

BILL ANALYSIS

Senate Research Center

S.B. 1765
By: Moncrief
Health & Human Services
4-7-97
As Filed

DIGEST

Currently, the law requires a practitioner of acupuncture to have a license for full-body acupuncture, which requires approximately four years of schooling. For many years, numerous individuals have practiced the limited use of acupuncture in the ear for treatment of addictions such as chemical dependency, alcoholism, and smoking. These treatments were administered by "acudetox technicians," the vast majority of which were not licensed physicians or licensed full-body acupuncturists, but nurses, social workers, and licensed chemical dependency counselors. These individuals are now subject to criminal penalties if they continue to provide acudetox services. This bill will provide regulations for acudetox specialists.

PURPOSE

As proposed, S.B. 1765 provides regulations for acudetox specialists.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Texas State Board of Medical Examiners in SECTION 2 (Section 6.118(c), Article 4495b, V.T.C.S.) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 6.02, Article 4495b, V.T.C.S. (Medical Practice Act), to define "acudetox specialist." Makes conforming changes.

SECTION 2. Amends Subchapter F, Article 4495b, V.T.C.S., by adding Section 6.118, as follows:

Sec. 6.118. ACUDETTOX SPECIALIST. Authorizes the Texas State Board of Medical Examiners (board) to certify a person as an acudetox specialist under this section if the person meets certain requirements. Authorizes the board to annually renew the certification of a person certified as an acudetox specialist under this section if the person meets certain requirements. Requires an acudetox specialist certified under this section to practice acupuncture only to the extent allowed by rules adopted by the medical board, in a facility approved by the Texas Commission on Alcohol and Drug Abuse for the treatment of alcoholism, substance abuse, or chemical dependency, and under the supervision of a licensed acupuncturist or of a physician. Sets forth requirements for a program that includes the services of an acudetox specialist.

SECTION 3. Requires the board to adopt rules for the certification, practice, and continuing education of acudetox specialists under Section 6.118, Article 4495b, V.T.C.S., as added by this Act, not later than January 1, 1998. Requires the Texas Board of Acupuncture Examiners, no later than October 1, 1997, to submit recommendations to the board regarding rules for certification, practice, and continuing education for acudetox specialists.

SECTION 4. Effective date: September 1, 1997.

SECTION 5. Emergency clause.