

**Subject** Practice of acupuncture and herbal medicine

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## Overview

Acupuncture practitioners are regulated by the Board of Medical Practice, and with certain exceptions, it is unlawful for a person to engage in the practice of acupuncture without a valid license to do so. This bill makes changes to statutes governing acupuncture practitioners and the practice of acupuncture and herbal medicine.

## Summary

Section	Description
1	<b>Acupuncture.</b> Adds subd. 2a to § 147B.01. In the chapter governing licensure of acupuncture practitioners, defines acupuncture as a unique treatment technique that uses modern and traditional methods of diagnosis and treatment, and includes insertion of needles through the skin and other biophysical methods of acupressure point stimulation.
2	<b>Acupuncture and herbal medicine practice.</b> Amends § 147B.01, subd. 3. In the chapter governing licensure of acupuncture practitioners, changes a term defined, from acupuncture practice to acupuncture and herbal medicine practice, and amends the definition to include herbal medicine.
3	<b>Acupuncture needle.</b> Amends § 147B.01, subd. 4. Amends the definition of acupuncture needle in the chapter governing licensure of acupuncture practitioners.
4	<b>Breathing techniques.</b> Amends § 147B.01, subd. 9. In the chapter governing licensure of acupuncture practitioners, amends the definition of breathing techniques by removing the term “Oriental”.

<b>Section</b>	<b>Description</b>
5	<p><b>Herbal therapies or herbal medicine.</b></p> <p>Amends § 147B.01, subd. 14. Adds the term “herbal medicine” to the current definition of herbal therapies in the chapter governing licensure acupuncture practitioners.</p>
6	<p><b>Board approval.</b></p> <p>Amends § 147B.03, subd. 2. In a subdivision governing approval by the Board of Medical Practice of continuing education programs for acupuncture practitioners, allows faculty of a continuing education program to have experience in acupuncture and herbal medicine, rather than in traditional Oriental medicine.</p>
7	<p><b>Continuing education topics.</b></p> <p>Amends § 147B.03, subd. 3. In a subdivision governing allowable continuing education program topics for acupuncture practitioners, removes the term “Oriental” and instead allows program topics to address acupuncture and herbal medicine theory.</p>
8	<p><b>Creation.</b></p> <p>Amends § 147B.05, subd. 1. Specifies that the acupuncture practitioner members of the Acupuncture Advisory Council must be licensed in Minnesota.</p>
9	<p><b>Practice standards.</b></p> <p>Amends § 147B.06, subd. 1. In a subdivision governing acupuncture practitioner practice standards, deletes a requirement for the acupuncture practitioner to obtain a written acknowledgment from the patient that the patient has been advised to consult with the patient’s primary care physician about the acupuncture treatment if the patient’s circumstances warrant or if the patient chooses to do so. Also deletes a requirement that the acupuncture practitioner must provide the patient with information in writing on the practitioner’s qualifications and possible side effects of the treatment.</p>
10	<p><b>Scope of practice.</b></p> <p>Amends § 147B.06, subd. 4. Amends the scope of practice of acupuncture and herbal medicine, to specify the practice includes:</p> <ul style="list-style-type: none"><li>▪ evaluation, management, and treatment using acupuncture and herbal medicine methods and techniques;</li><li>▪ diagnostic examination, testing, and other procedures to guide treatment within the scope of practice for acupuncture and herbal medicine;</li><li>▪ services included in acupuncture and herbal medicine practice;</li><li>▪ stimulation of acupuncture points, areas of the body, or substances in the body by certain means;</li></ul>

Section	Description
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- use of physical medicine modalities, procedures, and devices;
- use of therapeutic exercises, breathing techniques, meditation, biofeedback devices, and other devices;
- dietary counseling using acupuncture and herbal medicine methods and techniques; and
- counseling and education on lifestyle balance using acupuncture and herbal medicine techniques.

11 **Patient records.**

Amends § 147B.06, subd. 5. In a subdivision governing the content of the patient record an acupuncture practitioner must maintain, removes language requiring the record to include information on a “traditional acupuncture” examination and diagnosis (the record must include information on examination and diagnosis).

12 **Repealer.**

Repeals the definition of Oriental medicine in the chapter governing licensure of acupuncture practitioners.



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