

No. 2006-186

AN ACT

SB 1235

Amending the act of February 14, 1986 (P.L.2, No.2), entitled "An act regulating the right to practice acupuncture; requiring the registration of acupuncture; and providing a penalty," further providing for regulation of the practice of acupuncture; and providing for medical diagnosis.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 3(c) of the act of February 14, 1986 (P.L.2, No.2), known as the Acupuncture Registration Act, amended May 16, 2002 (P.L.326, No.49), is amended to read:

Section 3. Regulation of the practice of acupuncture.

* * *

[(c) Practice of certain acupuncturists.—An acupuncturist, other than a licensed physician or a person exempted as provided for in subsection (h), shall, prior to administering the first treatment, do all of the following:

(1) Ensure that the patient has secured a written referral for treatment by acupuncture from a licensed physician. A referral under this paragraph shall place conditions and restrictions on the course of treatment if required as a matter of sound medical practice.

(2) Ensure that the patient has undergone a medical diagnostic examination or has had the results of a recently performed medical diagnostic examination reviewed by a licensed physician.

(3) Keep a copy of the referral and the results of the medical diagnostic examination in the patient's file.]

* * *

Section 2. The act is amended by adding a section to read:

Section 3.1. Medical diagnosis.

(a) Treatment without diagnosis.—Except as provided in subsection (b), an acupuncturist may treat a person's condition without the condition being diagnosed by a licensed physician, dentist or podiatrist for 60 calendar days from the date of the first treatment.

(b) Treatment with diagnosis.—An acupuncturist may treat a person's condition beyond 60 calendar days from the date of the first treatment if the person obtained a diagnosis of the treated condition from a licensed physician, dentist or podiatrist.

Section 3. This act shall take effect in 60 days.

APPROVED—The 29th day of November, A.D. 2006.

EDWARD G. RENDELL