

ASSEMBLY BILL NO. 302—ASSEMBLYWOMAN GIUNCHIGLIANI

MARCH 8, 2001

Referred to Committee on Commerce and Labor

SUMMARY—Makes various changes to licensure requirements for professionals in Oriental medicine. (BDR 54-1083)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to Oriental medicine; revising the requirements for licensure as a doctor of acupuncture or a doctor of Oriental medicine; revising the requirements for licensure as an assistant in acupuncture or an assistant in Oriental medicine; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 634A.020 is hereby amended to read as follows:
2 634A.020 As used in this chapter, unless the context otherwise
3 requires:
4 1. “Acupuncture” means the insertion of needles into the human body
5 by piercing the skin of the body to control and regulate the flow and
6 balance of energy in the body and to cure, relieve or palliate:
7 (a) Any ailment or disease of the mind or body; or
8 (b) Any wound, bodily injury or deformity.
9 2. *“Assistant in acupuncture” means a person who assists in the*
10 *practice of acupuncture under the direct supervision of a doctor of*
11 *acupuncture.*
12 3. *“Assistant in Oriental medicine” means a person who assists in*
13 *the practice of Oriental medicine under the direct supervision of a doctor*
14 *of Oriental medicine.*
15 4. “Board” means the state board of Oriental medicine.
16 ~~13-1~~ 5. “Doctor of acupuncture” means a person licensed under the
17 provisions of this chapter to practice *as a doctor of* acupuncture.
18 ~~14-1~~ 6. “Doctor of Oriental medicine” means a person who is licensed
19 under the provisions of this chapter to practice *as a doctor of* Oriental
20 medicine.
21 ~~15-1~~ 7. “Herbal medicine” and “practice of herbal medicine” mean
22 suggesting, recommending, prescribing or directing the use of herbs for the



1 cure, relief or palliation of any ailment or disease of the mind or body, or
2 for the cure or relief of any wound, bodily injury or deformity.

3 ~~16-1~~ 8. "Herbs" means plants or parts of plants valued for medicinal
4 qualities.

5 ~~17. "Licensed assistant in acupuncture" means a person who assists in~~
6 ~~the practice of acupuncture under the direct supervision of a person~~
7 ~~licensed under the provisions of this chapter to practice Oriental medicine~~
8 ~~or acupuncture.~~

9 ~~8-1~~ 9. "Oriental medicine" means that system of the healing art which
10 places the chief emphasis on the flow and balance of energy in the body
11 mechanism as being the most important single factor in maintaining the
12 well-being of the organism in health and disease. The term includes the
13 practice of acupuncture and herbal medicine and other services approved
14 by the board.

15 **Sec. 2.** NRS 634A.080 is hereby amended to read as follows:

16 634A.080 The board shall:

17 1. Hold meetings at least once a year and at any other time at the
18 request of the president or the majority of the members;

19 2. Have and use a common seal;

20 3. Deposit in interest-bearing accounts in the State of Nevada all
21 ~~{moneys}~~ money received under the provisions of this chapter, which
22 ~~{shall}~~ must be used to defray the expenses of the board;

23 4. *Investigate the background of each applicant for a license*
24 *pursuant to this chapter;*

25 5. Operate on the basis of the fiscal year beginning July 1, and ending
26 June 30; and

27 ~~15-1~~ 6. Keep a record of its proceedings which ~~{shall}~~ must be open to
28 the public at all times and which ~~{shall also}~~ must contain the name and
29 business address of every registered licensee in this state.

30 **Sec. 3.** NRS 634A.120 is hereby amended to read as follows:

31 634A.120 1. Examinations must be given at least once a year at a
32 time and place fixed by the board.

33 2. Applicants for licenses to practice *as a doctor of* acupuncture or
34 Oriental medicine or to practice as an assistant in acupuncture *or Oriental*
35 *medicine* must be examined in the appropriate subjects as determined by
36 the board.

37 **Sec. 4.** NRS 634A.140 is hereby amended to read as follows:

38 634A.140 1. The board shall issue ~~{separate licenses}~~ *a license* to
39 practice ~~{respectively}~~ *as a doctor of* Oriental medicine ~~{or acupuncture, as~~
40 ~~appropriate, where the applicant:~~

41 ~~— 1. Has successfully completed a course of study of:~~

42 ~~— (a) Four years in Oriental medicine; or~~

43 ~~— (b) Three years in acupuncture;~~

44 ~~at any college or school approved by the board which is located in any~~
45 ~~country, territory, province or state or has qualifications considered~~
46 ~~equivalent by the board;~~

47 ~~— 2. Has practiced Oriental medicine, including acupuncture and herbal~~
48 ~~medicine for 6 years; and~~



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1 ~~3. Passes~~ to an applicant who passes a background investigation
2 conducted by the board and who, except as otherwise provided in
3 subsection 3, proves to the satisfaction of the board that the applicant
4 has:
5 (a) Earned an undergraduate degree from an accredited college or
6 university in the United States;
7 (b) After earning an undergraduate degree, successfully completed 4
8 years of study in Oriental medicine at a school or college of Oriental
9 medicine that is approved by the board;
10 (c) Passed the examination of the board ~~H~~; and
11 (d) Practiced Oriental medicine for at least 4 years.
12 2. The board shall issue a license to practice as a doctor of
13 acupuncture to an applicant who passes a background investigation
14 conducted by the board and who proves to the satisfaction of the board
15 that the applicant has:
16 (a) Earned an undergraduate degree from an accredited college or
17 university in the United States;
18 (b) After earning an undergraduate degree, successfully completed 3
19 years of study in acupuncture at a school or college of Oriental medicine
20 that is approved by the board;
21 (c) Passed the examination of the board; and
22 (d) Practiced acupuncture for at least 4 years.
23 3. In lieu of completing the requirements of paragraphs (a) and (b)
24 of subsection 1, to qualify for a license to practice as a doctor of Oriental
25 medicine, an applicant may prove to the satisfaction of the board that he
26 has earned a doctorate degree in Oriental medicine from an accredited
27 college or university of Oriental medicine in a country other than the
28 United States.
29 **Sec. 5.** NRS 634A.150 is hereby amended to read as follows:
30 634A.150 1. The board shall issue a license to practice as an
31 assistant in Oriental medicine to an applicant who:
32 (a) Passes a background investigation conducted by the board; and
33 (b) Satisfies the requirements of paragraphs (a) to (c), inclusive, of
34 subsection 1 of NRS 634A.140 or satisfies the requirements of paragraph
35 (c) of subsection 1 of NRS 634A.140 and subsection 3 of that section.
36 2. The board shall issue a license ~~for~~ to practice as an assistant in
37 acupuncture ~~where the applicant:~~
38 ~~1. Has successfully completed a course of study in acupuncture in any~~
39 ~~college or school approved by the board which is located in any country,~~
40 ~~territory, province or state requiring an attendance of 3 years or other~~
41 ~~qualifications deemed by the board to be equivalent to the course of study;~~
42 ~~and~~
43 ~~2. Passes the examination of the board for assistant in acupuncture or~~
44 ~~has other qualifications deemed by the board to be the equivalent.] to an~~
45 ~~applicant who:~~
46 (a) Passes a background investigation conducted by the board; and
47 (b) Satisfies the requirements of paragraphs (a) to (c), inclusive, of
48 subsection 2 of NRS 634A.140.



1 **Sec. 6.** NRS 634A.190 is hereby amended to read as follows:
2 634A.190 1. Persons licensed pursuant to this chapter are not subject
3 to the provisions of chapter 630 of NRS.
4 2. A person who is licensed pursuant to this chapter to practice *as a*
5 *doctor of* Oriental medicine may refer to himself as a physician of Oriental
6 medicine.
7 **Sec. 7.** The amendatory provisions of this act apply only to licenses
8 issued by the state board of Oriental medicine on or after October 1, 2001.

