

BILL ANALYSIS

C.S.H.B. 1106
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Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Acudetox has proven to be a safe, effective, inexpensive, drug-free option to treat not only substance abuse and addiction, but also trauma, depression, anxiety, and physical, emotional, and psychological stress. Research shows that acudetox can reduce stress in the autonomic nervous system, and it has been used to treat trauma in survivors of certain catastrophic events. Furthermore, acudetox is easily administered in a group setting and could reduce the economic burden of unmet behavioral health care needs for those with limited access to conventional mental health resources.

Current state law limits who may provide acudetox services to certain behavioral health professionals and limits the purposes for which such services may be provided to the treatment of alcoholism, substance abuse, and chemical dependency. C.S.H.B. 1106 seeks to reduce barriers to practice and access by expanding the conditions eligible for treatment with acudetox services and expanding certification eligibility to certain other professionals as approved by the Texas Medical Board.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Medical Board in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 1106 amends the Occupations Code to include the following among the professionals the Texas Medical Board (TMB) may certify as an acudetox specialist:

- a professional counselor holding a temporary license;
- a licensed marriage and family therapist;
- a licensed marriage and family therapist associate;
- a licensed physician assistant; and
- other licensed or certified professionals approved by the TMB.

The bill replaces the eligibility requirement for certification as an acudetox specialist that the professional successfully complete a training program in acupuncture detoxification that meets the TMB-approved guidelines with a requirement that the professional successfully complete a training program in auricular acudetox that meets or exceeds the TMB-approved training. The bill also replaces the requirement that the continuing education requirements for an acudetox specialist the TMB must establish include, at a minimum, six hours of education in the practice of acupuncture and a course in either clean needle technique or universal infection control

precaution procedures with a specification that the continuing education requirements be established by rule.

C.S.H.B. 1106 revises provisions relating to the expiration and renewal of an acudetox certification as follows:

- extends the expiration from one year to three years from the date of issuance; and
- requires the TMB, in its continuing education rules, to prohibit a certification from being renewed unless the person completes at least three hours of continuing education in the licensing period before applying for the renewal.

C.S.H.B. 1106, with regard to an acudetox specialist's practice of acupuncture:

- specifies that the type of acupuncture the specialist may practice is five-point auricular acupuncture;
- removes the condition that the specialist practice under the supervision of a licensed acupuncturist or physician; and
- changes the conditions the specialist may treat to the extent allowed by the TMB rules from alcoholism, substance abuse, or chemical dependency to addiction, trauma, or physical, emotional, or psychological stress.

C.S.H.B. 1106 replaces requirements for a program including the services of an acudetox specialist to notify each program participant of certain qualification and complaint procedure information and to retain certain records with requirements for the specialist to obtain informed consent from each client, notify each client of that information, and retain certain records.

C.S.H.B. 1106 applies only to an application for certification or renewal of certification as an acudetox specialist submitted on or after the bill's effective date.

EFFECTIVE DATE

September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 1106 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

While both the introduced and the substitute require an individual seeking to renew an acudetox specialist certification to complete at least three hours of continuing education in the licensing period before applying for the renewal, the substitute removes the specification that such continuing education is developed by the TMB.