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**SENATE BILL 6038**

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**State of Washington 66th Legislature 2020 Regular Session**

**By** Senators Rivers, Cleveland, Keiser, Short, Conway, Kuderer, Saldaña, and Wilson, C.

AN ACT Relating to acupuncture and Eastern medicine; and amending RCW 18.06.010 and 18.06.230.

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

**Sec.**  RCW 18.06.010 and 2019 c 308 s 2 are each amended to read as follows:

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

(1) "Acupuncture((~~" or "~~)) and Eastern medicine" means a ((~~health care service utilizing acupuncture or Eastern medicine diagnosis and treatment to promote health and treat organic or functional disorders and includes the following~~)) holistic system of medicine often referred to as traditional Chinese medicine, Eastern medicine, and by other terms, which includes a variety of traditional and modern therapeutic treatments, such as the practice of acupuncture techniques and herbal medicine to maintain and promote wellness, prevent, manage, and reduce pain, treat substance use disorder, and promote health and treat organic or functional disorders. Acupuncture and Eastern medicine includes:

(a) ((~~Acupuncture, including the use~~)) Use of presterilized, disposable needles, such a filiform needles, and other acupuncture needles, syringes, or lancets to directly and indirectly stimulate meridians and acupuncture points ((~~and meridians~~)) including ashi points, motor points, trigger points, and other nonspecific points throughout the body;

(b) Use of electrical, mechanical, or magnetic devices to stimulate meridians and acupuncture points ((~~and meridians~~)) including ashi points, motor points, trigger points, and other nonspecific points throughout the body;

(c) Intramuscular needling and dry needling of trigger points and other nonspecific points throughout the body in accordance with acupuncture and Eastern medicine training;

(d) All points and protocols for ear acupuncture including auricular acupuncture, national acupuncture detoxification association protocol, battlefield acupuncture, and the Nogier system;

(e) Use of contact needling and noninsertion tools such as teishin, enshin, or zanshin;

(f) Moxibustion;

((~~(d)~~)) (g) Acupressure;

((~~(e)~~)) (h) Cupping;

((~~(f)~~)) (i) Dermal friction technique;

((~~(g)~~)) (j) Infra-red;

((~~(h)~~)) (k) Sonopuncture;

((~~(i)~~)) (l) Laserpuncture;

((~~(j)~~)) (m) Point injection therapy, as defined in rule by the department. Point injection therapy includes injection of substances, limited to saline, sterile water, herbs, minerals, vitamins in liquid form, and homeopathic and nutritional substances, consistent with the practice of acupuncture or Eastern medicine. Point injection therapy also includes injection of local anesthetics, such as lidocaine and procaine, for reduction of pain during point injection therapy, consistent with the practice of acupuncture and Eastern medicine and training requirements as defined in rule. An acupuncturist or acupuncture and Eastern medicine practitioner using point injection therapy who has met the training and education requirements established pursuant to RCW 18.06.230 may use oxygen, and epinephrine for potential emergency purposes, such as an allergic or adverse reaction, for patient care and safety. Point injection therapy does not include injection of controlled substances contained in Schedules I through V of the uniform controlled substances act, chapter 69.50 RCW or steroids as defined in RCW 69.41.300;

((~~(k)~~)) (n) Dietary advice and health education based on acupuncture or Eastern medical theory, including the recommendation and sale of herbs, vitamins, minerals, and dietary and nutritional supplements;

((~~(l)~~)) (o) Breathing, relaxation, and Eastern exercise techniques;

((~~(m)~~)) (p) Qi gong;

((~~(n)~~)) (q) Eastern massage and Tui na, which is a method of Eastern bodywork, characterized by the kneading, pressing, rolling, shaking, and stretching of the body and does not include spinal manipulation; and

((~~(o)~~)) (r) Superficial heat and cold therapies.

(2) "Acupuncturist" or "acupuncture and Eastern medicine practitioner" means a person licensed under this chapter.

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

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

Nothing in this chapter requires individuals to be licensed as an acupuncturist or acupuncture and Eastern medicine practitioner in order to provide the techniques and services in subsection (1)((~~(k)~~)) (n) through ((~~(o)~~)) (r) of this section or to sell herbal products.

**Sec.**  RCW 18.06.230 and 2019 c 308 s 12 are each amended to read as follows:

(1) Prior to providing point injection therapy services, an acupuncturist or acupuncture and Eastern medicine practitioner must obtain the education and training necessary to provide the service.

(2) Any acupuncturist or acupuncture and Eastern medicine practitioner performing point injection therapy prior to June 9, 2016, must be able to demonstrate, upon request of the department of health, successful completion of education and training in point injection therapy.

(3) Prior to administering local anesthetics, epinephrine, or oxygen in providing point injection therapy services, an acupuncturist or acupuncture and Eastern medicine practitioner must satisfy education and training requirements established by the department. The department must adopt rules establishing these requirements by July 1, 2021.

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