

2558--C

2015-2016 Regular Sessions

I N A S S E M B L Y

January 20, 2015

Introduced by M. of A. GOTTFRIED, COOK, ENGLEBRIGHT, GALEF, COLTON, MAGNARELLI, OTIS, QUART, BRONSON, THIELE, KIM -- Multi-Sponsored by -- M. of A. CAHILL, LUPARDO, MAGEE, SIMON -- read once and referred to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Higher Education in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to the licensing of acupuncturists and the practice of the profession of acupuncture

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Paragraph (a) of subdivision 1 of section 8211 of the  
2 education law, as added by chapter 772 of the laws of 1990, is amended  
3 and a new paragraph (c) is added to read as follows:  
4 (a) "Profession of acupuncture" is the treating, by means of mechan-  
5 ical, thermal or electrical stimulation effected by the insertion of  
6 needles or by the application of heat, pressure or electrical stimu-  
7 lation at a point or combination of points on the surface of the body  
8 predetermined on the basis of the theory of the physiological interre-  
9 lationship of body organs with an associated point or combination of  
10 points for diseases, disorders and dysfunctions of the body for the  
11 purpose of achieving a therapeutic or prophylactic effect. THE PROFES-  
12 SION OF ACUPUNCTURE INCLUDES RECOMMENDATION OF DIETARY SUPPLEMENTS AND  
13 NATURAL PRODUCTS INCLUDING, BUT NOT LIMITED TO, THE RECOMMENDATION OF  
14 DIET, HERBS AND OTHER NATURAL PRODUCTS, AND THEIR PREPARATION IN ACCORD-  
15 ANCE WITH TRADITIONAL AND MODERN PRACTICES OF EAST ASIAN (CHINESE, KORE-  
16 AN OR JAPANESE) MEDICAL THEORY.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD02820-11-6

1 (C) NOTHING HEREIN SHALL BE CONSTRUED TO PROHIBIT AN INDIVIDUAL WHO IS  
2 NOT SUBJECT TO REGULATION IN THIS STATE AS A LICENSED ACUPUNCTURIST FROM  
3 ENGAGING IN THE RECOMMENDATION OF TRADITIONAL REMEDIES AND SUPPLEMENTS  
4 AS DEFINED HEREIN.

5 S 2. This act shall take effect October 1, 2017; provided, however,  
6 that effective immediately, the state education department is authorized  
7 to take such steps in advance of such effective date, including the  
8 addition, amendment and/or repeal of any rule or regulation as may be  
9 necessary, to ensure the timely implementation of the provisions of this  
10 act on such effective date.