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COMMITTEE REPORT

April 10, 2018

**H. 4590**

Introduced by Reps. Felder, King, B. Newton, Bryant, Pope, D.C. Moss and Simrill

S. Printed 4/10/18--H.

Read the first time January 10, 2018.

**THE COMMITTEE ON MEDICAL,**

**MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

To whom was referred a Bill (H. 4590) to amend Section 40‑47‑755, Code of Laws of South Carolina, 1976, relating to the provision of auricular detoxification therapy under the supervision of licensed acupuncturists, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by adding an appropriately‑numbered penultimate SECTION to read:

/SECTION \_\_. Section 40‑47‑705 of the 1976 Code is amended to read:

“Section 40‑47‑705. For purposes of this article:

(1) ‘ACAOM’ means Accreditation Commission for Acupuncture and Oriental Medicine.

(2) ‘Acupuncture’ means a form of health care developed from traditional and modern oriental concepts for health care that employs oriental medical techniques, treatment, and adjunctive therapies for the promotion, maintenance, and restoration of health and the prevention of disease. The practice of acupuncture does not include:

(a) ‘osteopathic medicine and osteopathic manipulative treatment;

(b) ‘chiropractic’ or ‘chiropractic practice’ as defined in Section 40‑9‑10; or

(c) ‘physical therapy’ as defined in Section 40‑45‑20 or therapies allowed as part of the practice of physical therapy.

(~~2~~3) ‘Auricular (ear) detoxification therapy’ means the insertion of disposable sterile acupuncture needles into the five auricular acupuncture points stipulated by the National Acupuncture Detoxification Association protocol for the sole purpose of treatment of chemical dependency, detoxification, and substance abuse.

(4) ‘Auricular therapy’ means the insertion of disposable needles into and limited only to the ear, to treat a limited number of conditions.

(~~3~~5) ‘Board’ means the State Board of Medical Examiners.

(~~4~~6) ‘Committee’ means the Acupuncture Advisory Committee as established by this article as an advisory committee responsible to the board.

(7) ‘General Supervision’ means that a doctor of medicine, a doctor of osteopathic medicine, or an acupuncturist licensed by the South Carolina Board of Medical Examiners has authorized the procedures to be performed but does not require that a doctor of medicine, a doctor of osteopathic medicine, or an acupuncturist be present when the procedures are performed.

(~~5~~8) ‘NADA’ means the National Acupuncture Detoxification Association.

(~~6~~9) ‘NCAAOM’ means the National Certification Commission for Acupuncture and Oriental Medicine.

~~(7)~~ ~~‘ACAOM’ means Accreditation Commission for Acupuncture and Oriental Medicine.~~

~~(8)~~ ~~‘Auricular therapy’ means the insertion of disposable needles into and limited only to the ear, to treat a limited number of conditions.~~”

Renumber sections to conform.

Amend title to conform.

LEON HOWARD for Committee.

**A** **BILL**

TO AMEND SECTION 40‑47‑755, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROVISION OF AURICULAR DETOXIFICATION THERAPY UNDER THE SUPERVISION OF LICENSED ACUPUNCTURISTS OR LICENSED PHYSICIANS, SO AS TO REDUCE THE REQUIRED DEGREE OF SUCH SUPERVISION FROM DIRECT SUPERVISION TO GENERAL SUPERVISION.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 40‑47‑755 of the 1976 Code is amended to read:

“Section 40‑47‑755. Auricular detoxification therapy may take place under the ~~direct~~ general supervision of a licensed acupuncturist or a person licensed to practice medicine under this chapter. A treatment by an auricular detoxification specialist is strictly limited to the five ear‑point treatment protocol for detoxification, substance abuse, or chemical dependency as stipulated by NADA.”

SECTION 2. This act takes effect upon approval by the Governor.

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