

BILL ANALYSIS

Senate Research Center
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H.B. 1106
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Health & Human Services
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Acudetox is an acupuncture procedure focusing on five distinct points in the ear. Research has shown that this treatment protocol is a beneficial treatment for post-traumatic stress disorder and attention-deficit/hyperactivity disorder symptoms and helps reduce cravings, irritability, and withdrawal symptoms that often accompany addiction treatments. In addition, acudetox may also provide relief for hyperactivity, insomnia, panic attacks, mood swings, and attention deficit disorder.

Current law allows the Texas Medical Board to certify a variety of licensed professionals to provide acudetox treatment to persons with a diagnosed addiction. However, because of the potential to treat a wider range of issues, there is a desire to expand the scope of issues that may be treated beyond diagnosed addiction.

As more people suffer with mental health issues, providing access to low-risk treatment options is a way to expand access to healthcare services.

H.B. 1106:

- Expands the licensed professionals who can be certified to provide acudetox services by adding licensed marriage and family therapists, licensed marriage and family therapist associates, licensed physician assistants, and includes these healthcare professionals that hold temporary licenses.
- Expands the uses for acudetox to include addiction, trauma, and physical, emotional, or psychological stress, and requires provider to obtain informed consent from each client.
- Extends the certification period to three years and modifies the continuing education requirements to three hours every period.

H.B. 1106 amends current law relating to the training of and the provision of acupuncture services by an acudetox specialist.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Medical Board in SECTION 1 (Section 205.303, Occupations Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 205.303, Occupations Code, as follows:

Sec. 205.303. ACUDETTOX SPECIALIST. (a) Authorizes the Texas Medical Board (TMB) to certify a person as an acudetox specialist under this section if the person:

(1) provides to TMB documentation that the person:

(A) is a licensed social worker, licensed professional counselor, including a person licensed under Section 503.308 (Temporary License), licensed psychologist, licensed chemical dependency counselor, licensed marriage and family therapist, licensed marriage and family therapist associate, licensed vocational nurse,

licensed registered nurse, licensed physician assistant, or other licensed or certified professional approved by TMB; and

(B) has successfully completed a training program in auricular acudetox that meets or exceeds the training, rather than in acupuncture detoxification that meets guidelines, approved by TMB; and

(2) makes no changes to this subdivision.

Makes nonsubstantive changes.

(b) Authorizes an acudetox specialist to practice five-point auricular acupuncture only to the extent allowed by rules adopted by TMB for the treatment of addiction, trauma, or physical, emotional, or psychological stress. Deletes existing text authorizing an acudetox specialist to practice acupuncture only to the extent allowed by rules adopted by TMB for the treatment of alcoholism, substance abuse, or chemical dependency, and under the supervision of a licensed acupuncturist or physician. Makes nonsubstantive changes.

(c) Requires an acudetox specialist, rather than a program that include the services of an acudetox specialist, to:

(1) obtain informed consent from each client and notify each client, rather than notify each participant in the program, of the qualifications of the acudetox specialist and of the procedure for registering a complaint regarding the acudetox specialist with TMB; and

(2) keep a record of each client's name and the date the client received the acudetox specialist's services, accompanied by the signature and printed name of the acudetox specialist, rather than each client's name, the date the client received the acudetox specialist's services, and the name, signature, and certification number of the acudetox specialist.

(d) Provides that the certification of an acudetox specialist expires on the third anniversary of the date of issuance and is authorized to be renewed before the expiration of the certification if the person meets certain requirements. Deletes existing text authorizing TMB to annually renew the certification of an acudetox specialist under this section if the person meets certain requirements.

(e) Requires TMB by rule to establish continuing education requirements for an acudetox specialist. Requires TMB to require in rules adopted under this subsection that the certification of an acudetox specialist is prohibited from being renewed unless the person completes at least three hours of continuing education in the licensing period before applying for the renewal. Deletes existing text requiring TMB to establish continuing education requirements for an acudetox specialist that, at a minimum, include six hours of education in the practice of acupuncture and a course in either clean needle technique or universal infection control precaution procedures.

SECTION 2. Makes application of Section 205.303(a), Occupations Code, as amended by this Act, prospective.

SECTION 3. Effective date: September 1, 2023.