

By: Wu

H.B. No. 3194

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of the practice of acupuncture.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 205.001, Occupations Code, is amended by amending Subdivisions (2) and (4) and adding Subdivision (2-a) to read as follows:

(2) "Acupuncture" means:

(A) the nonsurgical, incisive [~~nonincisive~~] insertion of an acupuncture needle and the application of moxibustion to specific areas of the human body as a primary mode of therapy to treat and mitigate a human condition, including evaluation and assessment of the condition; and

(B) in conjunction with the treatment described by Paragraph (A):

(i) the administration of thermal or electrical treatments [~~or the recommendation of dietary guidelines~~], energy flow exercise, or dietary or herbal supplements; or

(ii) the recommendation of dietary guidelines [~~in conjunction with the treatment described by Paragraph (A)~~].

(2-a) "Acupuncture needle" means a device described by 21 C.F.R. Section 880.5580, as that section existed on January 1, 2019.

1 (4) "Acupuncturist" means a person who:

2 (A) holds a license to practice [~~practices~~]
3 acupuncture issued under this chapter; and

4 (B) directly or indirectly charges a fee for the
5 performance of acupuncture services.

6 SECTION 2. This Act takes effect September 1, 2019.