

2024 -- S 2404

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

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A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- THE PRACTICE OF  
ACUPUNCTURE AND CHINESE MEDICINE

Introduced By: Senator Joshua Miller

Date Introduced: February 12, 2024

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 5-37.2-2 of the General Laws in Chapter 5-37.2 entitled "The Practice  
2 of Acupuncture and Chinese Medicine" is hereby amended to read as follows:

3 **5-37.2-2. Definitions.**

4 Unless the context otherwise requires, the words, phrases, and derivatives employed in this  
5 chapter have the meanings ascribed to them in this section:

6 (1) "Acupuncture" means the insertion of needles into the human body for the purpose of  
7 regulating physiology.

8 (2) "Acupuncture and Chinese medicine" means a form of health care, with a foundation  
9 in classical and modern Chinese medical concepts and theory, that employs Chinese medical  
10 diagnostic methods such as pulse, tongue, palpation, and observational diagnosis, as well as  
11 diagnostic techniques based on newer scientific models. "Acupuncture and Chinese medicine"  
12 includes acupuncture and adjunct therapies for the promotion, maintenance, or restoration of health,  
13 and the treatment, or prevention, of any ailment. The techniques and adjunct therapies of  
14 "Acupuncture and Chinese medicine" may include acupuncture, electro-acupuncture, laser  
15 acupuncture, moxibustion (heat therapy), cupping, TDP and infrared lamps, manual therapies such  
16 as gua sha, cupping, and tui na, corrective exercises such as Qi Gong, Chinese herbal medicine,  
17 dietary therapy, breathing exercises, and lifestyle change consultations.

18 (3) "Auricular acudetox," also known as "5 Needle Protocol," "5NP," or "NADA protocol"

1 means a standardized point auricular acupuncture protocol, consisting of five (5) points:  
2 Sympathetic, Shen Men, Liver, Kidney, and Lung, and developed by the National Acupuncture  
3 Detox Association (NADA) as an adjunct therapy for the treatment of addiction, substance use  
4 disorder, mental and behavioral health, trauma, and for relief in disaster settings.

5 (4) “Auricular acupuncture technician (AAT)” means a qualified individual, as defined in  
6 this section, with auricular acupuncture technician training based on the program developed by  
7 NADA, and is delivered by NADA, or its equivalent.

8 (5) “Chinese herbal medicine” means traditional combinations of raw, granular  
9 preparations of herbs to produce formulas from Chinese herbal literature, the modification of those  
10 traditional combinations, or the writing of new formulas to address individual symptom  
11 presentations, through addition, deletion, substitution, or change in dosages of ingredients and the  
12 dispensing of these herbal preparations to patients, including in pill, tablet, capsule, or liquid form.

13 (6) “Department” means the state department of health.

14 (7) “Doctor of acupuncture” means a person licensed under the provisions of this chapter  
15 to practice acupuncture and Chinese medicine.

16 (8) “Doctor of acupuncture and Chinese medicine” means a person licensed under the  
17 provisions of this chapter to practice acupuncture and Chinese medicine, and who has additional  
18 training, experience or certification to practice Chinese herbal medicine.

19 (9) “General supervision” means, but is not limited to, availability by telephone or other  
20 electronic means during business hours.

21 (10) “National Acupuncture Detoxification Association” or “NADA” means a not-for-  
22 profit organization that provides a certificate of acudetox training.

23 (11) “Qualified individual” means a ~~licensed nurse, clinical social worker, mental health~~  
24 ~~counselor, certified peer recovery specialist, or certified alcohol or chemical dependency~~  
25 ~~professional,~~ person trained and certified in auricular acudetox. A qualified individual is required  
26 to be under general supervision of a licensed acupuncturist pursuant to this chapter.

27 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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- 1 This act would broaden the definition of a “qualified individual” in acupuncture and
- 2 Chinese medicine to include any person trained and certified in auricular acudetox.
- 3 This act would take effect upon passage.

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