

BILL ANALYSIS

Senate Research Center
76R9108 MXM-D

C.S.S.B. 1223
By: Moncrief
Health Services
4/7/1999
Committee Report (Substituted)

DIGEST

Currently, Texas does not authorize licensed vocational nurses to be certified to practice acupuncture. S.B. 1223 authorizes licensed vocational nurses to be certified to practice acupuncture for certain limited purposes.

PURPOSE

As proposed, S.B. 1223 authorizes licensed vocational nurses to be certified to practice acupuncture for certain limited purposes.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the acupuncture board in SECTION 6 (Section 6.102, Article 4495b, V.T.C.S.) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 6.118(a), Article 4495b, V.T.C.S. (Medical Practice Act), to authorize the medical board to certify a person as an acudetox specialist under this section if the person provides to the medical board documentation that the person is a certified licensed vocational nurse.

SECTION 2. Amends Section 6.04(b), Article 4495b, V.T.C.S., to prohibit a person from serving on the acupuncture board if the person owns, operates, or has a financial interest in a school of acupuncture.

SECTION 3. Amends Section 6.04(g), Article 4495b, V.T.C.S., to make a conforming change.

SECTION 4. Amends Sections 6.04(h) and (i), Article 4495b, V.T.C.S., to prohibit a board member of a trade association in the field of health care from being a member of the acupuncture board. Makes conforming changes.

SECTION 5. Amends Section 6.07, Article 4495b, V.T.C.S., by amending Subsection (b) and adding subsection (i), to require an applicant to be eligible for the examination to be a graduate of a reputable acupuncture school. Prohibits an applicant for a license to practice acupuncture from being required to appear before the acupuncture board or any of its committees unless the application raises certain questions about the applicant.

SECTION 6. Amends Article 4495b, V.T.C.S., by adding Section 6.102, as follows:

Sec. 6.102. CONTINUING EDUCATION. Authorizes the acupuncture board, by rule, to require a license holder to complete a certain number of hours continuing education courses approved by the acupuncture board in order to renew a license. Requires the acupuncture board to consider the approval of a course conducted by certain organizations.

SECTION 7. Prohibits, before January 1, 2004, the State Board of Acupuncture Examiners from adopting a rule under Section 6.07(d), Article 4495b, V.T.C.S. that requires that a school of acupuncture operating in Texas on or before September 1, 1993 be accredited by, or a candidate for accreditation by, the Accreditation Commission for Acupuncture and Oriental Medicine.

SECTION 8. Provides that Sections 6.07(b)(3) and 6.07(c), Article 4495b, V.T.C.S., do not apply to an applicant for a license to practice acupuncture if that applicant has taken certain actions.

SECTION 9. Emergency clause.

Effective date: upon passage.

SUMMARY OF COMMITTEE CHANGES

SECTION 2.

Amends Section 6.04(b), Article 4495b, V.T.C.S., to prohibit a person from serving on the acupuncture board if the person owns, operates, or has a financial interest in a school of acupuncture.

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SECTION 6.

Amends Article 4495b, V.T.C.S., by adding Section 6.102, regarding continuing education.

SECTION 7.

Adds provisions regarding rules.

SECTION 8.

Provides that Sections 6.07(b)(3), and 6.07(c), Article 4495b, V.T.C.S., as amended by this Act, do not apply to certain applicants.

Redesignates SECTION 2 as SECTION 9.