

STATE OF NEW YORK

10187

IN ASSEMBLY

February 12, 2026

Introduced by M. of A. KIM -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to mandatory continuing education requirements for acupuncturists

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The education law is amended by adding a new section 8217 to read as follows:

§ 8217. Mandatory continuing education for acupuncturists. (1) (a) Each acupuncturist licensed pursuant to this title, required to register triennially with the department to practice in this state, shall comply with the provisions of the mandatory continuing education requirements of this section, except as set forth in paragraphs (b) and (c) of this subdivision. A licensee who does not satisfy such requirements shall not practice until the licensee has met such requirements and has been issued a registration or conditional registration certificate.

(b) Licensees shall be exempt from the mandatory continuing education requirement for the triennial registration period during which they are first licensed. In accordance with the intent of this section, adjustments to the mandatory continuing education requirement may be granted by the department for reasons of health, certified by an appropriate health care professional, for extended active duty with the armed forces of the United States, or for other good cause acceptable to the department which may prevent compliance.

(c) A licensed acupuncturist who is not engaged in the public practice of acupuncture, as an individual practitioner, a partner or shareholder of a professional entity, an employee of such practice units, or as otherwise determined by the department, shall be exempt from the mandatory continuing education requirement upon the filing of a statement with the department declaring such status. Any licensee who returns to the public practice of acupuncture during the triennial registration period shall notify the department prior to reentering the profession and shall meet such mandatory continuing education requirements as shall be prescribed by regulation of the commissioner.

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

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1 (d) Nothing in this section shall be construed as enabling or author-
2 izing the department or the state board for acupuncture to require or
3 implement continuing competency testing or continued competency certif-
4 ication for acupuncturists.

5 (2) During each triennial registration period an applicant for regis-
6 tration shall complete forty-five hours of acceptable formal continuing
7 education, not less than fifteen hours in each year of such period. A
8 licensee whose first registration date following the effective date of
9 this section occurs less than three years from such effective date shall
10 complete continuing education hours on a prorated basis at the rate of
11 one and one-quarter hours per month for the period beginning with such
12 effective date up to the first registration date thereafter. Continuing
13 education hours taken during one triennium may not be carried over or
14 otherwise credited or transferred to a subsequent triennium.

15 (3) The department, in its discretion, may issue a conditional regis-
16 tration to a licensee who fails to meet the continuing education
17 requirements established in subdivision two of this section but who
18 agrees to make up any deficiencies and to take any additional education
19 which the department may require. The fee for such a conditional regis-
20 tration shall be the same as, and in addition to, the fee for the trien-
21 niel registration. The duration of such conditional registration shall
22 be determined by the department but shall not exceed one year. Any
23 licensee who is notified of the denial of registration for failure to
24 submit evidence, satisfactory to the department, of completion of
25 required continuing education and who practices acupuncture without such
26 registration may be subject to disciplinary proceedings pursuant to
27 section sixty-five hundred ten of this title.

28 (4) (a) For purposes of this section, "acceptable formal continuing
29 education" shall mean formal programs of learning that contribute to
30 professional practice in acupuncture and that are approved for continu-
31 ing education credit by the National Certification Board for Acupuncture
32 and Herbal Medicine (NCBAHM) or any successor entity recognized by the
33 department.

34 (b) For any course or program approved by NCBAHM, the department shall
35 accept the number of continuing education hours or credits assigned by
36 NCBAHM for that course or program.

37 (c) The commissioner, in consultation with the state board for
38 acupuncture, may by regulation identify subject areas that, in the
39 interest of public health and welfare, must be included within the hours
40 required by subdivision two of this section.

41 (5) Licensees shall attest at each triennial registration to having
42 satisfied the mandatory continuing education requirements of this
43 section, shall maintain adequate documentation of completion of accepta-
44 ble continuing education to support such attestation, and shall provide
45 such documentation to the department upon request. Failure to provide
46 such documentation upon request of the department shall constitute
47 misconduct subject to disciplinary proceedings pursuant to section
48 sixty-five hundred ten of this title.

49 (6) The mandatory continuing education fee shall be forty-five
50 dollars, shall be payable on or before the first day of each triennial
51 registration period together with the registrant's attestation under
52 subdivision five of this section, and shall be in addition to the trien-
53 niel registration fee otherwise required by this article. Such fee shall
54 defray the department's costs for administering and auditing compliance
55 with this section.

1 (7) The commissioner, in consultation with the state board for
2 acupuncture, is authorized to promulgate such rules and regulations as
3 may be necessary to implement the provisions of this section.

4 § 2. This act shall take effect on the one hundred eightieth day after
5 it shall have become a law; provided that any rules and regulations
6 necessary to implement the provisions of this act on its effective date
7 are authorized and directed to be promulgated, repealed or amended by
8 such effective date.