

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

House Bill 3032

BY DELEGATE SUMMERS

[Introduced March 14, 2017; referred to the committee
on Prevention and Treatment of Substance Abuse
then Health and Human Resources.]

1 A BILL to amend and reenact §30-36-2 of the Code of West Virginia, 1931, as amended; relating
2 to the practice of acupuncture.

Be it enacted by the Legislature of West Virginia:

1 That §30-36-2 of the Code of West Virginia, 1931, as amended, be amended and
2 reenacted to read as follows:

ARTICLE 36. ACUPUNCTURISTS.

§30-36-2. Definitions.

1 (a) Unless the context in which used clearly requires a different meaning, as used in this
2 article:

3 (1) "Acupuncture" means a form of health care, based on a theory of energetic physiology,
4 that describes the interrelationship of the body organs or functions with an associated point or
5 combination of points.

6 (2) "Board" means the West Virginia Acupuncture Board.

7 (3) "License" means a license issued by the board to practice acupuncture.

8 (4) "Moxibustion" means the burning of mugwort on or near the skin to stimulate the
9 acupuncture point.

10 (5) "Practice acupuncture" means the use of oriental medical therapies for the purpose of
11 normalizing energetic physiological functions including pain control, and for the promotion,
12 maintenance and restoration of health.

13 (b) (1) "Practice acupuncture" includes:

14 ~~(1)~~ (A) Stimulation of points of the body by the insertion of acupuncture needles;

15 ~~(2)~~ (B) The application of moxibustion; and

16 ~~(3)~~ (C) Manual, mechanical, thermal or electrical therapies only when performed in
17 accordance with the principles of oriental acupuncture medical theories.

18 (2) The practice of acupuncture does not include the procedure of auricular acupuncture
19 when used in the context of a chemical dependency treatment program when the person is trained

20 and approved by the National Acupuncture Detoxification Association or an equivalent certifying
21 body.

NOTE: The purpose of this bill is permit a person to perform auricular acupuncture when used in the context of a chemical dependency treatment program when the person is trained and approved by the National Acupuncture Detoxification Association.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.