

SENATE BILL REPORT

SHB 1865

As Passed Senate, April 15, 2019

Title: An act relating to acupuncture and Eastern medicine.

Brief Description: Regulating the practice of acupuncture and Eastern medicine.

Sponsors: House Committee on Health Care & Wellness (originally sponsored by Representatives Cody, Harris, Pettigrew, Caldier, Tharinger and Thai).

Brief History: Passed House: 3/08/19, 96-2.

Committee Activity: Health & Long Term Care: 3/20/19, 3/25/19 [DP].

Floor Activity:

Passed Senate: 4/15/19, 48-0.

Brief Summary of Bill

- Changes the terms "East Asian medicine" and "East Asian medicine practitioner" to "acupuncture and Eastern medicine" and "acupuncturist or acupuncture and Eastern medicine practitioner."
- Directs the Department of Health to adopt a rule requiring completion of continuing education for acupuncturists.
- Repeals laws related to the approval of applications and requiring an examination fee for East Asian medicine practitioners and application of the East Asian medicine chapter to previously registered acupuncture assistants.

SENATE COMMITTEE ON HEALTH & LONG TERM CARE

Majority Report: Do pass.

Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey, Becker, Conway, Dhingra, Frockt, Keiser and Van De Wege.

Staff: Evan Klein (786-7483)

Background: In 2010, the Legislature changed the profession of acupuncture to East Asian medicine, and expanded the scope for a licensed East Asian medicine practitioner. East

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

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. Licensed East Asian medicine practitioners are prohibited from holding themselves out as acupuncturists.

Summary of Bill: References to "East Asian medicine" are changed to "acupuncture and Eastern medicine" throughout all statutes and references to "East Asian medicine practitioner" are changed to "acupuncturist" or "acupuncture and Eastern medicine practitioner." A person licensed as an acupuncturist may use the title acupuncturist, acupuncture and Eastern medicine practitioner, or East Asian medicine practitioner and use the letters L.Ac., EAMP, or AEMP.

DOH must adopt a rule requiring completion of continuing education for acupuncturists as a condition of license renewal.

DOH must consider for approval any school or program that meets the education requirements, but is not required to consider apprenticeship or tutorial programs. Statutes related to the approval of applications and requiring an examination fee, application of the chapter to previously registered acupuncture assistants, and the intent section from the 2010 legislation are repealed.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: PRO: This bill will change the name of the profession to Acupuncture and Eastern Medicine. Members of the Chinese community have petitioned to change the name of the term East Asian Medicine, due to historical connotations. The change to the professional title of Acupuncture and Eastern Medicine is agreed to by stakeholders, and is not as limiting as acupuncture. The current name is very racially charged and painful. It is time for Washington State to get rid of using the word East Asia. This bill addresses the concerns of the Chinese medical community. The acupuncture and eastern medicine community places value on diversity and equality, and a wide variety of approaches to this type of medicine. It is therefore imperative that the title of this profession include the name acupuncture, but also reference the region in which this profession originated.

Persons Testifying: PRO: Catherine Dayhoff, Washington East Asian Medicine Association; Jianfeng Yang, Washington East Asian Medicine Association; Erkang Hu, Acupuncturist; George Whiteside, Mindfulness Medicine Northwest; Curtis Eschels, Washington East Asian Medicine Association.

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