

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

INTERIM STUDY PROPOSAL 2007-146

State of Arkansas
86th General Assembly
Regular Session, 2007

A Bill

SENATE BILL 891

By: Senator Madison

Referred to
Public Health, Welfare And Labor Committee - Senate
by the Arkansas Senate
on 03/30/2007

For An Act To Be Entitled

AN ACT TO PROVIDE LICENSURE AS AN ACUPUNCTURIST
WITHOUT EXAMINATION TO NATIONALLY CERTIFIED
ACUPUNCTURISTS; AND FOR OTHER PURPOSES.

Subtitle

AN ACT TO PROVIDE LICENSURE AS AN
ACUPUNCTURIST WITHOUT EXAMINATION TO
NATIONALLY CERTIFIED ACUPUNCTURISTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 17-102-304 is amended to read as follows:
17-102-304. Application – Fees – Qualifications.

(a) Upon application to the Arkansas State Board of Acupuncture and
Related Techniques, the board shall issue to the applicant a license as an
acupuncturist if the person is:

(1) Validly certified by the National Commission for the
Certification of Acupuncturists; and

(2) A graduate of an educational program in acupuncture
accredited by the Accreditation Commission for Acupuncture and Oriental
Medicine.

~~(a)-(1)-(b)(1)~~ No Except as provided in subsection (a) of this section,

1 no person shall be licensed to practice acupuncture and related techniques
 2 unless he or she has passed an examination and has been found to have the
 3 necessary qualifications as prescribed in the rules adopted by the Arkansas
 4 State Board of Acupuncture and Related Techniques.

5 (2)(A) Applications for a license to practice acupuncture and
 6 related techniques in the State of Arkansas pursuant to this chapter shall be
 7 made to the Secretary of the Arkansas State Board of Acupuncture and Related
 8 Techniques in writing on forms furnished by the board.

9 (B) The application shall be signed by the applicant in
 10 his or her own handwriting and acknowledged before an officer authorized to
 11 administer oaths.

12 (3) Before any applicant shall be eligible for an examination,
 13 the applicant shall furnish satisfactory proof to the board that he or she:

14 (A) Is of good moral character by filing with his or her
 15 application the affidavits of at least two (2) reputable acupuncturists who
 16 attest to his or her character;

17 (B) Has successfully completed not fewer than sixty (60)
 18 semester credit hours of college education, to include a minimum of thirty
 19 (30) semester credit hours in the field of science; and

20 (C) Has completed a program in acupuncture and related
 21 techniques and has received a certificate or diploma from an institute
 22 approved by the board as described in this section. The training received in
 23 the program shall be for a period of no fewer than four (4) academic years
 24 and shall include a minimum of eight hundred (800) hours of supervised
 25 clinical practice.

26 ~~(b)(c)~~ Prior to approval of an institute of acupuncture and related
 27 techniques, the board shall determine that the institute meets standards of
 28 professional education. These standards shall provide that the institute:

29 (1) Require, as a prerequisite to graduation, a program of study
 30 of at least four (4) academic years;

31 (2) Meet the minimum requirements of a board-approved national
 32 accrediting body;

33 (3) Require participation in a carefully supervised clinical or
 34 internship program; and

35 (4) Confer a certificate, diploma, or degree in acupuncture and
 36 related techniques only after personal attendance in classes and clinics.

1 (c) To qualify to take the examination, an applicant additionally
2 must:

- 3 (1) Be at least twenty-one (21) years of age;
4 (2) Be a citizen of the United States or a legal resident;
5 (3) Not have had a license to practice acupuncture and related
6 techniques in any other state suspended or revoked nor have been placed on
7 probation for any cause;
8 (4) Not have been convicted of a felony; and
9 (5) Not be a habitual user of intoxicants, drugs, or
10 hallucinatory preparations.

11 ~~(d)~~(e) The board may charge the following fees:

- 12 (1) Initial application for licensing, a fee not to exceed two
13 hundred fifty dollars (\$250);
14 (2) Written and practical examination not including the cost of
15 the nationally recognized examination, a fee not to exceed three hundred
16 fifty dollars (\$350);
17 (3) Biennial licensing renewal, a fee not to exceed four hundred
18 dollars (\$400);
19 (4) Late renewal more than thirty (30) days, but not later than
20 one (1) year, after expiration of a license, which late fee is in addition to
21 any other fees, a fee not to exceed one hundred dollars (\$100);
22 (5) Reciprocal licensing, a fee not to exceed seven hundred
23 fifty dollars (\$750);
24 (6) Annual continuing education provider registration, a fee not
25 to exceed two hundred dollars (\$200); and
26 (7) Any and all fees to cover reasonable and necessary
27 administrative expenses.

28 ~~(e)(1)(A)~~(f)(1)(A) If the applicant is approved, the applicant shall
29 be admitted for examination.

30 (B) Should the applicant pass the examination, no part of
31 the fee shall be returned, and the applicant shall be issued a license to
32 practice acupuncture and related techniques in accordance with this chapter.

33 (C) Should an applicant be approved but fail to appear for
34 the examination, no part of his or her fee shall be returned, but the
35 applicant shall be eligible for examination at a later date.

36 (D) Should the approved applicant fail the examination, no

1 part of his or her fee shall be returned, and the applicant shall be eligible
2 for reexamination at a later date, at the discretion of the board, upon
3 paying an examination fee of fifty dollars (\$50.00) per failed subject up to
4 one hundred fifty dollars (\$150).

5 (2) If the applicant is not approved, the application and one-
6 half (1/2) of the examination fee shall be returned to the applicant with the
7 reasons for the disapproval clearly stated.

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