

BILL ANALYSIS

Senate Research Center

H.B. 2050
By: Thompson (Madla)
Health Services
5/13/1999
Engrossed

DIGEST

Currently, acupuncturists are subject to the regulatory authority of the Board of Medical Examiners (medical board) in the same manner that physicians and other practitioners are regulated by the board. Current law gives the Acupuncture Board very little power or authority, as all significant actions are subject to the approval of the board. H.B. 2050 deletes the requirement that the Acupuncture Board (board) establish certain requirements for students who have completed at least 48 hours of college and authorizes the board to establish minimum educational and training requirements necessary for an individual to receive a license to practice acupuncture. The bill further grants the board additional freedom with respect to setting certain fees and preparing certain financial reports.

PURPOSE

As proposed, H.B. 2050 establishes conditions regarding the regulation of the practice of acupuncture.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Acupuncture Board in SECTION 1 (Section 6.05, Article 4495b, V.T.C.S.) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 6.05, Article 4495b, V.T.C.S., (Medical Practice Act), to delete the requirement that the Acupuncture Board (board) establish requirements for a tutorial program for students who have completed at least 48 semester hours of college. Requires the board, by rule, and without the advice and approval of the Texas Medical Board (medical board), to establish minimum educational and training requirements necessary for the board to recommend that the medical board issue a license to practice acupuncture. Requires the board in establishing these requirements to consider adopting the minimum educational and training requirements established by the Accreditation Commission for Acupuncture and Oriental Medicine. Makes conforming changes.

SECTION 2. Amends Section 6.07(d), Article 4495b, V.T.C.S., to require the board to adopt, rather than authorize it to consider, the same standards set by the Accreditation Commission for Acupuncture and Oriental Medicine in establishing standards for the entrance requirements and course of instruction of an acupuncture school.

SECTION 3. Amends Section 6.075(a), Article 4495b, V.T.C.S., to authorize the board, through the executive director of the medical board, to issue a temporary license to an applicant who pays the appropriate fee prescribed by the acupuncture board, rather than the medical board.

SECTION 4. Amends Section 6.09, Article 4495b, V.T.C.S., to make conforming changes.

SECTION 5. Amends Sections 6.10 (d), (e), (f), and (h), Article 4495b, V.T.C.S., to make conforming changes.

SECTION 6. Amends Sections 6.115(a), Article 4495b, V.T.C.S., to require a license to practice acupuncture to be denied, or, after notice and hearing, revoked if the license holder has performed acupuncture on a person who was not evaluated by a physician or dentist, as appropriate, for the condition being treated within 12, rather than six, months before the date acupuncture was performed, except as provided by Subsection (b) of this section.

SECTION 7. Emergency clause.
Effective date: 90 days after adjournment.