

SENATE BILL REPORT

SB 6389

As Reported by Senate Committee On:
Health Care, February 4, 2016

Title: An act relating to the practice of certain East Asian medicine therapies.

Brief Description: Concerning the practice of certain East Asian medicine therapies.

Sponsors: Senators Keiser, Ranker, Cleveland and Becker.

Brief History:

Committee Activity: Health Care: 2/01/16, 2/04/16 [DPS].

SENATE COMMITTEE ON HEALTH CARE

Majority Report: That Substitute Senate Bill No. 6389 be substituted therefor, and the substitute bill do pass.

Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel, Bailey, Brown, Conway, Frockt, Jayapal, Keiser, Parlette and Rivers.

Staff: Evan Klein (786-7483)

Background: East Asian Medicine Practitioners. East Asian medicine practitioners are licensed by the Department of Health (DOH). East Asian medicine is a health care service that uses East Asian medicine diagnosis and treatment to promote health and treat organic or functional disorders. It includes, among other procedures: acupuncture, moxibustion; laserpuncture, point injection therapy - aquapuncture, dietary advice and health education based on East Asian medical theory, and relaxation.

Point Injection Therapy. Point injection therapy is not defined in statute or rule, but generally involves the injection of substances into muscle trigger points to prevent or treat pain.

Legend Drugs. It is unlawful to sell, deliver, or possess any legend drug except upon the order or prescription of specified health care professionals; however there is an exemption for a practitioner acting within the scope of his or her license. Legend drugs include any drugs which are required by state law or rule of the Pharmacy Quality Assurance Commission (PQAC) to be dispensed on prescription only or are restricted to use by practitioners only. The PQAC determines which drugs are classified as legend drugs, which

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are those designated under federal law and listed as legend drugs in the 2009 edition of the Drug Topics Red Book.

Summary of Bill: The bill as referred to committee not considered.

Summary of Bill (Recommended Substitute): East Asian medicine practitioners (EAMP) are permitted to administer legend drugs.

The DOH, in consultation with the East Asian medicine advisory committee must establish by rule, the definition of point injection therapy, and limit the substances that can be used in point injection therapy to saline, sterile water, herbs, minerals, vitamins in liquid form, and homeopathic and nutritional substances. The definition of point injection therapy must not include injection of controlled substances contained in Schedules I through V of the uniform controlled substances

Prior to providing point injection therapy, an EAMP must obtain the education and training necessary to provide the service. DOH must adopt rules by July 1, 2017, to specify the education and training necessary to provide point injection therapy.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: Acupuncturists were able to provide me with incredible relief. Alternative therapies, with the right oversight and rulemaking, can be made available. This is not an increase in scope, but would create oversight and rulemaking for this particular therapy. This bill is a technical clarification that places EAMPs under the legend drug act. There have been no complaints to DOH regarding point injection therapy. The pharmacy board wants EAMPs under the legend drug act, since all injectable substances are under their purview. This establishes, by law, the educational requirements for EAMPs to competently demonstrate the practice of point injection therapy. It will make the profession safer.

Persons Testifying: PRO: Senator Keiser, Prime Sponsor; Leslie Emerick, Andrew McIntyre, Zachary Fulton, WA East Asian Medicine Association.

Persons Signed In To Testify But Not Testifying: No one.