

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1392

52nd Legislature
1992 Regular Session

Passed by the House March 7, 1992
Yeas 96 Nays 0

**Speaker of the
House of Representatives**

Passed by the Senate March 2, 1992
Yeas 46 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1392** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1392

AS AMENDED BY THE SENATE

Passed Legislature - 1992 Regular Session

State of Washington 52nd Legislature 1991 Regular Session

By House Committee on Health Care (originally sponsored by Representatives Locke, Prince, Braddock, Ballard, Wang and Brekke).

Read first time March 14, 1991.

1 AN ACT Relating to acupuncture; amending RCW 18.06.010, 18.06.080,
2 and 18.06.120; adding a new section to chapter 18.06 RCW; and repealing
3 RCW 18.06.030, 18.06.040, 18.06.910, and 18.06.911.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 18.06.010 and 1991 c 3 s 4 are each amended to read as
6 follows:

7 The following terms in this chapter shall have the meanings set
8 forth in this section unless the context clearly indicates otherwise:

9 (1) "Acupuncture" means a health care service based on a
10 traditional Oriental system of medical theory utilizing Oriental
11 diagnosis and treatment to promote health and treat organic or
12 functional disorders by treating specific acupuncture points or
13 meridians. Acupuncture includes but is not necessarily limited to the
14 following techniques:

1 (a) Use of acupuncture needles to stimulate acupuncture points and
2 meridians;

3 (b) Use of electrical, mechanical, or magnetic devices to stimulate
4 acupuncture points and meridians;

5 (c) Moxibustion;

6 (d) Acupressure;

7 (e) Cupping;

8 (f) Dermal friction technique (~~((gwa-hsa))~~);

9 (g) Infra-red;

10 (h) Sonopuncture;

11 (i) Laserpuncture;

12 (j) Dietary advice based on traditional ((Chinese)) Oriental
13 medical theory; and

14 (k) Point injection therapy (aquapuncture).

15 (2) "Acupuncturist" means a person certified under this chapter.

16 (3) "Department" means the department of health.

17 (4) "Secretary" means the secretary of health or the secretary's
18 designee.

19 NEW SECTION. **Sec. 2.** A new section is added to chapter 18.06 RCW
20 to read as follows:

21 Nothing in this chapter shall be construed to prohibit or restrict:

22 (1) The practice licensed, certified, or registered under the laws
23 of this state and performing services within such individual's
24 authorized scope of practice;

25 (2) The practice by an individual employed by the government of the
26 United States while engaged in the performance of duties prescribed by
27 the laws of the United States;

28 (3) The practice by a person who is a regular student in an
29 educational program approved by the secretary, and whose performance of

1 services is pursuant to a regular course of instruction or assignments
2 from an instructor and under the general supervision of the instructor;

3 (4) The practice of acupuncture by any person licensed or certified
4 to perform acupuncture in any other jurisdiction where such person is
5 doing so in the course of regular instruction of a school of
6 acupuncture approved by the secretary or in an educational seminar by
7 a professional organization of acupuncture, provided that in the latter
8 case, the practice is supervised directly by a person certified
9 pursuant to this chapter or licensed under any other healing art whose
10 scope of practice includes acupuncture.

11 **Sec. 3.** RCW 18.06.080 and 1991 c 3 s 10 are each amended to read
12 as follows:

13 (1) The secretary is hereby authorized and empowered to execute the
14 provisions of this chapter and shall offer examinations in acupuncture
15 at least twice a year at such times and places as the secretary may
16 select. The examination shall be a written examination ((in English))
17 and may include a practical examination.

18 (2) The secretary shall develop or approve a ((license))
19 certification examination in the subjects that the secretary determines
20 are within the scope of and commensurate with the work performed by
21 certified acupuncturists and shall include but not necessarily be
22 limited to anatomy, physiology, ((bacteriology)) microbiology,
23 biochemistry, pathology, hygiene, and acupuncture. All application
24 papers shall be deposited with the secretary and there retained for at
25 least one year, when they may be destroyed.

26 (3) If the examination is successfully passed, the secretary shall
27 confer on such candidate the title of Certified Acupuncturist.

1 **Sec. 4.** RCW 18.06.120 and 1991 c 3 s 12 are each amended to read
2 as follows:

3 (1) Every person certified in acupuncture shall register with the
4 secretary annually and pay an annual renewal registration fee
5 determined by the secretary as provided in RCW 43.70.250 on or before
6 the certificate holder's birth anniversary date. The certificate of
7 the person shall be renewed for a period of one year or longer in the
8 discretion of the secretary. A person whose practice is exclusively
9 out-of-state or who is on sabbatical shall be granted an inactive
10 certification status and pay a reduced registration fee. The reduced
11 fee shall be set by the secretary under RCW 43.70.250.

12 (2) Any failure to register and pay the annual renewal registration
13 fee shall render the certificate invalid. The certificate shall be
14 reinstated upon: (a) Written application to the secretary; (b) payment
15 to the state of a penalty fee determined by the secretary as provided
16 in RCW 43.70.250; and (c) payment to the state of all delinquent annual
17 certificate renewal fees.

18 (3) Any person who fails to renew his or her certification for a
19 period of three years shall not be entitled to renew such certification
20 under this section. Such person, in order to obtain a certification in
21 acupuncture in this state, shall file a new application under this
22 chapter, along with the required fee, and shall meet examination or
23 continuing education requirements as the secretary, by rule, provides.

24 (4) All fees collected under this section and RCW (~~18.06.060~~)
25 18.06.070 shall be credited to the health professions account as
26 required under RCW 43.70.320.

27 NEW SECTION. **Sec. 5.** The following acts or parts of acts are
28 each repealed:

29 (1) RCW 18.06.030 and 1991 c 3 s 6 and 1985 c 326 s 3;

- 1 (2) RCW 18.06.040 and 1985 c 326 s 4;
- 2 (3) RCW 18.06.910 and 1990 c 297 s 15; and
- 3 (4) RCW 18.06.911 and 1990 c 297 s 16.