

# MAINE STATE LEGISLATURE

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# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 1105

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H.P. 809

House of Representatives, March 5, 2019

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**An Act To Allow Acupuncture Detoxification Specialists To  
Administer an Auricular Acupuncture Treatment for Addiction**

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Reference to the Committee on Health Coverage, Insurance and Financial Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative PERRY of Calais.  
Cosponsored by Senator CLAXTON of Androscoggin and  
Representatives: BRENNAN of Portland, CRAVEN of Lewiston, DUNPHY of Old Town,  
O'CONNOR of Berwick, STOVER of Boothbay.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 32 MRSA §12517** is enacted to read:

3 **§12517. Auricular acupuncture detoxification; acupuncture detoxification**  
4 **specialists**

5 **1. Definitions.** As used in this section, unless the context otherwise indicates, the  
6 following terms have the following meanings.

7 A. "Acupuncture detoxification specialist" means an individual licensed in this State  
8 to practice auricular acupuncture detoxification.

9 B. "Auricular acupuncture detoxification" means the subcutaneous insertion of  
10 sterile, disposable acupuncture needles in consistent, predetermined bilateral  
11 locations on the ear for the purpose of treatment of addiction.

12 **2. Auricular acupuncture detoxification.** Auricular acupuncture detoxification  
13 may not be provided by an individual other than a licensed acupuncturist or an  
14 acupuncture detoxification specialist and must be provided in accordance with standards  
15 established by an organization specializing in the training of auricular acupuncture  
16 detoxification approved by the board.

17 **3. Acupuncture detoxification specialist requirements.** An acupuncture  
18 detoxification specialist:

19 A. May not perform acupuncture outside of the scope of auricular acupuncture  
20 detoxification;

21 B. May provide auricular acupuncture detoxification only under the supervision of a  
22 licensed acupuncturist or an acupuncture detoxification specialist who is a member in  
23 good standing of an organization specializing in the training of auricular acupuncture  
24 detoxification approved by the board. The supervising practitioner must, at a  
25 minimum, be immediately available through phone or electronic means during  
26 business hours and must conduct at least 2 in-person visits or visits through  
27 videoconferencing with the acupuncture detoxification specialist during the first year  
28 the supervising practitioner oversees the work of the acupuncture detoxification  
29 specialist; and

30 C. May not use the title "acupuncturist" or represent that the acupuncture  
31 detoxification specialist is providing acupuncture services beyond the scope of  
32 auricular acupuncture detoxification.

33 **4. Licensure of acupuncture detoxification specialists.** The board shall license  
34 acupuncture detoxification specialists in accordance with the following.

35 A. Applications for licensure under this section must be on forms provided by the  
36 board. The board shall issue a license to an applicant who:

37 (1) Provides documentation demonstrating that the applicant possesses a  
38 certificate of training in auricular acupuncture detoxification from an

1 organization specializing in the training of auricular acupuncture detoxification  
2 approved by the board;

3 (2) Is licensed in this State as a certified alcohol and drug counselor, licensed  
4 alcohol and drug counselor, physician, physician assistant, nurse, chiropractor,  
5 dentist, speech-language pathologist, audiologist, professional counselor, clinical  
6 professional counselor, marriage and family therapist, nurse practitioner, physical  
7 therapist, occupational therapist, pharmacist, podiatrist, psychologist, licensed  
8 social worker, conditional licensed social worker, licensed clinical social worker  
9 or licensed master social worker, conditional;

10 (3) Identifies a practitioner who will be supervising the applicant in accordance  
11 with subsection 3, paragraph B; and

12 (4) Submits the license fee established by the board by rule.

13 B. Prior to the expiration of a license, a licensee may make an application for  
14 renewal. The board shall issue a renewal license to an applicant who:

15 (1) Identifies a practitioner who will be supervising the applicant in accordance  
16 with subsection 3, paragraph B; and

17 (2) Submits the renewal fee established by the board by rule.

18 An application for renewal made no more than 90 days past the date of expiration of  
19 a license must include a late fee in addition to the renewal fee. The board shall  
20 establish the late fee by rule. An application received more than 90 days past the  
21 expiration date is subject to all requirements covering new applicants under this  
22 section.

23 **5. Rulemaking.** The board shall adopt rules to implement and administer the  
24 provisions of this section. Rules adopted pursuant to this subsection are routine technical  
25 rules as defined in Title 5, chapter 375, subchapter 2-A.

## 26 SUMMARY

27 This bill directs the Department of Professional and Financial Regulation, Board of  
28 Complementary Health Care Providers to license acupuncture detoxification specialists  
29 and establishes standards for the provision of auricular acupuncture detoxification. The  
30 bill directs the board to adopt rules to implement the requirements.