensure requirements; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2276, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2276, S.D. 2.

Respectfully submitted on behalf of the members of the Committee on
Commerce and Consumer Protection,

ROSALYN H. BAKER, Chair