

CERTIFICATION OF ENROLLMENT

SENATE BILL 6038

66th Legislature
2020 Regular Session

Passed by the Senate February 5, 2020
Yeas 48 Nays 1

President of the Senate

Passed by the House March 3, 2020
Yeas 96 Nays 0

**Speaker of the House of
Representatives**

Approved

Governor of the State of Washington

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 6038** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SENATE BILL 6038

Passed Legislature - 2020 Regular Session

State of Washington

66th Legislature

2020 Regular Session

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

Prefiled 12/04/19. Read first time 01/13/20. Referred to Committee on Health & Long Term Care.

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

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

4 **Sec. 1.** RCW 18.06.010 and 2019 c 308 s 2 are each amended to
5 read as follows:

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

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

19 (a) (~~Acupuncture, including the use~~) Use of presterilized,
20 disposable needles, such a filiform needles, and other acupuncture
21 needles, syringes, or lancets to directly and indirectly stimulate

1 meridians and acupuncture points ((and—meridians)) including ashi
2 points, motor points, trigger points, and other nonspecific points
3 throughout the body;

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

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

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

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

16 (f) Moxibustion;

17 ((+d)) (g) Acupressure;

18 ((+e)) (h) Cupping;

19 ((+f)) (i) Dermal friction technique;

20 ((+g)) (j) Infra-red;

21 ((+h)) (k) Sonopuncture;

22 ((+i)) (l) Laserpuncture;

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

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

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

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

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

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

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

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

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

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

22 **Sec. 2.** RCW 18.06.230 and 2019 c 308 s 12 are each amended to
23 read as follows:

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

27 (2) Any acupuncturist or acupuncture and Eastern medicine
28 practitioner performing point injection therapy prior to June 9,
29 2016, must be able to demonstrate, upon request of the department of
30 health, successful completion of education and training in point
31 injection therapy.

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

--- END ---