

Legislative Analysis



REGISTRATION OF ACUPUNCTURISTS

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House Bill 5205 (Substitute H-2, Draft 2)

Sponsor: Rep. Randy Richardville

Committee: Health Policy

Complete to 11-5-04

A SUMMARY OF HOUSE BILL 5205 SUBSTITUTE H-2, DRAFT 2

The bill would create Part 165 within the Public Health Code to regulate the practice of acupuncture. "Acupuncture" would be defined as the insertion and manipulation of needles through the surface of the human body and the use of related therapies at specific locations on the human body for the prevention or correction of disease, injury, pain, or other condition. An "acupuncturist" would be an individual who practiced acupuncture and related therapies and was registered, or otherwise authorized, under the bill.

The bill would prohibit the use of certain titles relating to acupuncture unless a person was registered under Part 165. A licensed physician would not be subject to the bill's provisions.

The Michigan Board of Acupuncture would be created within the Department of Community Health (DCH) and would consist of eight voting members who would serve four-year terms. Composition of the board would consist of four acupuncturists, three physicians, and one member of the public.

The DCH, in consultation with the board, would have to promulgate rules establishing the minimum standards for registration. The professional standards issued by a certified program recognized by the National Commission for Certifying Agencies or by a nationally recognized trade association could be adopted by reference. The DCH would be prohibited from developing rules that diminish competition or exceed the minimum level of regulation necessary to protect the public.

There would be a \$75 application fee and a \$150 annual registration fee. Further, the bill would specify that it would not require new or additional third-party reimbursement or mandated worker's compensation benefits for services by an individual registered as an acupuncturist under Part 165.

MCL 333.16131 et al.

FISCAL IMPACT:

The bill will create state costs to develop and administer the registration, regulation, and complaint review, and to support a state board for the registration of the profession of acupuncturist. Annual registration fees of \$150 and initial processing fees of \$75 per

individual are established with the intent that they will fully support the state registration system costs for this profession. The costs and revenue are dependent upon the number of persons who seek state of Michigan registration. The Michigan Association of Acupuncture and Oriental Medicine estimates that there are about 100 acupuncturists in Michigan who will meet the licensing requirements of the bill. Average annual registration revenue from 100 persons would be approximately \$15,000-17,000. Persons will be subject to discipline under Part 161 of the Public Health Code for acupuncturist registration violations or unlawful practice without registration, which may include fines.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.