

Honolulu, Hawaii

FEB 17 2023

RE: S.B. No. 845
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Health and Human Services, to which was referred S.B. No. 845 entitled:

"A BILL FOR AN ACT RELATING TO ACUPUNCTURE,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Make comprehensive updates to existing law governing acupuncture practitioners to reflect modernized scopes of practice and titles;
- (2) Beginning with the renewal for the licensing biennium commencing July 1, 2025, require licensees to obtain thirty hours of continuing education per licensing biennium; and
- (3) Allow the Board of Acupuncture to issue licenses by reciprocity.

Your Committee received testimony in support of this measure from the Board of Acupuncture; Institute of Clinical Acupuncture and Oriental Medicine; AcuPlan Hawaii; Hawaii Acupuncture Medicine Association; East 2 West Integrative Medicine, LLC; Kailua Acupuncture Clinic; Windward Wellness; American Acupuncture Council; Rubin Enterprises, LLC; OceanMed Clinic; Longevity Health Center; and twenty-three individuals. Your Committee received



testimony in opposition to this measure from the American Academy of Medical Acupuncture; Lifestyle Medical Center; Institute of Clinical Acupuncture and Oriental Medicine; and ten individuals. Your Committee received comments on this measure from the Hawaii Medical Association and three individuals.

Your Committee finds that acupuncture is one of the fastest growing fields in American health care due to expanded health insurance benefits and acupuncture's ability to offer patients an alternative to prescription opioids. Despite the field's growth, existing law concerning acupuncture practitioners has remained the same for the past twenty years. To reflect the development of acupuncture practice, this measure updates state laws regulating acupuncture practitioners to reflect changes to national certification standards, accredited educational programs, scope of practice, and titles.

Your Committee notes the Board of Acupuncture's testimony requesting that this measure not take effect for at least two years to allow the Board to adopt rules for its implementation. Should your Committees on Commerce and Consumer Protection and Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it considers the Board of Acupuncture's request.

Your Committee has amended this measure by:

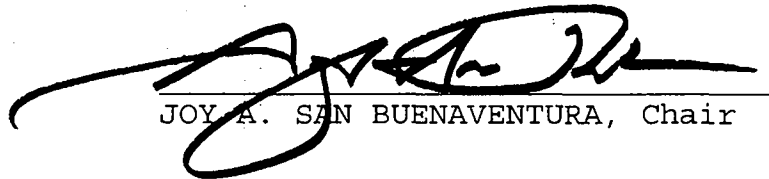
- (1) Removing language that would have authorized the Board of Acupuncture to issue licenses by reciprocity;
- (2) Authorizing the Board of Acupuncture to establish an alternative pathway for physician licensure in acupuncture in alignment with existing Centers for Medicare and Medicaid Services guidelines;
- (3) Clarifying that references to "doctor" refer to a licensed doctor of acupuncture (D.Ac.);
- (4) Inserting an appropriation of an unspecified amount for the Department of Commerce and Consumer Affairs' Professional and Vocational Licensing Division to update its internal database;



- (5) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 845, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 845, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Health and Human
Services,



JOY A. SAN BUENAVENTURA, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Health and Human Services
HHS

Bill / Resolution No.:* <i>SB 845</i>	Committee Referral: <i>HHS, CPN</i>	Date: <i>2/13/23</i>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
SAN BUENAVENTURA, Joy A. (C)	✓			
AQUINO, Henry J.C. (VC)	✓			
MORIWAKI, Sharon Y.	✓			
SHIMABUKURO, Maile S.L.				✓
AWA, Brenton	✓			
TOTAL	<i>4</i>			<i>1</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes