

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 263

S.P. 97

In Senate, January 23, 2003

An Act to Define a Scope of Practice for Acupuncture

Reference to the Committee on Business, Research and Economic Development suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BROMLEY of Cumberland.
Cosponsored by Representative DUDLEY of Portland and
Senators: MARTIN of Aroostook, MAYO of Sagadahoc, Representatives: FAIRCLOTH of
Bangor, PINGREE of North Haven, SULLIVAN of Biddeford, THOMAS of Orono.

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

4 **Sec. 1. 32 MRSA §12501, sub-§13-A is enacted to read:**

6 13-A. Oriental medicine. "Oriental medicine" means the
8 distinct system of health care that diagnoses and treats illness,
injury, pain or other conditions by controlling and regulating
the flow and balance of energy to restore and maintain health.

10 **Sec. 2. 32 MRSA §12513-A is enacted to read:**

12 **§12513-A. Scope of practice**

14 1. Scope of practice. The scope of practice of
16 acupuncturists includes the allied techniques and modalities of
18 oriental medicine, both traditional and modern. In addition to
20 acupuncture, these allied techniques and modalities include
22 diagnostic procedures; electrical and magnetic stimulation;
24 moxibustion and other forms of heat therapy; sound, light and
vibrational therapy; cupping techniques and gua sha; point
injection; dietary and nutritional therapies; herbal treatments
and supplements; lifestyle counseling; certain work on the human
body, including tui na; and acupressure.

26 2. Rulemaking. Under its rule-making and standard-setting
28 authority set forth in section 12503, subsection 1, the board may
further define the scope of practice of acupuncturists. Rules
adopted pursuant to this section are routine technical rules as
defined in Title 5, chapter 375, subchapter 2-A.

30 3. Other health care professionals. Nothing in this
32 section is intended to limit, interfere with or prevent any other
34 health care professionals from practicing within their defined
scopes of practice.

36 **SUMMARY**

38 The bill amends and updates existing law governing
40 acupuncture to set forth a scope of practice. The defined scope
42 of practice is similar to that found in New Hampshire law. The
44 bill also incorporates the definition in New Hampshire of
oriental medicine, which informs, underlies and complements the
practice of acupuncturists.

46 In cases where health insurance provides coverage for
48 acupuncture services, delineation of this scope of practice will
facilitate the obtaining of payment for accepted acupuncture
practices.