

Testimony of the Board of Acupuncture

**Before the
House Committee on Finance
Wednesday, April 6, 2022
2:00 p.m.
Conference Room 308 and Videoconference**

**On the following measure:
S.B. 2276, S.D. 2, H.D. 2 RELATING TO ACUPUNCTURE**

Chair Luke and Members of the Committee:

My name is Risé Doi, and I am the Executive Officer of the Board of Acupuncture (Board). The Board supports this bill.

The purpose of this bill is to make comprehensive updates to Hawaii Revised Statutes (HRS) chapter 436E, regarding acupuncture practitioners, to reflect modernized scopes of practice, titles, and licensing and renewal requirements, including thirty hours of continuing education per licensing biennium beginning July 1, 2025. Additionally, this bill allows the Board of Acupuncture to issue licenses by reciprocity.

The Board supports this measure because it modernizes the statutes to align with the current professional standards and activities provided by licensed acupuncturists.

Thank you for the opportunity to testify on this bill.

House Committee on Finance

Honorable Chair Representative Sylvia Luke
Honorable Vice Chair Kyle T. Yamashita

Hawaii Acupuncture Association

Board of Directors and Members

haamember@aol.com

Hearing Date:

Via Videoconference/online testimony

Position on SB2276 SD2, HD2: SUPPORT

Dear Honorable Chair Representative Luke, Honorable Vice Chair Representative Yamashita and Honorable House of Representative Finance Committee Members,

We, the Board of Directors of the Hawaii Acupuncture Association, represent our members and colleagues, as well as our patients and citizens of Hawaii in testifying today in support of measure SB2276 SD2 HD2.

Regulated medical professions require safety of the public and access to care to be of primary importance. Acupuncture has been one of the fastest growing segments in American healthcare due to increased access for the public via medical insurance and Medicare inclusion, as well as its demand as the primary alternative to opioid prescriptions and other medical conditions. The increase in scientific data has verified acupuncture medicine's efficacy in a range of health conditions. Simultaneously with increasing demand and evidence in efficacy, the educational, certification and continuing education standards have improved nationally. Since changes over the last twenty years have not been made to the Hawaii acupuncture medicine scope of practice, the statute must be updated now to represent the current state.

We want our profession to be able to serve the citizens in Hawaii safely and knowledgably. We want to integrate in hospitals, rehabilitation centers, nursing homes, hospice, and other care settings to provide the highest standard of care. As we integrate acupuncture medicine with allopathic medicine and within the health care delivery system in Hawaii, we want patients to be assured of evidence-based, evidence-informed medicine that is understandable and current.

To provide Hawaii's current and future medical and social needs, statutory updates must accurately reflect the standards of practice for our industry.

We respectfully request for clarification the following language be included in the definitions:

"Practice of advanced acupuncture medicine" means the practice of acupuncture medicine and the use of advanced diagnostics, specialties, and therapeutics, as further determined by administrative rules."

These recommendations, along with the following, reflect what Hawaii Acupuncture Association sees as necessary standards of practice for our industry in the State of Hawaii:

- Legacy exemptions are defined
- Expand and clarify upon the concepts of the two existing license designations: LAc, DAc in line with national trends
- Simplify and rename application for licensure to eliminate outdated requirements while implementing current national standards for education, national board certification, and continuing education
- New definitions aligned with current medical terminology, education, training, and skills practiced by acupuncturists, while maintaining and preserving the traditions of this complete medical system
- Reciprocity inclusive of applicants who have maintained licensure and certifications in other jurisdictions wanting to be licensed in the state of Hawaii

This bill has a neutral financial burden to the State of Hawaii. The inclusion of continuing education costs to individuals in our industry can range anywhere from no cost per month to \$10.00 per month per requirement period. Continuing education can be found in multiple languages as well as English, supporting the need for quality medical care and safety for the citizens of Hawaii by medical professionals.

We ask for your support for SB2276 SD2 HD2 ensuring that this profession provides an educated and safe health care delivery system in Hawaii. Thank you for this opportunity to testify in SUPPORT of SB2276 SD2 HD2.

Respectfully,

Barbara Ota, DACM, DAc
President, Hawaii Acupuncture Association

Jeffrey A. Tice, DACM, DAc
Vice President, Hawaii Acupuncture Association



AcuPlan Hawaii

Oriental Medicine...5000 years of quality healthcare

April 4, 2022

From: Samantha Preis, L.Ac., Dipl. O.M.
President, Acuplan Hawaii
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RE: Support of SB2276 Acupuncture Scope of Practice Update

To the Honorable Chair Rep. Sylvia Luke, Vice Chair Kyle Yamashita, and other members of the Committee on Finance,

I am writing to you on behalf of Acuplan Hawaii, an organization of over 50 acupuncturists in Hawaii that seek to promote the professional status of acupuncture by connecting with medical professionals and increasing availability of acupuncture through insurance coverage. We contract as exclusive providers for University Health Alliance (UHA) and Hawaii Medical Assurance Association (HMAA) and Hawaii-Western Management Group (HWMG). **We are in strong support of SB2276.**

HMSA, Kaiser, The Veteran's Administration and many medicare supplement plans all cover acupuncture in some or all of their plans. These insurance companies can determine reimbursement based on what is allowed under our scope of practice. Right now, our scope leaves a lot of room for confusion which results in rejected claims. As evidence for acupuncture grows, coverage will grow and clear language in the scope of practice will be crucial. Compensation for essential services such as evaluations and adequate treatment time must be appropriate and recognized.

The profession of acupuncture is evolving as we now have both Master's and Doctorate degrees. We must evolve along with it. Updating the scope of practice will allow acupuncturists to practice in Hawaii to our fullest potential and bring Hawaii up to the national standards of competency and safety. It will better protect the public against unlicensed and unqualified individuals who may pose a danger to public safety by practicing without a license.

Updating our scope elevates the practice of acupuncture in Hawaii, recognizing and respecting the power of this unique and ever-evolving medicine.

Respectfully,

Samantha Preis, L.Ac., Dipl. O.M.



Lifestyle
Medical Center

Medical Director: Elizabeth Chen Christenson, MD. LAc

**To: The Honorable Hawaii State Legislature
Committee on Finance**

**RE: Opposition Comment for Acupuncture Legislation (SB 2276-SD2, HD 2)
April 5, 2022**

My position on this bill remains as stated in previous commentaries. As a board certified physician and a licensed acupuncturist, I am fully supportive of advancing acupuncture in Hawaii, but am decidedly opposed to the semantics of this bill as it stands based on adequate clarification of educational standards, liability issues and unsubstantiated cross-reference terminology with allopathic medicine.

**Original Context of Bill Not Communicated To HMA and AAMA Before Submission/
Suggestion: Consider Convening a Collaborative Council To Restructure the Bill**

When this bill initially came to the attention of the HMA and the AAMA during a Zoom conference on Nov. 18, 2021, our support was requested, without allowing us to examine the exact content of the bill. Our understanding was they wished to submit the bill prior to the Thanksgiving holiday. Had a review been facilitated, this conversation would be quite different. As it stands, I believe the most rational and equitable option is to temporarily table the bill as it currently stands and establish a collaborative council of organizations, which I mentioned in my last letter, to present their concerns and review proposals for reconsideration of terms. In this way, this collective may jointly author a cohesive legislation that involves the intelligence and contributions of key players involved in such landmark legislation.

- **HMA (Hawaii Medical Association)**
- **HAA (Hawaii Acupuncture Association)**
- **ACUPLAN**
- **BOA (Hawaii Board of Acupuncture)**
- **BME (Hawaii Board of Medical Examiners)**
- **AAMA (American Academy of Medical Acupuncture)**
- **ICAOM (Institute of Clinical Acupuncture and Oriental Medicine) Hawaii**
- **NCCAOM (National Certification Commission for Acupuncture and Oriental Medicine)**
- **JABSOM (John A. Burn School of Medicine-University of Hawaii)**

Redefining Acupuncture in Western Medical Terms

In the current status, this bill appears to be redefining acupuncture in western medical terminology. What would the reaction be if the tables were turned and western medicine began using acupuncture terminology in referencing the standard of care? In fact, it is clearly stated in this bill that physicians and osteopaths are not exempt from having to graduate from an authorized acupuncture program before considering themselves qualified for licensure in acupuncture.

Perhaps this requirement should apply in reverse. Should acupuncturists, without the formal western medical education, assume entitlement without the educational and liability standards of the status of allopathic medicine they wish to assume?

There has been reference to a letter in support of some of the context of the bill, which was issued in 2003 from Hawaii Deputy Attorney General James F. Nagle/approved by Attorney General Mark J. Bennett, which concludes with the statement: *"We reiterate that medical acupuncture is not sufficiently distinct from traditional acupuncture so as to fall outside the scope of the practice of acupuncture and that physicians licensed by the BME cannot practice medical acupuncture absent licensure by the BOA"*.

Since this statement was written, nearly 20 years ago, the standards for physicians studying medical acupuncture in certified programs, have been significantly expanded and advanced. Those who are in support of the bill replacing outdated acupuncture regulations of 20 years ago may also want to reconsider a letter of support which may be similarly outdated.

Credible Transliteration and Liability Parameters

Being born in Taiwan, I understand it is difficult to translate the exact meanings of Chinese characters into English transliterations that are credible. The bill's referral to conventional allopathic terms in reference to acupuncture misrepresents the traditional principles of acupuncture and misleads the general public who may perceive the role of the acupuncturist as being identical to a western medical doctor. My experience of 45+ years as a professional physician and acupuncturist gives me concern for the lack of acupuncture's educational standards commensurate with western medical schools and graduate programs, while assuming the definitive postures and titles. I am also concerned with the obvious omission of any liability parameters as expected of conventional medical doctors.

When I reviewed the laws and regulations regarding the practice of acupuncture in various other states, only Hawaii is proposing to redefine acupuncture in such obvious western medical terms. I am wondering if this bill may be setting the stage for litigation in the future that could be avoided with more examination and careful consideration of amended semantics.

I am most excited that in the near future JABSOM may become the centerpiece of a national outreach for an expanded medical education curriculum that includes acupuncture and TCM (Traditional Chinese Medicine) in western medical schools. It all begins with clarity, continuity and credibility. These are not transparent in the current bill and I believe we can collectively achieve the necessary changes given appropriate investment of time and expertise. I look forward to joining my colleagues on this worthwhile proposal.

Sincerely,

Elizabeth Chen Christenson, MD, LAc
Medical Director, CHI Lifestyle Medical Center

Associate Clinical Professor
John A. Burns School of Medicine, University of Hawaii

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HOUSE COMMITTEE ON FINANCE

Representative Sylvia Luke, Chair

Representative Kyle T. Yamashita, Vice Chair

Date: April 6, 2022

From: Hawaii Medical Association

Roger Kimura MD, AMA Delegate for Hawaii

Bernard Robinson MD, AMA Delegate for Hawaii

Elizabeth Ann Ignacio MD, Chair, HMA Legislative Committee

Re: SB 2276 SD2 HD 2

Acupuncture; Acupuncture Practitioners; Acupuncture Medicine Doctors;

Licensure; Continuing Education

Position: Comments

HMA has reviewed the committee reports and appreciates the amendments with clarifying language for the regulation and control of acupuncture practice and licensing. As acupuncture continues to grow, HMA looks forward to further collaboration with acupuncture practitioners in Hawaii.

Thank you for allowing the Hawaii Medical Association to testify on this measure.

REFERENCES

1. [Definition and Use of the Term Physician H-405.951.](#) American Medical Association AMA-assn.org. 2019.
2. [Acupuncture H - 270.974.](#) American Medical Association AMA-assn.org. 2019.
3. [Acupuncture.](#) Medicare.gov.

HMA OFFICERS

President – Angela Pratt, MD President-Elect – Elizabeth Ann Ignacio, MD
Immediate Past President – Michael Champion, MD Treasurer – Nadine Tenn Salle, MD
Secretary – Thomas Kosasa, MD Executive Director – Marc Alexander



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House of Representatives Committee on Finance
Honorable Chair Representative Sylvia Luke
Honorable Vice Chair Representative Kyle T. Yamashita

Relating to Acupuncture
Testimony Supporting SB 2276 SD2 HD2
Wednesday, April 6, 2022

Dear Honorable Chair, Sylvia Luke and the Honorable Vice Chair, Kyle T. Yamashita, and Members of the House Committee on Finance:

My name is Marilyn Allen, Vice-President of the American Acupuncture Council (AAC), Editor of Acupuncture Today, US Representative to World Health Organization (WHO) on the Committee for Traditional Medicine Resource, the Committee on Education and Implementation, and the Quality of Care and Patient Safety Technical Advisory Committee. I am also a Professor of Ethics, Laws, Regulations and Professional Development for several Traditional Medicine Universities across the U.S. I am testifying on behalf of the (AAC) in Support of SB 2276 SD2 HD2.

As of January 2022, the WHO has released its updated version of the international classification of disease -11 and the new classification of traditional medicine/acupuncture diagnostic codes for worldwide use. When ICD-11 is adopted in the United States, Acupuncture will be able to be integrated into the healthcare system. This needs to be reflected in the Hawaii practice act. The importance of this landmark ICD-11 is as follows:

1. Traditional medicine codes will provide a worldwide foundation for the Practice of Acupuncture.
2. The WHO general assembly accepted these codes unanimously.
3. The use of these codes will create and collect data to be used in research to further prove the efficacy of acupuncture.
4. Double coding by practitioners will help to begin to integrate both eastern and western ICD codes. Double coding means the use of a western code, a traditional medicine disorder and the pattern differentiation process.

Currently Medicare is conducting a nationwide research study on low back pain for seniors with Acupuncturists delivering treatment. It is being conducted in coordination with medical doctors because Acupuncturists are not included in Medicare yet. A Medicare Bill, HR 4803, has been introduced into the Congress of the United States. This bill simply conveys the message to have the word Acupuncturist added into the Social Security Act.

The Bureau of Labor and Statistics has collected data for the first time, through the census collection to include Acupuncturists as an independent occupation in the United States.

The Veterans Administration now includes Acupuncture as a part of their healthcare choices for veterans.

We fully support the Acupuncture Practice Act to be updated in your current practice standards for licensed Acupuncturist. The States of Colorado, Arizona, and Minnesota are currently updating their practice acts to reflect the full scope of practice for Acupuncturists. Traditional Medicine/Acupuncture must be given as choices and healthcare for the citizens of the great State of Hawaii. AAC periodically offers free CEUs to Acupuncturists across the nation. Thank you for the opportunity to testify on this measure.

Respectfully,

Marilyn Allen, MS
Vice-President American Acupuncture Council



Dr. Joni Kroll, D.Ac.
Mariya Gold, L.Ac.
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April 5, 2022

Hawaii State Legislature
House Finance Committee

SUPPORT OF SB2276 SD2 HD2

Hearing Date Wednesday April 6, 2022 at 2:45pm

Dear Honorable Chair Rep Sylvia Luke, Vice Chair Rep Kyle Yamashita and Members of the Committee,

I have been a licensed acupuncturist in Hawaii for 33 years. I have been a very active member of my profession from past president of Hawaii Acupuncture Association (HAA), Co-Founder of the non-profit AcuPlan Hawaii, RICO advisor and six years on the Board of Acupuncture, serving as the Chair for the past two years.

I am in full support of SB2276 SD2 HD2 as it comprehensively updates and modernizes our statute, bringing it into alignment with current national standards in education and training as well as recognizing the advancements in research and integration into medical systems that our profession has experienced over the past thirty years.

I fully support the addition of minimal Continuing Education Standards and find that 30 hours every two years is necessary, in line with national standards, and not a burden given how many courses can be taken online at very little cost.

To provide for Hawaii's current and future medical and social needs, statutory updates must accurately reflect the Acupuncture Medicine industry's education and continue to meet current best standards of practice and care for the safest medicine for all patients in the state of Hawaii.

Sincerely,

Dr. Joni Kroll, D.Ac., L.Ac
Dipl Acup (NCCAOM)
Dipl Acup Orthopedics (NBAO)
Chair, State of Hawaii Board of Acupuncture



April 5, 2022

House of Representatives Finance Committee
State Legislature of Hawaii

Position on SB 2276 SD2 HD2, SUPPORT

Dear Honorable Chair Representatives Sylvia Lake, Honorable Vice Chair Representative Kyle T. Yamashita and Honorable Members of the Finance Committee,

I am writing as the CEO of the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM®) to **fully support SB 2276**. The NCCAOM is the only national certification board in the U.S. with nationally accredited certification programs in acupuncture and herbal medicine and is represented by over 20,000 NCCAOM National Board-Certified Acupuncturists™. This important measure will update the standards of practice in the great state of Hawaii to be consistent with national standards and will also help better protect Hawaiians against unqualified individuals who have not had the training, education or national board certification to practice safely and competently.

The mission of the NCCAOM is *to assure the safety and well-being of the public and to advance the professional practice of acupuncture and Oriental medicine by establishing and promoting national evidence-based standards of competence and credentialing*. Our mission makes us partners with the states in the important role of protecting the public welfare. Since 1982, the NCCAOM examinations and certification have served as a gateway for the profession of acupuncture and herbal medicine as almost all regulated states in United States require the NCCAOM examinations or NCCAOM certification as a prerequisite for state licensure to practice acupuncture and herbal medicine.

To qualify for NCCAOM certification, applicants are required to meet extensive academic and clinical standards. The following is an outline of the requirements that applicants for Certification in Oriental Medicine are required to meet:

- Graduate from a formal, full-time school or college master's level acupuncture program accredited by the Accreditation Commission for Acupuncture and Herbal Medicine (ACAOM). ACAOM is the only agency recognized for this purpose by the United States Department of Education. (Please see www.acaom.org for additional information).

- Complete a minimum of 2,625 hours of entry-level education which represents four years of education. This includes 450 hours of didactic Oriental herbal studies along with 870 hours of clinical training.
- Complete 510 hours of education in *biomedical clinical sciences*. These hours ensure that an acupuncturist has the necessary skills to know when to refer a patient to a doctor or other healthcare practitioner for a diagnostic examination. In addition, it allows acupuncturists to converse knowledgeably with western medical practitioners.
- Finally, applicants must pass four separate examinations: Foundations of Oriental Medicine, Acupuncture with Point Location, Biomedicine and Chinese Herbology.

We consider these standards of eligibility, as well as successful performance on the examinations, to be the minimum requirements for the safe practice of acupuncture and herbal medicine. In addition, all active NCCAOM certified practitioners must complete continuing education requirements every four years comprised of 60 hours of professional development activity hours which includes completing an ethics, safety and CPR course. The NCCAOM Professional Development Activity process ensures that practitioners who have completed the recertification process have met continued competency in their field.

The NCCAOM also oversees the safe practice of the profession as stated in our mission by partnering with the states to discipline certified practitioners who have violated [the NCCAOM Code of Ethics](#). The Professional Ethics and Disciplinary Committee (PEDC) of the NCCAOM has the authority to evaluate complaints against Diplomates, issue decisions and impose sanctions.

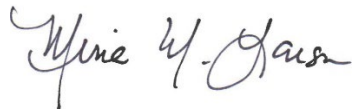
At the U.S. federal level, NCCAOM Board-Certified Acupuncturists are widely recognized by the U.S. government through the U.S. Department of Bureau Labor and Statistics (BLS) through our occupational code (Please see [BLS announcement](#)) and the Department of Veteran Affairs as NCCAOM Board Certified Acupuncturists are qualified to work within the Veterans Healthcare System (Please see [VA Announcement](#)).

The practice of acupuncture is more than merely placing needles at various points for different conditions. Assurance of safe and effective therapeutic outcomes from acupuncture treatments relies on a having a practitioner who is applying a system of medicine that uses a diagnostic and treatment approach that is significantly different from existing Western medicine practice. It is from such a knowledge base that acupuncture's full efficacy and value can be realized by the public.

The NCCAOM is pleased to see that Hawaii recognizes the need for adequate training and licensing procedures for all health care practitioners. Clearly, acupuncture and herbal medicine are becoming more and more part of the health care landscape, as evidenced by recent studies and recommendations by the National Institutes of Health, the Center for Medicare Services, and The Department of Veterans Affairs. It is the sincere hope of the NCCAOM that, in the interest of public welfare and as Members of the Finance Committee of the great State of Hawaii, you move forward SB 2276, which will update and increase Hawaii's standards of practice to be consistent with national standards of practice and professional competence for the field of acupuncture and herbal medicine.

I hope you will find this information valuable. Please consider the NCCAOM as a resource for current information about the standards of competence and practice within the field of acupuncture and herbal medicine. Please feel free to contact me by phone (703-314-2908) or by email (mlarson@thenccaom.org) if I can offer further information on this topic.

Sincerely,



Mina M. Larson, M.S., MBA, CAE
Chief Executive Officer
NCCAOM®

SB-2276-HD-2

Submitted on: 4/5/2022 2:07:38 PM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Dr. Amy E. Mager DACM, LicAc	Individual	Support	Written Testimony Only

Comments:



April 5, 2022

Hawaii House of Representatives Finance Committee

In Support of SB SB2276 SD2 HD2

Dear Honorable Chair Sylvia Lake, Honorable Vice Chair Kyle T. Yamashita and Honorable Members of the Finance Committee,

My name is Dr. Amy Mager DACM, Licensed Acupuncturist, Diplomate of Oriental Medicine, (NCCAOM). I am writing to represent the American Society of Acupuncturists (ASA), the largest professional trade association of qualified acupuncturists in the United States. In addition to this role, I have been in private practice since 1990. The first state I practiced in was California, where acupuncturists are licensed as primary care providers. Having been trained in California as well as beginning my professional career there shaped what I believe acupuncturists can provide to the field of medicine. I write in support of SB 2276 SD2 HD2

SB 2276 will update the standards of practice in the great state of Hawaii to be consistent with national standards and will best protect Hawaiian consumers against unqualified individuals who have not had the didactic training, clinical hours, vetting or National Board Certification to practice acupuncture in a way that demonstrates safety and the ability not to harm patients.

To qualify for NCCAOM certification, applicants are required to meet specific academic and clinical standards. The following is an outline of the requirements that applicants for Certification in Oriental Medicine are required to meet:

- Graduate from a formal, full-time school or college master's level acupuncture program accredited by the Accreditation Commission for Acupuncture and Herbal Medicine (ACAOM). ACAOM is the only agency recognized for this purpose by the United States Department of Education. (Please see www.acaom.org for additional information).
- Complete a minimum of 2,625 hours of entry-level education which represents four years of education. This includes 450 hours of didactic Oriental herbal studies along with 870 hours of clinical training.
- Complete 510 hours of education in biomedical clinical sciences. These hours ensure that an acupuncturist has the necessary skills to know when to refer a patient to a doctor or other healthcare practitioner for a diagnostic examination. In addition, it allows acupuncturists to converse knowledgeably with western medical practitioners.
- Finally, applicants must pass four separate examinations: Foundations of Oriental Medicine, Acupuncture with Point Location, Biomedicine and Chinese Herbology.

We consider these standards of eligibility, as well as successful performance on the examinations, to be the minimum requirements for the safe practice of acupuncture and herbal medicine. In addition, all active NCCAOM certified practitioners must complete continuing education requirements every four years comprised of 60 hours of professional development activity hours which includes completing an ethics, safety and CPR course. The NCCAOM Professional Development Activity process ensures that practitioners who have completed the recertification process have met continued competency in their field.

The NCCAOM also oversees the safe practice of the profession as stated in our mission by partnering with the states to discipline certified practitioners who have violated the NCCAOM

Code of Ethics. The Professional Ethics and Disciplinary Committee (PEDC) of the NCCAOM has the authority to evaluate complaints against Diplomates, issue decisions and impose sanctions.

At the U.S. federal level, NCCAOM Board-Certified Acupuncturists are widely recognized by the U.S. government through the U.S. Department of Bureau Labor and Statistics (BLS) through our occupational code (Please see BLS announcement) and the Department of Veteran Affairs as NCCAOM Board Certified Acupuncturists are qualified to work within the Veterans Healthcare System (Please see VA Announcement).

The practice of acupuncture is more than merely placing needles at various points for different conditions. Assurance of safe and effective therapeutic outcomes from acupuncture treatments relies on a practitioner applying a system of medicine using a diagnostic and treatment approach specific to acupuncture.

The ASA recognizes the need for adequate training and licensing for all health care practitioners. Acupuncture and herbal medicine are becoming accepted as part of the mainstream integrative health care landscape, as evidenced by recent studies and recommendations by the National Institutes of Health, the Center for Medicare Services, and The Department of Veterans Affairs. It is the sincere hope of the ASA and the Hawaii Acupuncture Association, in the interest of public safety and consumer protection that the Members of the Finance Committee of the great State of Hawaii, you move SB 2276, SD2, HD2 forward favorably to update and increase Hawaii's standards of practice to be consistent with national standards of practice and professional competence for the field of acupuncture and herbal medicine.

If you have any questions, please feel free to contact me at VCPublicPolicy@ASAcu.org or 413.222.8616. I am available for questions and to provide resources.

Respectfully,

Dr. Amy E. Mager DACM, Vice Chair Public Policy American Society of Acupuncturists (ASA)

Diplomate Oriental Medicine, (NCCAOM)

National Board Certified Acupuncturist (NCCAOM)

Fellow American Board of Reproductive Medicine (FABORM)



House Committee on Finance
Honorable Chair Representative Sylvia Luke
Honorable Vice Chair Representative Kyle T. Yamashita

Wednesday April 6, 2022 at 2:45 p.m.

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Testimony in SUPPORT of SB 2276, SD2, HD2

To the Honorable Chair Luke, Vice Chair Yamashita, and Committee Members,

My name is Jeffrey Tice, and am a Doctor of Acupuncture in the state of Hawaii (#732). My practice is in Wailuku, Maui where I co-own Longevity Health Center with my wife, Joyce Tamori. I am also vice president of Hawaii Acupuncture Association.

I fully support SB 2276, SD2, HD2 to improve the language in the scope of practice for acupuncture medicine in the State of Hawaii and to elevate the licensure requirements for future generations of Licensed Acupuncturists to serve the people safely and effectively. I also support the following amendment to restore the definition of the Practice of Advanced Acupuncture Medicine.

"Practice of advanced acupuncture medicine" means the practice of acupuncture medicine and the use of advanced diagnostics, specialties, and therapeutics, as further determined by administrative rules."

Acupuncture and associated modalities historically termed Traditional Chinese Medicine or Oriental medicine, is the oldest continuous, documented medicine on the planet, yet also one of the fastest growing today. It has a long history in Asia (4000+ years) yet is relatively new to the rest of the world (100 years). Hawaii was an early adopter of licensing acupuncture in the United States, predating formal accredited schools and national board certifications. Much has changed in the profession over the last four decades and especially in the last twenty plus years since the current statute, 436E was updated.

Acupuncturists licensed to practice in Hawaii practice under two titles, Licensed Acupuncturist (LAc) and Doctor of Acupuncture (DAc). Although two licenses are uncommon in the United States, the current trend is towards a two-tiered profession with Masters level education as the entry point, often specializing in acupuncture while the accredited Doctoral



level for Doctors of Acupuncture Medicine to use a more complete practice of the medicine formerly known as Traditional Chinese Medicine or Traditional Oriental Medicine. Both of these education and scope of practice levels are justified with education and national certification in SB 2276, SD2, HD2. The updated nomenclature, Acupuncture Medicine, preserves this historically significant practice of medicine and helps it smoothly integrate into the modern healthcare system in Hawaii.

Thank you for the opportunity to testify in support of SB2276, SD 2, HD2.

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Jeffrey A Tice, DACM, DAC

SB-2276-HD-2

Submitted on: 4/4/2022 1:54:08 PM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Sue Neyens	Individual	Support	Written Testimony Only

Comments:

My name is Sue Neyens, and I fully support this Bill. It is imperative that the safety and well being of all accupuncture patients be considered a top priority. Accredited qualification programs and high standards should be the norm.

Respectfully submitted,

Sue Neyens

SB-2276-HD-2

Submitted on: 4/4/2022 2:04:03 PM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
brandi koalska	Individual	Support	Written Testimony Only

Comments:

I highly support this Acupunct bill because it hasnt been changed for the past 20 years. I wana to protect The welfare of The community

House of Representatives Committee on Finance

Honorable Chair Representative Sylvia Luke

Honorable Vice Chair Kyle T. Yamashita

Barbara Ota, DACM, DAc

Otab83@gmail.com

Hearing Date: Wednesday, April 6, 2022 Time: 2:45pm

Via Videoconference/online testimony

Position on SB 2276 SD2 HD2: SUPPORT

Dear Honorable Chair Representative Luke, Honorable Vice Chair Representative Yamashita, and Honorable Finance Committee Members,

I am Barbara Ota, a Doctor of Acupuncture and Chinese Medicine, licensed as a DAc in Hawaii. I serve as President of the Hawaii Acupuncture Association, thus I am very active, not only in the care and health of my patients, but in the health and concerns of this profession. I am writing this testimony in SUPPORT of SB 2276 SD2 HD2.

I reside on the Big Island of Hawaii on the Kohala Coast and practice acupuncture medicine here in the State of Hawaii.

Regulated medical professions require safety of the public and access to care to be of primary importance. Acupuncture medicine has been one of the fastest growing segments in American healthcare and with this the profession has seen standardization of education, national certifications, and the formation of both Master and Doctoral degrees. Hawaii's existing statute, which hasn't been updated in over 20 years, has become outdated in its language, as well as deficient in its standards. The proposed Scope of Practice addresses these issues, while also improving the structure of the Bill for future updates.

Below are the highlights that I find important:

- Simplify and rename application for licensure to eliminate outdated requirements while implementing current national standards for education, national board certification and continuing education requirements for license renewal.
- Legacy exemptions are defined.

- New definitions aligned with the current medical terminology, education, training, and skills practiced by acupuncturists, while maintaining and preserving the traditions of this complete medical system.
- Expand and clarify upon the concepts of the two existing license designations: LAc, DAc. in line with national trends.
- Reciprocity inclusive of applicants who have maintained licensure and certifications

I do though, respectfully request for clarification the following language to be included in the definitions:

"Practice of advanced acupuncture medicine" means the practice of acupuncture medicine and the use of advanced diagnostics, specialties, and therapeutics, as further determined by administrative rules.

Updating and clarifying HRS 436E will set precedent to integrate the profession into Hawaii's healthcare delivery system. This bill has a neutral financial impact to the state of Hawaii. The inclusion of continuing education costs to individuals in the profession can range anywhere from zero costs per month to \$10.00 per month per requirement period. Continuing education can be found in multiple languages as well as English, supporting the need for quality medical care and safety for the citizens of Hawaii by medical professionals.

These statutory updates will provide Hawaii's current and future medical and social needs, with highest standards of care and safety accurately reflecting the standards of practice for our industry and for the citizens of Hawaii. I respectfully ask you to please support this SB2276 SD2 HD2.

I extend to you and your esteemed colleagues my aloha. Thank you for your time and consideration.

Respectfully,

Barbara Ota, DACM, DAc

SB-2276-HD-2

Submitted on: 4/4/2022 2:46:28 PM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Giuliana Gasparin	Individual	Support	Written Testimony Only

Comments:

I support.

SB-2276-HD-2

Submitted on: 4/4/2022 2:54:46 PM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Billy F. Schultze	Individual	Support	Written Testimony Only

Comments:

HEARING DATE/TIME: Wednesday, April 6, 2022/2:45 pm

SUBJECT: Support SB2276 SD2 HD2

FROM: Billy F. Schultze, Acupuncture Medicine Student and Intern

TO: Honorable Chair, Representative Sylvia Luke; Vice Chair, Representative Kyle T. Yamashita; and the Committee on Finance

I am a U.S. Army Officer (Retired), Acupuncture Medicine student, patient, and active member of the Hawaii Acupuncture Association. I reside and own my home in Makakilo and practice Acupuncture Medicine as an intern at the Institute of Clinical Acupuncture and Oriental Medicine (ICAOM). I am writing this testimony in SUPPORT of SB2276 SD2 HD2.

Regulated medical professions require safety of the public and access to care to be of primary importance. Acupuncture Medicine has been one of the fastest growing segments in American healthcare and with this the profession has seen standardization of education, national certifications, and the formation of both Master and Doctoral degrees. Hawaii's existing statute, which hasn't been updated in over 20 years, has become outdated in its language, as well as deficient in its standards. The proposed Scope of Practice addresses these issues, while also improving the structure of the Bill for future updates. Below are the highlights-

- Simplify and rename application for licensure to eliminate outdated requirements while implementing current national standards for education, national board certification and continuing education requirements for license renewal.

- Legacy exemptions are defined.

- New definitions aligned with the current medical terminology, education, training and skills practiced by Acupuncturists, while maintaining and preserving the traditions of this complete medical system.

- Expand and clarify upon the concepts of the two existing license designations: LAc, DAc. in line with national trends.

- Reciprocity inclusive of applicants who have maintained licensure and certifications in other jurisdictions wanting to be licensed in the state of Hawaii.

It is time for Hawaii, with its long history of Acupuncture Medicine, along with the highest per capita Acupuncture Practitioners of any state, to integrate the profession into the modern medical establishment. I respectfully ask you to please SUPPORT this SB2276 SD2 HD2.

Of special note, as a career Army Officer and Combat Veteran of the Global War on Terrorism, most specifically the Iraq Campaign, and various other restricted deployments, like the Korean Armistice, I am personally familiar with the seen and unseen wounds that unfortunately occur in service to our country at both peacetime and in war. Acupuncture medicine successfully treats the signs and symptoms of these wounds like tinnitus, hearing loss, insomnia, anxiety, depression, musculoskeletal pains of the back and all joints. More specifically the signs and symptoms of Post-Traumatic Stress Disorder (PTSD) and Traumatic Brain Injury (TBI) that predominately occur in war, are also successfully treated with Acupuncture Medicine, of which I can personally testify to as both a patient and intern provider.

I extend to you and your esteemed colleagues my Aloha. Thank you for your time and consideration and any questions you may have please contact me via email at billyschultze@hotmail.com.

SB-2276-HD-2

Submitted on: 4/4/2022 3:50:06 PM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Sarah Johnson	Individual	Support	Written Testimony Only

Comments:

I support this Bill!

SB-2276-HD-2

Submitted on: 4/4/2022 5:51:15 PM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Faith Tengan	Individual	Support	Written Testimony Only

Comments:

Way to go!

SB-2276-HD-2

Submitted on: 4/4/2022 6:28:44 PM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
MARIAN MILLER	Individual	Support	Written Testimony Only

Comments:

PLEASE support this bill,

Thank you Dr Marian Miller

SB-2276-HD-2

Submitted on: 4/4/2022 6:41:57 PM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Ruby Gee	Individual	Support	Written Testimony Only

Comments:

The measures in SB2276 will provide timely modernization of the acupuncture scope of practice

SB-2276-HD-2

Submitted on: 4/4/2022 7:26:05 PM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
David Langfelder	Individual	Support	Written Testimony Only

Comments:

I, David Langfelder, support **SB2276**. Thank you.

SB-2276-HD-2

Submitted on: 4/4/2022 7:42:45 PM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Lyna Morimoto	Individual	Comments	Written Testimony Only

Comments:

I'm in favor of most of the changes proposed in SB2276 SD2 in updating the language.

I am opposed to the 30 continuing credit hours every 2 years. The idea of taking CPR, ethics & safety are good and essential for all professions. But where would the other 24 credit hours or CEUs come from? Would the "judges" come from NCCAOM, the American entity that already provides the majority of states their licensing exams? What about acupuncturists trained and continuing to study traditions from a foreign country? Many practitioners are elderly and have decades of experience. They are the teachers, the mentors for the upcoming generations. Let their experience speak for them. Not all CEUs are worthy of our time and money.

SB-2276-HD-2

Submitted on: 4/4/2022 8:23:54 PM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Dr. Brooke Foreman	Individual	Support	Written Testimony Only

Comments:

House of Representatives Committee on Finance

Honorable Chair Representative Sylvia Luke

Honorable Vice-Chair Representative Kyle T. Yamashita

Dr. Brooke Foreman

drbrookeforeman@gmail.com 808-238-4487

Hearing Date: Wednesday, April 6, 2022

Via Video Conference/Written Testimony Time: 2:45

Position on SB 2276 SD2 HD2: SUPPORT

Dear Honorable Chair Representative Sylvia Luke, Honorable Vice-Chair Representative Kyle T.

Yamashita, and Honorable Members of the Committee,

I am a licensed Acupuncture Practitioner (LAc) and an active member of the Hawaii Acupuncture Association.

I reside in Hawaii and practice acupuncture medicine in Kapaa, Kauai. I am writing this testimony in SUPPORT of SB 2276 SD2 HD2.

Regulated medical professions require the safety of the public and access to care to be of primary importance. Acupuncture medicine has been one of the fastest-growing segments in American healthcare and with this, the profession has seen standardization of education, national certifications, and the formation of both Master's and Doctoral degrees. Hawaii's existing statute,

which hasn't been updated in over 20 years, has become outdated in its language, as well as deficient in its standards. The proposed Scope of Practice addresses these issues, while also improving the structure of the Bill for future updates. Below are the highlights:

- Expand and clarify the concepts of the two existing license designations LAc, DAc., in line with national trends.
- Simplify and rename applications for licensure to eliminate outdated requirements while implementing current national standards for education, national board certification, and continuing education for license renewal.
- Legacy exemptions are defined.
- New definitions aligned with the current medical terminology, education, training and skills practiced by acupuncturists, while maintaining and preserving the traditions of this complete medical system.
- Reciprocity inclusive of applicants who have maintained licensure and certifications in other jurisdictions wanting to be licensed in the state of Hawaii.

It is time for Hawaii, with its long history of acupuncture, along with the highest per capita Acupuncture Practitioners of any state, to integrate the profession with the highest standards of care and safety into the modern medical establishment for the citizens of Hawaii. I respectfully ask you to please SUPPORT SB2276 SD2 HD2.

I extend to you and your esteemed colleagues my aloha. Thank you for your time and consideration,

Dr. Brooke Foreman

SB-2276-HD-2

Submitted on: 4/4/2022 8:24:44 PM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Erica Basilio	Individual	Support	Written Testimony Only

Comments:

I support SB2276.

SB-2276-HD-2

Submitted on: 4/4/2022 8:48:31 PM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Anna Cantor	Individual	Support	Written Testimony Only

Comments:

I support **SB2276!**

SB-2276-HD-2

Submitted on: 4/4/2022 8:53:09 PM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Steven Rosenblatt, MD, PhD	OceanMed Integrative Health Clinic	Support	Written Testimony Only

Comments:

I am a licensed and practicing medical doctor in the State of Hawaii. I am also national board certified in Acupuncture and in Oriental Medicine. I served six years as a commissioner on the national Accreditation Commission for Schools of Acupuncture and Oriental Medicine. I am chief medical officer of the OceanMed Clinic on the Island of Hawaii.

I support this bill because it will not only strengthen the Acupuncture profession and bring it up to national standards, but will also serve to protect the citizens of the State of Hawaii by assuring high levels of professional care and adding important resources to the health care delivery system of the entire state.

Steven Rosenblatt, MD, PhD, LAc

SB-2276-HD-2

Submitted on: 4/4/2022 9:10:55 PM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Mariya Gold	Individual	Support	Written Testimony Only

Comments:

Mahalo for your SUPPORT of this important bill.

Dr. Mariya Gold, D.Ac.

Kailua Acupuncture Clinic

House of Representatives Committee on Finance

Honorable Chair Representative Sylvia Luke

Honorable Vice Chair Representative Kyle T. Yamashita

Dawn Nicole Fechtig, L.Ac.

shengherbals@gmail.com, 808-941-9531

Hearing Date: Wednesday, April 6, 2022

Via Video Conference/Written Testimony

Position on SB 2276 SD2 HD2: SUPPORT

Dear Honorable Chair Representative Sylvia Luke, Honorable Vice Chair Representative Kyle T. Yamashita, and Honorable Members of the Committee,

I am a licensed Acupuncture Practitioner (L.Ac.) and active member of the Hawaii Acupuncture Association.

I reside on Maui, in Ha'ikū and practice acupuncture medicine Wailuku. I am writing this testimony in SUPPORT of SB 2276 SD2 HD2.

Regulated medical professions require safety of the public and access to care to be of primary importance. Acupuncture medicine has been one of the fastest growing segments in American healthcare and with this the profession has seen standardization of education, national certifications, and the formation of both Master and Doctoral degrees. Hawaii's existing statute, which hasn't been updated in over 20 years, has become outdated in its language, as well as deficient in its standards. The proposed Scope of Practice addresses these issues, while also improving the structure of the Bill for future updates. Below are the highlights:

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- Legacy exemptions are defined.
- New definitions aligned with the current medical terminology, education, training and skills practiced by acupuncturists, while maintaining and preserving the traditions of this complete medical system.
- Reciprocity inclusive of applicants who have maintained licensure and certifications in other jurisdictions wanting to be licensed in the state of Hawaii.

It is time for Hawaii, with its long history of acupuncture, along with the highest per capita Acupuncture Practitioners of any state, to integrate the profession with highest standards of care and safety into the modern medical establishment for the citizens of Hawaii. I respectfully ask you to please SUPPORT SB2276 SD2 HD2.

I extend to you and your esteemed colleagues my gratitude, thank you so much for your time and consideration,

Signed,

Dawn N. Fechtig, L.Ac.

Dawn Nicole Fechtig, L.Ac.

SB-2276-HD-2

Submitted on: 4/4/2022 9:49:25 PM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Grady Reaves	Individual	Support	Written Testimony Only

Comments:

Position on SB 2276 SD2 HD2: SUPPORT

Dear Honorable Chair Representative Sylvia Luke, Honorable Vice Chair Representative Kyle T.

Yamashita, and Honorable Members of the Committee,

I am a licensed Acupuncture Practitioner (LAc) and active member of the Hawaii Acupuncture Association.

I reside on Maui and practice acupuncture medicine Kihei. I am writing this testimony in SUPPORT of SB 2276 SD2 HD2.

Regulated medical professions require safety of the public and access to care to be of primary importance. Acupuncture medicine has been one of the fastest growing segments in American healthcare and with this the profession has seen standardization of education, national certifications, and the formation of both Master and Doctoral degrees. Hawaii's existing statute, which hasn't been updated in over 20 years, has become outdated in its language, as well as deficient in its standards. The proposed Scope of Practice addresses these issues, while also improving the structure of the Bill for future updates. Below are the highlights:

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- Legacy exemptions are defined.
- New definitions aligned with the current medical terminology, education, training and skills practiced by acupuncturists, while maintaining and preserving the traditions of this complete medical system.
- Reciprocity inclusive of applicants who have maintained licensure and certifications in other jurisdictions wanting to be licensed in the state of Hawaii.

It is time for Hawaii, with its long history of acupuncture, along with the highest per capita Acupuncture Practitioners of any state, to integrate the profession with highest standards of care

and safety into the modern medical establishment for the citizens of Hawaii. I respectfully ask you to please SUPPORT SB2276 SD2 HD2.

I extend to you and your esteemed colleagues my aloha. Thank you for your time and consideration,

Grady Whitfield Reaves

SB-2276-HD-2

Submitted on: 4/4/2022 9:54:24 PM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Mike M. Hashimoto	Individual	Oppose	Written Testimony Only

Comments:

House of Representatives Committee on Finance

Honorable Chair Representative Sylvia Luke

Honorable Vice-Chair Representative Kyle T. Yamashita

I have been a licensed acupuncturist since 1986 and a member of the Academy of Integrated Medicine Hawaii (AIMH).

We oppose the SB2276 measure. The hours of Continuing Education requirement should not be described in the statutes. The Deputy Attorney General advised us that adding the number of CEUs in the bill might create difficulty for a future revision of hours or format of the Continuing Education. Required hours should be determined within a board's Rules.

This bill also intends to create profit for the private sector of Continuing Education broker, National Certification Commission of Acupuncture and Oriental Medicine (NCCAOM), which has no federal recognition or credential, and their education requirement Apprenticeship route, which Hawaii State does not allow as educational standards. Currently, the state acupuncture board hires them as license examination agents and nothing above.

Unfortunately, the NCCAOM bargained away their certification examination offer to California acupuncturists for a limited time. Their profit-seeking strategy started in the first quarter of 2019 through the end of 2020, which was treacherous for the licensees who went through an examination.

Therefore, we do not support SB2276, SD2, and HD2 measures.

Thank you very much,

Mike M. Hashimoto, D.Ac., Ph.D.

Vice-President of AIMH

SB-2276-HD-2

Submitted on: 4/4/2022 10:01:44 PM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Friebe	Individual	Support	Written Testimony Only

Comments:

I support SB2276.

SB-2276-HD-2

Submitted on: 4/4/2022 10:41:30 PM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Catherine Kurosu	Individual	Support	Written Testimony Only

Comments:

I am licensed as a medical doctor and an acupuncturist in the State of Hawai'i and I support Bill 2276 SD2 HD 2.

Catherine Kurosu, MD, LAc.

SB-2276-HD-2

Submitted on: 4/4/2022 10:50:49 PM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Julia bree Horie	Individual	Support	Written Testimony Only

Comments:

I support this bill.

SB-2276-HD-2

Submitted on: 4/4/2022 11:15:45 PM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
michelle l russo	Institute of Acupuncture and Oriental Medicine	Support	Written Testimony Only

Comments:

I support bill SB2276

SB-2276-HD-2

Submitted on: 4/4/2022 11:32:07 PM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Timothy Nguyen	Acupuncture & Wellness Center, LLC	Support	Written Testimony Only

Comments:

Dear Honorable Chair Representative Sylvia Luke, Honorable Vice Chair Representative Kyle T.

Yamashita, and Honorable Members of the Committee,

I am a licensed Acupuncture Practitioner (LAc) and active member of the Hawaii Acupuncture Association.

I practice acupuncture medicine in Honolulu. I am writing this testimony in SUPPORT of SB 2276 SD2 HD2.

Acupuncture medicine has been one of the fastest growing segments in American healthcare and with this the profession has seen standardization of education, national certifications, and the formation of both Master and Doctoral degrees. Hawaii's existing statute, which hasn't been updated in over 20 years, has become outdated in its language, as well as deficient in its standards. The proposed Scope of Practice addresses these issues, while also improving the structure of the Bill for future updates. Below are the highlights:

- Expand and clarify upon the concepts of the two existing license designations LAc, DAc., in line with national trends.*
- Simplify and rename applications for licensure to eliminate outdated requirements while implementing current national standards for education, national board certification, and continuing education for license renewal.*
- Legacy exemptions are defined.*
- New definitions aligned with the current medical terminology, education, training and skills practiced by acupuncturists, while maintaining and preserving the traditions of this complete medical system.*
- Reciprocity inclusive of applicants who have maintained licensure and certifications in other jurisdictions wanting to be licensed in the state of Hawaii.*

It is time for Hawaii, with its long history of acupuncture, along with the highest per capita Acupuncture Practitioners of any state, to integrate the profession with highest standards of

care and safety into the modern medical establishment for the citizens of Hawaii. I respectfully ask you to please SUPPORT SB2276 SD2 HD2.

I extend to you and your esteemed colleagues my aloha. Thank you for your time and consideration.

Tim Nguyen, LAc., Dipl. OM

SB-2276-HD-2

Submitted on: 4/5/2022 12:56:27 AM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Chanre Stoebner	Individual	Support	Written Testimony Only

Comments:

We as acupuncturist have work extremely hard to earn a masters in TCM and acupuncture. We were taught to how to apply TCM and acupuncture in a way that address western medical condition. We as prationers know that peoples body and conditions may respond better to TCM or acupuncture better than western medicine. Giving people equal opportunity to choose a TCM and acupuncture practitioner as their primary care physician is necessary to help the general public. This bill is so important not only for TCM and acupuncture prationers, but also the general public to have a chance to use alternative medicine to address their conditions as an additional therapy to help with their condition or if their condition hasn't been treated successful, havng other heath care options!

**House of Representatives Committee on Finance
Honorable Chair Representative Sylvia Luke
Honorable Vice Chair Representative Kyle T. Yamashita**

Hearing Date : Wednesday April 6, 2022

Via Video Conference/ Written Testimony **Time 2:45pm**

**Testimony Supporting SB 2276 SD2 HD2 and Comment
Relating to Acupuncture**

Dear Honorable Chair Representative Sylvia Luke and
Honorable Vice Chair Representative Kyle T Yamashita
And Honorable Members of the Committee

My name is Cynthia Groves. I reside in Kailua on Oahu.
I am a former health care practice management consultant to
acupuncturists, and currently retired. I am under a combination of care
among which acupuncture care has played a primary role in my
recovery from a recent head on auto collision due to another driver's
medical issue.

I want to address here concern and confusion in some of the AMA and
western medicine practitioner testimonies regarding the levels of
acupuncture training and qualifications--particularly for a full scope of
practice vs, acupuncture as adjunctive care. The bill certainly gives
room to address this more fully.

1. There are two designations, not one, for acupuncture in Hawaii:
Licensed Acupuncturists and Doctors of Acupuncture with provisions
for regulation and control for public health, safety, and welfare
commensurate with national standards for acupuncture

2. To address AMA concerns: Since western and eastern medicine have
different methods of examination, evaluation, diagnosis, and treatment
of the patient, it doesn't point blank disqualify or diminish doctors of
acupuncture because they have a difference of approach than western
medicine doctors i.e. on internal care and diagnoses. It doesn't mean
that patients will be confused by the differences in approach or
disregard the care they need or desire. Excellent practitioners clarify the

way they treat and recommend rather than fear other approaches that ma, in fact, be complementary.

3. Acupuncture has been restricted by the AMA coding structure to date. I highlight Marilyn Allen's testimony that: "As of January 2020, the WHO has released its updated version of the international classification of disease -11 and the new classification of traditional medicine/acupuncture diagnostic codes for worldwide use. The WHO General Assembly accepted these codes unanimously. When ICD-11 is adopted in the United States.. Acupuncture will be able to be more effectively integrated into the healthcare system.. This needs to be reflected in the Hawaii Practice Act."

4. Let's support greater access to acupuncture care, not weaken it. The Veterans Administration is a great example that gives "acupuncture choice of care." In Hawaii this is essential given our military presence in which acupuncture is exceptional in addressing Brain Injury, PTSD, tinnitus, hearing loss, depression muscular, joint and other neurological conditions.

5. On the point of concern by practitioners testifying that they find the bill burdensome,

5.A. I suggest there can be provision for grandfathering in well qualified acupuncturists through passage pf verbal and written testing as credits.

5 B.. Perhaps a go fund me or fund for those who cannot afford the continuing education costs.

5. C Reciprocity addressed in the bill encourages the growth of acupuncture in our state and should unburden practitioners.

Please pass this bill. It is long overdue.

Sincerely,

Cynthia Groves (Unmani)
cynthiagroves@gmail.com

SB-2276-HD-2

Submitted on: 4/5/2022 5:26:51 AM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Lynn Allen	Individual	Support	Written Testimony Only

Comments:

**Dear Honorable Chair Representative Sylvia Lake,
Honorable Vice Chair Representative Kyle T. Yamashita,
and Honorable Members of the Committee,**

I have been a licensed Acupuncture Practitioner in the state of Hawaii for the past 18 years. It has been my honor to serve the people of Hawaii. The practice of medicine, whether Chinese or Western, needs to be held to certain standards, in this case those integral to the practice of Acupuncture. This will help to ensure patients and people within the Acupuncture community will readily know the level of training of any given practitioner. Acupuncturists are filling an increasingly valuable role in patient care and as such the standards, definitions and requirements for this practice should reflect our increasing role in current society.

I respectfully ask you to support SB2276 SD2 HD2.

Thank you for your time and consideration,

Lynn Allen LAc

SB-2276-HD-2

Submitted on: 4/5/2022 5:51:23 AM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Joyce Tamori	Longevity Health Center	Support	Written Testimony Only

Comments:

I support SB2276 SD2 HD2.

SB-2276-HD-2

Submitted on: 4/5/2022 6:39:36 AM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Ben Lowenthal	Individual	Support	Written Testimony Only

Comments:

As a patient of accupuncture services, I support this legislation. Strong regulation will improve the profession, keep patients safe, and help more people.

SB-2276-HD-2

Submitted on: 4/5/2022 7:30:35 AM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Doug Kroll	Individual	Support	Written Testimony Only

Comments:

This is needed updating. the acupuncture board has spent a lot of time on improving and has tried to have collaboration of all in the process

SB-2276-HD-2

Submitted on: 4/5/2022 9:08:17 AM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Claudia Henriquez	Individual	Support	Written Testimony Only

Comments:

I fully support SB2276

SB-2276-HD-2

Submitted on: 4/5/2022 10:06:41 AM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Janet H. Boyd	Individual	Support	Written Testimony Only

Comments:

COMMITTEE ON FINANCE

Honorable Chair Representative Sylvia Luke, Chair
Honorable Vice Chair Rep. Kyle T. Yamashita

Hearing Date: April 6, 2022
7seasacupuncture@gmail.com
am
Via Videoconference/online testimony

Time: 2:00

Position on SB2276 SD2, HD2: SUPPORT

Dear Honorable Chair Representative Sylvia Luke, and Honorable Vice Chair Representative Kyle T. Yamashita and Honorable Committee on Finance,

I am a licensed Acupuncture Practitioner (LAc) and active member of the Hawaii Acupuncture Association.

I reside Koloa and practice acupuncture medicine in Lihue, Koloa and Kapaa.. I am writing this testimony in SUPPORT of SB2276 SD2, HD2.

Regulated medical professions require safety of the public and access to care to be of primary importance. Acupuncture medicine has been one of the fastest growing segments in American healthcare and with this the profession has seen standardization of education, national certifications, and the formation of both Master and Doctoral degrees. Hawaii's existing statute, which hasn't been updated in over 20 years, has become outdated in its language, as well as deficient in its standards. The proposed Scope of Practice addresses these issues, while also improving the structure of the Bill for future updates.

Below are the highlights that I find important:

Simplify and rename application for licensure to eliminate outdated requirements while implementing current national standards for education, national board certification and continuing education requirements for license renewal.

Legacy exemptions are defined.

New definitions aligned with the current medical terminology, education, training and skills practiced by acupuncturists, while maintaining and preserving the traditions of this complete medical system.

Expand and clarify upon the concepts of the two existing license designations: LAc, DAc. in line with national trends.

Reciprocity inclusive of applicants who have maintained licensure and certifications in other jurisdictions wanting to be licensed in the state of Hawaii.

It is time for Hawaii, with its long history of acupuncture, along with the highest per capita Acupuncture Practitioners of any state, to integrate the profession into Hawaii's healthcare delivery system with highest standard and care for the citizens of Hawaii. I respectfully ask you to please support this SB2276 SD2, HD2.

I extend to you and your esteemed colleagues my aloha. Thank you for your time and consideration.

Respectfully,

Janet Hayden Boyd D.A.C.M, L.Ac.

SB-2276-HD-2

Submitted on: 4/5/2022 10:36:09 AM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
William Cotter	Individual	Support	Written Testimony Only

Comments:

Acupuncture is steadily becoming recognized for its therapeutic benefits, this bill will support acupuncturists in their field of work.

Dr. Soraya Faris Applegate. Soulistic Holistics Hawaii. 45-696 Kamehameha Hwy. Kaneohe. 808 721 3083

House of Representatives Committee on Finance

Honorable Chair Representative Sylvia Luke

Honorable Vice Chair Representative Kyle T. Yamashita

Hearing Date: Wednesday, April 6, 2022

Via Video Conference/Written Testimony

Time: 2:45

Position on SB 2276 SD2 HD2: SUPPORT

Dear Honorable Chair Representative Sylvia Luke, Honorable Vice Chair Representative Kyle T. Yamashita, and Honorable Members of the Committee,

I am a licensed Dr. of Acupuncture DACM, L.Ac and active member of the Hawaii Acupuncture Association.

I reside Kaneohe and practice acupuncture medicine Kaneohe. I am writing this testimony in SUPPORT of SB 2276 SD2 HD2.

Regulated medical professions require safety of the public and access to care to be of primary importance. Acupuncture medicine has been one of the fastest growing segments in American healthcare and with this the profession has seen standardization of education, national certifications, and the formation of both Master and Doctoral degrees. Hawaii's existing statute, which hasn't been updated in over 20 years, has become outdated in its language, as well as deficient in its standards. The proposed Scope of Practice addresses these issues, while also improving the structure of the Bill for future updates. Below are the highlights:

Expand and clarify upon the concepts of the two existing license designations LAc, DAc., in line with national trends.

- Simplify and rename applications for licensure to eliminate outdated requirements while implementing current national standards for education, national board certification, and continuing education for license renewal.
- Legacy exemptions are defined.
- New definitions aligned with the current medical terminology, education, training and skills practiced by acupuncturists, while maintaining and preserving the traditions of this complete medical system.
- Reciprocity inclusive of applicants who have maintained licensure and certifications in other jurisdictions wanting to be licensed in the state of Hawaii.

It is time for Hawaii, with its long history of acupuncture, along with the highest per capita Acupuncture Practitioners of any state, to integrate the profession with highest standards of care and safety into the modern medical establishment for the citizens of Hawaii. I respectfully ask you to please SUPPORT SB2276 SD2 HD2.

I extend to you and your esteemed colleagues my aloha. Thank you for your time and consideration,

Soraya F Applegate

Dr. Soraya Faris Applegate DACM, L.Ac

SB-2276-HD-2

Submitted on: 4/5/2022 10:52:38 AM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Dean Nelson	Individual	Support	Written Testimony Only

Comments:

Spport

SB-2276-HD-2

Submitted on: 4/5/2022 10:52:38 AM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Courtney Wexler	Individual	Support	Written Testimony Only

Comments:

I support SB2276 SD2 HD2.

Thank you,

Courtney Wexler

SB-2276-HD-2

Submitted on: 4/5/2022 11:20:23 AM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
tammy Leung	Individual	Oppose	Written Testimony Only

Comments:

against the bill

SB-2276-HD-2

Submitted on: 4/5/2022 11:28:39 AM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Dustin Dillberg	Individual	Support	Written Testimony Only

Comments:

House of Representatives Committee on Finance

Honorable Chair Representative Sylvia Luke

Honorable Vice Chair Representative Kyle T. Yamashita

Hearing Date: Wednesday, April 6, 2022

Via Video Conference/Written Testimony Time: 2:45pm

Position on SB 2276 SD2 HD2: SUPPORT

Dear Honorable Chair Representative Sylvia Luke, Honorable Vice Chair Representative Kyle T.

Yamashita, and Honorable Members of the Committee,

I am a licensed Acupuncture Practitioner (LAc) and active member of the Hawaii Acupuncture Association.

I reside in Koloa and practice acupuncture medicine in Lihue, Kauai. I am writing this testimony in SUPPORT of SB 2276 SD2 HD2.

Regulated medical professions require safety of the public and access to care to be of primary importance. Acupuncture medicine has been one of the fastest growing segments in American healthcare and with this the profession has seen standardization of education, national certifications, and the formation of both Master and Doctoral degrees. Hawaii's existing statute, which hasn't been updated in over 20 years, has become outdated in its language, as well as deficient in its standards. The proposed Scope of Practice addresses these issues, while also improving the structure of the Bill for future updates. Below are the highlights:

- Expand and clarify upon the concepts of the two existing license designations LAc, DAc., in line with national trends.
- Simplify and rename applications for licensure to eliminate outdated requirements while implementing current national standards for education, national board certification, and continuing education for license renewal.
- Legacy exemptions are defined.
- New definitions aligned with the current medical terminology, education, training and skills practiced by acupuncturists, while maintaining and preserving the traditions of this complete medical system.
- Reciprocity inclusive of applicants who have maintained licensure and certifications in other jurisdictions wanting to be licensed in the state of Hawaii.

It is time for Hawaii, with its long history of acupuncture, along with the highest per capita Acupuncture Practitioners of any state, to integrate the profession with highest standards of care and safety into the modern medical establishment for the citizens of Hawaii. I respectfully ask you to please SUPPORT SB2276 SD2 HD2.

I extend to you and your esteemed colleagues my aloha. Thank you for your time and consideration,

Dr. Dustin Dillberg DACM, L.Ac.

SB-2276-HD-2

Submitted on: 4/5/2022 11:35:38 AM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Mee Yuk Chan	Individual	Oppose	Written Testimony Only

Comments:

against the bill

SB-2276-HD-2

Submitted on: 4/5/2022 11:48:07 AM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Matthew Harris	Individual	Support	Written Testimony Only

Comments:

House of Representatives Committee on Finance

Honorable Chair Representative Sylvia Luke

Honorable Vice Chair Representative Kyle T. Yamashita

Hearing Date: Wednesday, April 6, 2022

Via Video Conference/Written Testimony Time: 2:45pm

Position on SB 2276 SD2 HD2: SUPPORT

Dear Honorable Chair Representative Sylvia Luke, Honorable Vice Chair
Kyle T.

Yamashita, and Honorable Members of the Committee,

I am a licensed medical doctor (MD).

I reside Kailua and practice medicine in Kailua. I am writing this testimony
SB 2276 SD2 HD2.

Regulated medical professions require safety of the public and access to
primary importance. Acupuncture medicine has been one of the fastest growing
American healthcare and with this the profession has seen standardization
national certifications, and the formation of both Master and Doctoral de

existing statute, which hasn't been updated in over 20 years, has become outdated in its language, as well as deficient in its standards. The proposed Scope of Practice addresses these issues, while also improving the structure of the Bill for future updates. Key highlights:

- Expand and clarify upon the concepts of the two existing license categories: DAc., in line with national trends.
- Simplify and rename applications for licensure to eliminate outdated terminology while implementing current national standards for education, national certification, and continuing education for license renewal.
- Legacy exemptions are defined.
- New definitions aligned with the current medical terminology, education, and skills practiced by acupuncturists, while maintaining and preserving the traditions of this complete medical system.
- Reciprocity inclusive of applicants who have maintained licensure in other jurisdictions wanting to be licensed in the state of Hawaii.

It is time for Hawaii, with its long history of acupuncture, along with the support of Acupuncture Practitioners of any state, to integrate the profession with modern medical care and safety into the modern medical establishment for the citizens of Hawaii. I respectfully ask you to please SUPPORT SB2276 SD2 HD2.

I extend to you and your esteemed colleagues my aloha. Thank you for your thoughtful consideration,

Sincerely,

Matthew E Harris, MD

SB-2276-HD-2

Submitted on: 4/5/2022 12:00:39 PM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Clara Wong	Individual	Oppose	Written Testimony Only

Comments:

I oppose it.

Committee on Finance
The Hawaii State House of Representatives
415 S. Beretania St.
Honolulu, HI 96813

Re: **SUPPORT** of SB 2276 SD2 HD2

April 5, 2022

Aloha Honorable Chair Representative Luke and Honorable Members of the Finance
Committee,

My name is Catherine Bye. I am writing as an individual in **support** of SB 2276 SD2 HD2, relating
to Acupuncture. I am urging you **support** the bill as well.

I have gained amazing benefits through the healing power of acupuncture for over twenty
years. I support the proposed regulation that is much-needed for this branch of medicine. It is
high time to integrate this profession into Hawaii's healthcare delivery system in order to
provide the highest standard of care for the citizens of Hawaii.

I respectfully ask you to SUPPORT SB2276 SD2 HD2.

Yours Sincerely,

Catherine Bye

Catherine Bye



Dr. Liberata J. Orallo

DACM, Dipl. Ac (NCCAOM) DAc, LMT
444 Nahua Street Suite 1805 Honolulu, Hawaii 96815
ljorallo@gmail.com (808) 429-4000
Hawaii License Acu 666 NPI 1003406059

House Committee on Finance

April 6, 2022

Wednesday, 2:45 pm Via VideoConference
(Written Testimony Only)

Testimony in Support of SB 2276 SD2 HD2
Relating to Acupuncture

To the Honorable Chair, Representative Sylvia Luke, and the Honorable Vice Chair, Representative Kyle Yamashita, and Members of the House Committee on Finance:

My name is Dr. Liberata J. Orallo, a licensed Doctor of Acupuncture in private practice in Honolulu, a Clinic Supervisor for Acupuncture Interns from the Institute of Clinical Acupuncture and Oriental Medicine (ICAOM) at the Acupuncture Clinic of the Rehabilitation Hospital of the Pacific, a member of the Governing Board of ICAOM, and an active member of the Hawai'i Acupuncture Association (HAA).

I stand in **support of SB 2276 SD2 HD2** which amends Hawaii Revised Statutes 436E, Acupuncture Practitioners. Our current statute is in dire need of being updated to not only reflect our profession's graduate level education and training in the formation of both Master and Doctoral degrees as set forth by the nationally accredited commissions, but also to designate licensing requirements to be in line with stringent national credentialing standards and implement continuing education for renewal. Our standards of practice and current modalities of care must also be addressed while still maintaining and preserving the traditions of our unique medical system. Having advanced training is imperative to our profession.

In that light, it is exciting to report that the 11th revision of the World Health Organization's (WHO) International Statistical Classification of Diseases and Related Health Problems (ICD) will now include Traditional Medicine (TM) for the first time. It was adopted in May 2019 and came into effect on January 1, 2022. This initiative is a milestone for Traditional Medicine as an essential service. The ICD11 provides a common language that allows health professionals to share standardized information across the world for diagnosis used in medical billing, epidemiology, research, and cataloguing causes of death. In *Pharmaceutical Medicine (Lam et al, July 2019)*, it states that "ICD-11 will progressively transform the existing healthcare system from a Western Medicine dominant to an integrative Western Medicine and Traditional Chinese Medicine health care system. The rationale is to include the best practices of both conventional and complementary therapies, uniting these practices into an integrative approach, especially when positive evidence about the efficacy and safety of TM for certain conditions and diseases is documented."

The Hawai'i Acupuncture Association (HAA) and the Hawai'i State Board of Acupuncture (BOA) have worked tirelessly to clarify the parameters in the revision of HRS 436E.

I would like to also comment that opposing testimony from the American Academy of Medical Acupuncture (AAMA) requesting the repeal of HRS 436E-3.5 prohibiting physicians and osteopaths from practicing acupuncture unless licensed under the Board of Acupuncture (BOA) is a subject that has been thoroughly researched and addressed by the Attorney General in Opinion No. 03-5 dated August 18, 2003 (see attached link). Without any ambiguity, physicians and osteopaths cannot practice medical acupuncture without being licensed by the BOA, and medical acupuncture does not fall outside of the scope of acupuncture since it is not sufficiently distinct from TM.

Lastly, the measure also addresses continuing education for our practitioners. There is no doubt that Acupuncture is taking its place in mainstream medicine with new research studies demonstrating the effectiveness of how powerful our medicine is. The continuous growth of knowledge is imperative in providing better outcomes for our patients and should be a strong pillar in our profession. Obtaining 30 hours of continuing education units per renewal cycle is of minimal cost to the practitioners because many Acupuncture CEU providers offer free to low-cost courses online.

Hawai'i has the highest per capita of Acupuncture Practitioners of any State. What is paramount in this measure is ensuring that the health, safety, and welfare of the public has been met. The public deserves no less than competent practitioners.

RECOMMENDATION:

I kindly ask the Committee for the passage of this measure with the following amendment:

Section 4. Section 436E-2.

“Practice of advanced acupuncture medicine” means the practice of acupuncture medicine and the use of advanced diagnostics, specialties, and therapeutics as further determined by administrative rules.”

Thank you for the opportunity to testify on this measure and for your time and consideration.

References:

Lam, W.C., Lyu, A. & Bian, Z. ICD-11: Impact on Traditional Chinese Medicine and World Healthcare Systems. *Pharm Med* **33**, 373–377 (2019). <https://doi.org/10.1007/s40290-019-00295-y>

State Of Hawaii Department of The Attorney General. (2003, August 18). *Medical Acupuncture as it Relates to the Scope of Practice of Acupuncture (op. 03-05)*. The State of Hawaii. <https://ag.hawaii.gov/wp-content/uploads/2013/01/03-05.pdf>

SB-2276-HD-2

Submitted on: 4/5/2022 12:44:00 PM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Paul Fishbein	Individual	Support	Written Testimony Only

Comments:

I believe in and support Acupuncture.

I believe CEU's are a good thing and needed.

I think that folks in the islands should have easy access to professional acupuncture treatments.

Thank You

SB-2276-HD-2

Submitted on: 4/5/2022 12:50:44 PM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Joshua Friebe	Individual	Support	Written Testimony Only

Comments:

Acupuncture has been used effectively to treat many medical conditions and we must do more to make this treatment available to everyone.

SB-2276-HD-2

Submitted on: 4/5/2022 2:12:37 PM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Mei Shikiya	Individual	Support	Written Testimony Only

Comments:

House of Representatives Committee on Finance

Honorable Chair Representative Sylvia Luke

Honorable Vice Chair Representative Kyle T. Yamashita

My email: sunpalacetc@gmail.com

Hearing Date: Wednesday, April 6, 2022

Via Video Conference/Written Testimony Time: 2:45

Position on SB 2276 SD2 HD2: SUPPORT

Dear Honorable Chair Representative Sylvia Luke, Honorable Vice Chair Representative Kyle T.

Yamashita, and Honorable Members of the Committee,

I am a licensed Acupuncture Practitioner (LAc) and active member of the Hawaii Acupuncture Association.

I reside in Mililani and practice acupuncture medicine in Honolulu. I am writing this testimony in SUPPORT of SB 2276 SD2 HD2.

Regulated medical professions require safety of the public and access to care to be of primary importance. Acupuncture medicine has been one of the fastest growing segments in American healthcare and with this the profession has seen standardization of education, national certifications, and the formation of both Master and Doctoral degrees. Hawaii's existing statute, which hasn't been updated in over 20 years, has become outdated in its language, as well as deficient in its standards. The proposed Scope of Practice addresses these issues, while also improving the structure of the Bill for future updates. Below are the highlights:

- Expand and clarify upon the concepts of the two existing license designations LAc, DAc., in line with national trends.

- Simplify and rename applications for licensure to eliminate outdated requirements while implementing current national standards for education, national board certification, and continuing education for license renewal.
- Legacy exemptions are defined.
- New definitions aligned with the current medical terminology, education, training and skills practiced by acupuncturists, while maintaining and preserving the traditions of this complete medical system.
- Reciprocity inclusive of applicants who have maintained licensure and certifications in other jurisdictions wanting to be licensed in the state of Hawaii.

It is time for Hawaii, with its long history of acupuncture, along with the highest per capita Acupuncture Practitioners of any state, to integrate the profession with highest standards of care and safety into the modern medical establishment for the citizens of Hawaii. I respectfully ask you to please SUPPORT SB2276 SD2 HD2.

I extend to you and your esteemed colleagues my aloha. Thank you for your time and consideration,

Mei Shikiya

SB-2276-HD-2

Submitted on: 4/5/2022 2:47:41 PM

Testimony for FIN on 4/6/2022 2:45:00 PM

Submitted By	Organization	Testifier Position	Testify
Becky Jacobs, DACM, DAc.	Individual	Support	Written Testimony Only

Comments:

House of Representatives Committee on Finance

Honorable Chair Representative Sylvia Luke

Honorable Vice Chair Representative Kyle T. Yamashita

drbeckyjacobs@gmail.com

Hearing Date: Wednesday, April 6, 2022

Via Video Conference/Written Testimony Time: 2:45

Position on SB 2276 SD2 HD2: **SUPPORT**

Dear Honorable Chair Representative Sylvia Luke, Honorable Vice Chair Representative Kyle T.

Yamashita, and Honorable Members of the Committee,

I am a Doctor of Acupuncture and Chinese Medicine licensed in Hawaii and have served on the Board of Directors of the Hawaii Acupuncture Association for five years. I reside on the Big Island and practice acupuncture medicine in N Hawaii. I am writing this testimony in **SUPPORT** of SB 2276 SD2 HD2.

Hawaii Acupuncture Association (HAA) purchased the list of over 700 licensed acupuncturists (LAc./DAc.) in Hawaii from the DCCA in 2020. Everyone on the list was sent an email and/or a postcard inviting them to our virtual annual meeting to discuss the scope of practice update. Both members and non members were invited to attend the meeting at no charge. We called for written input and invited HAA members to join our legislative committee if they wished to participate in the process. HAA also sent emails announcing every hearing for the new scope. Every effort was made to inform the acupuncture community of Hawaii.

Regulated medical professions require safety of the public and access to care to be of primary importance. Acupuncture medicine has been one of the fastest growing segments in American healthcare and with this the profession has seen standardization of education, national certifications, and the formation of both Master and Doctoral degrees. Hawaii's existing statute, which hasn't been updated in over 20 years, has become outdated in its language, as well as deficient in its standards. The proposed Scope of Practice addresses these issues, while also improving the structure of the Bill for future updates. Below are the highlights:

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- Reciprocity inclusive of applicants who have maintained licensure and certifications in other jurisdictions wanting to be licensed in the state of Hawaii.

It is time for Hawaii, with its long history of acupuncture, along with the highest per capita Acupuncture Practitioners of any state, to integrate the profession with highest standards of care and safety into the modern medical establishment for the citizens of Hawaii. I respectfully ask you to please SUPPORT SB2276 SD2 HD2.

I extend to you and your esteemed colleagues my aloha. Thank you for your time and consideration,

Dr. Becky Jacobs, DAc.



Institute of Clinical Acupuncture and Oriental Medicine

100 N. Beretania Street, Suite 203B
Honolulu, Hawaii 96817
www.orientalmedicine.edu

808.521.2288 Ph
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info@orientalmedicine.edu

COMMITTEE ON FINANCE

Rep. Sylvia Luke, Chair

Rep. Kyle T. Yamashita, Vice Chair

Relating to Acupuncture

Testimony Supporting SB 2276 SD2 HD2

Wednesday, April 6, 2022

Dear Honorable Chair, Sylvia Luke and the Honorable Vice Chair, Kyle Yamashita, and Members of the House Committee on Finance:

My name is Dr. Wai Hoa Low, President and Chief Executive Officer (CEO), testifying on behalf of the Institute of Clinical Acupuncture and Oriental Medicine (ICAOM).

We are writing in **Support of SB 2276 SD2 HD2** that would make comprehensive updates to chapter 436E, Hawaii Revised Statutes, regarding acupuncture practitioners to reflect modernized scopes of practice, titles, and licensing and renewal requirements, including thirty hours of continuing education per licensing biennium.

Hawaii's consumers and students will appreciate the benefits and protection from this bill that revitalizes HRS 436E which has not been updated for over 20 years. Though we support the measure, we would like to take this opportunity to voice pertinent information to those opposing our measure as it courses through the various hearings.

Firstly, there has been testimony submitted by the American Academy of Medical Acupuncture (AAMA) requesting the repeal of HRS 436-3.5 which prohibits physicians and osteopaths from practicing acupuncture unless licensed under the Statute of Acupuncture Practitioners. HRS 436-3.5 has a lengthy legislative history dating back to 1985 which finally ended with the Director of the State of Hawaii Department of Commerce and Consumer Affairs requesting the State of Hawaii Department of the Attorney General (AG) for its legal advice in regards to medical acupuncture being outside of the scope of practice of acupuncture and whether those licensed physicians and osteopaths may practice medical acupuncture without having to be licensed by the Board of Acupuncture. The AG's Opinion No. 03-5 dated August 18, 2003 delineated the following:

1. There was a longstanding legal precedent that included several measures from physicians and osteopaths requesting to practice acupuncture. This resulted in the concerns expressed by the Board of Medical Examiners (BME) and Board of Osteopathic Examiners (BOE) regarding an internal lack of knowledge, expertise, and standards necessary to make rules and regulations about the certification of its licensees in acupuncture. This would create an additional burden

for both Boards. Thus, the Legislature unequivocally stated that the physicians and osteopaths who desire to practice acupuncture must be licensed by the Board of Acupuncture. Therefore, there is no ambiguity in the law.

2. Medical acupuncture is not distinct from traditional acupuncture and does not fall outside of the scope of practice of acupuncture. Therefore, physicians must be licensed by the Board of Acupuncture. (State Of Hawaii Department of The Attorney General, 2003)

Based on these findings, it is important to note that the public health, safety, and welfare of the people of Hawaii must be of paramount concern, and the regulation of those desiring to practice acupuncture must fall under the purview of the Board of Acupuncture.

Secondly, according to the World Health Organization (WHO), Acupuncture treats numerous disorders. For the first time in history, since its implementation in January 2022, the WHO has included Traditional Chinese Medicine (TCM) in **Chapter 26 of the ICD-11** (International Statistical Classification of Diseases and Related Health Problems). This initiative is not only a landmark for the ICD but also a milestone for TCM as an essential service. It contributes to the integration of TCM with multiple Western medicine-based disciplines and the progressive reform of the world healthcare system.

We acknowledge the intent of the Hawaii Medical Association (HMA) to amend our measure in deleting the phrase of “advanced diagnostics, specialties, and therapeutics, based on additional traditional and biomedical internal medicine” due to concerns of liability exposure and causing potential harm to the consumer. However, we strongly disagree with their rationale. No one can dispute that TCM has a history of 2,000+ years and internal medicine plays an integral part of primary care for a billion people halfway around the world and is considered an essential service.

Our curriculum includes both Western and Eastern internal medicine classes. We do not intend to be compared to the internal medicine specialty of Western medicine with 8,000 hours. The WHO has already sanctioned TCM in Chapter 26 of the ICD-11 diagnostic codes in a section on TCM Internal Medicine (see attached link). These diagnostic codes are considered as the key reference source for healthcare practitioners and insurance companies around the world. If the WHO acknowledges TCM internal medicine, so it behooves our colleagues in Western medicine to do the same. One of our advanced techniques include specialty training in Neuro-Acupuncture that is used worldwide for those suffering from debilitating neurological disorders, namely stroke victims and traumatic brain injuries. We have evidence-based research on many TCM internal medicine disorders that are found in credible publications. Current Acupuncture research studies at the National Institutes of Health (NIH) and worldwide universities confirm the benefits of Acupuncture in treating not only pain, but also internal disorders.

The Acupuncture profession is tranquil, collaborative, and seeks harmony with other healthcare providers.

Lastly, though Traditional Medicine has its roots from 2000+ years ago, continuing education is essential in our modern society since we provide medical care to the public and as we integrate both medicines. The cost for 30 hours of continuing education units (CEUs) per renewal cycle is minimal to the practitioners because Acupuncture CEU providers do offer free to low-cost courses. Members

of the Hawai'i Acupuncture Association (HAA) receive discounted rates on CEUs sponsored by HAA and ICAOM.

RECOMMENDATION:

ICAOM recommends to the House Committee on Finance to amend the language in the following section to read as follows:

Section 4. Section 436E-2.

“Practice of advanced acupuncture medicine” means the practice of acupuncture medicine and the use of advanced diagnostics, specialties, and therapeutics as further determined by administrative rules.”

Thank you for the opportunity to testify on this measure.

Respectfully,

Dr. Wai Hoa Low, President
DAOM, MBA, D.Ac.

References:

26 Supplementary Chapter Traditional Medicine Conditions - Module I

<https://icd.who.int/browse11/l-m/en#/http%3a%2f%2fid.who.int%2fcd%2fentity%2f718687701>

State Of Hawaii Department of The Attorney General. (2003, August 18). *Medical Acupuncture as it Relates to the Scope of Practice of Acupuncture (op. 03-05)*. The State of Hawaii.

<https://ag.hawaii.gov/wp-content/uploads/2013/01/03-05.pdf>

WHO International Standard Terminologies on Traditional Medicine in the Western Pacific Region
Web-PDF pages 172 to 19

http://apps.who.int/iris/bitstream/handle/10665/206952/9789290612487_eng.pdf?sequence=1&isAllowed=y