STATE OF NEW YORK

9223

IN SENATE

February 17, 2026

Introduced by Sen. LIU -- read twice and ordered printed, and when printed to be committed 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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(d) Nothing in this section shall be construed as enabling or authorizing the department or the state board for acupuncture to require or implement continuing competency testing or continued competency certification for acupuncturists.

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

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

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

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

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

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

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

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

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