

Sunset Modification/New Issue Proposal

Sunset Commission Member: Sen. Kirk Watson

Staff Contact: Ryan Alter

Name of Agency: Texas Medical Board

Indicate one of the following: New Issue

Title of modification or new issue: Limit the practice of acupuncture by chiropractors.

Describe how modification or new issue is supposed to work:

Prohibit a chiropractor from practicing acupuncture in Texas unless the chiropractor holds a license to practice acupuncture issued by the Texas State Board of Acupuncture Examiners.

Talking points for the modification or new issue you wish to provide:

- Public testimony and discussion at the Medical Board hearing revealed an issue with chiropractors practicing acupuncture.
 - One of the largest concerns was the level of training for chiropractors performing acupuncture and how this affects patient safety.
- The cause of this issue is an Attorney General opinion (DM-471), that permitted the Chiropractic Board to issue rules permitting its licensees to perform acupuncture.
 - These rules require the chiropractor to either complete:
 - At least 100 hours training in undergraduate or post-graduate classes in the use and administration of acupuncture;
 - The national standardized certification examination in acupuncture for chiropractors, or the examination offered by the National Certification Commission for Acupuncture and Oriental Medicine; or
 - At least 100 hours training in the use and administration of acupuncture in a course of study approved by the board.
- These requirements are significantly less than those for acupuncturists, whose licensure requirements include:
 - Completion of 1,800 hours of acupuncture training from an accredited acupuncture school;
 - Passage of the full NCCAOM examination; and
 - Taking and passage of the CCAOM Clean Needle Technique Course and Practical Examination.

- This disparity in training highlights why if a chiropractor wants to practice acupuncture, that individual should be licensed by the Acupuncture Board.
- In addition to the safety aspect of this issue, there has also been extensive litigation surrounding this issue. By making this change, the request by the court for the legislature to clarify this issue will be met.