S T A T E O F N E W Y O R K

2558--D

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 -- again reported from said committee with amendments, 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:

Section 1. Paragraph (a) of subdivision 1 of section 8211 of the education law, as added by chapter 772 of the laws of 1990, is amended and a new paragraph (c) is added to read as follows:

(a) "Profession of acupuncture" is the treating, by means of mechanical, thermal or electrical stimulation effected by the insertion of needles or by the application of heat, pressure or electrical stimulation at a point or combination of points on the surface of the body predetermined on the basis of the theory of the physiological interrelationship of body organs with an associated point or combination of points for diseases, disorders and dysfunctions of the body for the purpose of achieving a therapeutic or prophylactic effect. THE PROFESSION OF ACUPUNCTURE INCLUDES RECOMMENDATION OF DIETARY SUPPLEMENTS AND NATURAL PRODUCTS INCLUDING, BUT NOT LIMITED TO, THE RECOMMENDATION OF DIET, HERBS AND OTHER NATURAL PRODUCTS, AND THEIR PREPARATION IN ACCORD-

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

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ANCE WITH TRADITIONAL AND MODERN PRACTICES OF EAST ASIAN (CHINESE, KOREAN OR JAPANESE) MEDICAL THEORY.

(C) NOTHING HEREIN SHALL BE CONSTRUED TO PROHIBIT AN INDIVIDUAL WHO IS NOT SUBJECT TO REGULATION IN THIS STATE AS A LICENSED ACUPUNCTURIST FROM ENGAGING IN THE RECOMMENDATION OF TRADITIONAL REMEDIES AND SUPPLEMENTS AS DEFINED HEREIN, NOR SHALL THIS SECTION BE CONSTRUED TO AUTHORIZE AN INDIVIDUAL TO PRACTICE PHARMACY UNDER ARTICLE ONE HUNDRED THIRTY-SEVEN OF THIS TITLE.

S 2. This act shall take effect immediately.