

26 | primary health care, based on traditional Chinese medicine,
 27 | contemporary Eastern medicine, and biological sciences ~~medical~~
 28 | ~~concepts and modern oriental medical techniques,~~ that employs
 29 | acupuncture diagnosis and treatment, as well as adjunctive
 30 | therapies and diagnostic techniques, for the promotion,
 31 | maintenance, and restoration of health and the prevention of
 32 | disease. Acupuncture shall include, but not be limited to, the
 33 | insertion of acupuncture needles and the application of
 34 | moxibustion to specific areas of the human body and the use of
 35 | electroacupuncture, Qi Gong, Eastern ~~oriental~~ massage and
 36 | bodywork, herbal therapy, dietary guidelines, and other
 37 | adjunctive therapies, as defined by board rule.

38 | (2) "Acupuncturist" means a practitioner of Eastern
 39 | medicine who is ~~any person~~ licensed under ~~as provided in~~ this
 40 | chapter to practice acupuncture as a primary health care
 41 | provider.

42 | (3) "Board" means the Board of Acupuncture.

43 | ~~(4)-(5)~~ "Department" means the Department of Health.

44 | (5) "Direct supervision" means the immediate supervision
 45 | by a licensed acupuncturist, with the licensee assuming legal
 46 | liability for the supervised actions. The board shall establish
 47 | by rule what constitutes direct supervision under this chapter.

48 | (6) "Doctor of Acupuncture and Chinese Herbal Medicine"
 49 | means an acupuncturist licensed under this chapter who has
 50 | completed a doctoral degree in Acupuncture and Chinese Medicine.

51 (7) "Doctor of Acupuncture and Oriental Medicine" means an
52 acupuncturist licensed under this chapter who has completed a
53 doctoral degree in Acupuncture and Oriental Medicine.

54 (8)-(6) "Eastern Oriental medicine" means the use of a
55 primary health care system of medicine that includes
56 differential diagnoses and treatment principles, modalities,
57 procedures, and techniques employing acupuncture; traditional
58 Chinese medicine; contemporary Eastern medicine; herbal
59 medicine; adjunctive therapies; biological sciences; and medical
60 assessments, examinations, and evaluations for the promotion,
61 maintenance, and restoration of health and the prevention of
62 human disease acupuncture, electroacupuncture, Qi Gong, oriental
63 massage, herbal therapy, dietary guidelines, and other
64 adjunctive therapies.

65 (9)-(4) "License" means the document of authorization
66 issued by the department for a person to engage in the practice
67 of acupuncture.

68 (10)-(7) "Prescriptive rights" means the prescription,
69 administration, and use of needles, medical and devices,
70 restricted devices, and prescription devices; diagnostic
71 laboratory tests and imaging procedures; botanical and herbal
72 medicines; nutritional substances; and acupuncture point
73 injection therapies which include the injection of sterile
74 solutions that are used in the practice of acupuncture and
75 Eastern oriental medicine.

76 Section 2. Subsection (2) of section 457.105, Florida
 77 Statutes, is amended to read:

78 457.105 Licensure qualifications and fees.—

79 (2) A person may become licensed to practice acupuncture
 80 if the person applies to the department and meets all of the
 81 following criteria:

82 (a) Is 21 years of age or older, has good moral character,
 83 and has the ability to communicate in English, which is
 84 demonstrated by having passed the national written examination
 85 in English or, if such examination was passed in a foreign
 86 language, by also having passed a nationally recognized English
 87 proficiency examination.†

88 (b) Has completed 60 college credits from an accredited
 89 postsecondary institution and, effective July 1, 2032, has
 90 completed a minimum of 90 semester credits leading to a
 91 bachelor's degree from a liberal arts college or a university
 92 accredited by an accrediting agency recognized and approved by
 93 the United States Department of Education, or a foreign college,
 94 university, or institution program, as a prerequisite to
 95 enrollment in an authorized, accredited ~~3-year course of study~~
 96 ~~in acupuncture and oriental medicine,~~ and has completed a ~~3-year~~
 97 ~~course of study in acupuncture and oriental medicine,~~ and
 98 ~~effective July 31, 2001,~~ a 4-year course of study in acupuncture
 99 and Eastern ~~oriental~~ medicine, which, effective July 30, 2036,
 100 terminates with the completion of a doctoral degree in

101 acupuncture that is recognized and approved by the United States
 102 Department of Education and which meets standards established by
 103 the board by rule, including ~~which standards include~~, but are
 104 not limited to, successful completion of academic courses in
 105 western anatomy, western physiology, western pathology, western
 106 biomedical terminology, first aid, and cardiopulmonary
 107 resuscitation (CPR). However, any person who enrolled in an
 108 authorized course of study in acupuncture before August 1, 1997,
 109 must have completed only a 2-year course of study which meets
 110 standards established by the board by rule, which standards must
 111 include, but are not limited to, successful completion of
 112 academic courses in western anatomy, western physiology, and
 113 western pathology.†

114 (c) Has successfully completed a board-approved national
 115 examination and certification process, is actively licensed in a
 116 state that has examination and licensing qualification
 117 requirements that are substantially equivalent to or more
 118 stringent than those required by ~~of~~ this state, or passes an
 119 examination administered by the department, which examination
 120 tests the applicant's competency and knowledge of the practice
 121 of acupuncture and Eastern ~~oriental~~ medicine. At the request of
 122 any applicant, traditional ~~oriental~~ nomenclature for the points
 123 shall be used in the examination. The examination shall include
 124 a practical examination of the knowledge and skills required to
 125 practice modern and traditional acupuncture and oriental

126 | medicine, covering diagnostic and treatment techniques and
 127 | procedures.~~;~~ and

128 | (d) Pays the required fees set by the board by rule not to
 129 | exceed the following amounts:

130 | 1. Examination fee: \$500 plus the actual per applicant
 131 | cost to the department for purchase of the written and practical
 132 | portions of the examination from a national organization
 133 | approved by the board.

134 | 2. Application fee: \$300.

135 | 3. Reexamination fee: \$500 plus the actual per applicant
 136 | cost to the department for purchase of the written and practical
 137 | portions of the examination from a national organization
 138 | approved by the board.

139 | 4. Initial biennial licensure fee: \$400, if licensed in
 140 | the first half of the biennium, and \$200, if licensed in the
 141 | second half of the biennium.

142 | Section 3. Section 457.106, Florida Statutes, is created
 143 | to read:

144 | 457.106 Scope of practice for acupuncturists.—

145 | (1) The scope of practice for an acupuncturist includes
 146 | those acts, modalities, procedures, techniques, and
 147 | interventions a licensee is authorized to provide under this
 148 | chapter, including, but not limited to:

149 | (a) Examination, evaluation and management, analysis,
 150 | diagnosis, and treatment services.

151 (b) The use and ordering of testing procedures, diagnostic
 152 imaging, and laboratory tests.

153 (c) The stimulation of points, areas of the body, and
 154 tissues or substances within the body using acupuncture and
 155 Eastern medicine, herbal medicine therapies, nutritional
 156 substances, point injection, sterile solutions, qi, medical
 157 instruments, and other devices or means, as defined by board
 158 rule.

159 (2) The board shall periodically revise the use of
 160 acupuncture point injection therapies based on national
 161 standards of practice.

162 Section 4. Subsection (3) of section 457.107, Florida
 163 Statutes, is amended to read:

164 457.107 Renewal of licenses; continuing education.—

165 (3) The board shall prescribe by rule continuing education
 166 requirements of up to 30 hours biennially as a condition for
 167 renewal of a license. All education programs must be approved by
 168 the board and ~~that~~ contribute to the advancement, extension, or
 169 enhancement of professional skills and knowledge related to the
 170 practice of acupuncture, whether conducted by a nonprofit or
 171 profitmaking entity, ~~are eligible for approval.~~ The continuing
 172 professional education requirements must be in acupuncture or
 173 Eastern ~~oriental~~ medicine subjects, including, but not limited
 174 to, anatomy, biological sciences, adjunctive therapies,
 175 sanitation and sterilization, emergency protocols, ~~and~~ diseases,

176 and practice management. As used in this subsection, the term
 177 "practice management" means the development or mechanics of
 178 establishing and managing an office, including enhancement of
 179 patient care, risk management, cybersecurity, cost containment,
 180 health care documentation, and insurance coding, billing, and
 181 claims processing. Up to 6 hours of practice management
 182 continuing education may be applied to satisfy the requirements
 183 for license renewal per biennium licensing period. The board may
 184 set a fee of up to \$100 for each continuing education provider.
 185 The licensee shall retain in his or her records the certificates
 186 of completion of continuing professional education requirements.
 187 All national and state acupuncture and Eastern ~~oriental~~ medicine
 188 organizations and acupuncture and Eastern ~~oriental~~ medicine
 189 schools are approved to provide continuing professional
 190 education in accordance with this subsection.

191 Section 5. Paragraph (a) of subsection (1) of section
 192 457.116, Florida Statutes, is amended to read:

193 457.116 Prohibited acts; penalty.—

194 (1) A person may not:

195 (a) Practice acupuncture unless the person is licensed
 196 under ss. 457.101-457.118, unless the person is practicing in
 197 the capacity of a guest instructor or in response to a declared
 198 disaster or emergency, if the person holds an active license to
 199 practice acupuncture in another state, the District of Columbia,
 200 or a possession or territory of the United States and maintains

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201 medical malpractice insurance or proof of financial
202 responsibility that meets the minimum requirements for licensure
203 as set by the board. The board shall establish by rule a
204 definition, scope of practice, and other conditions necessary to
205 implement a guest instructor and a guest practitioner exemption
206 for teaching approved courses and practicing acupuncture in
207 response to a declared disaster or emergency;

208 Section 6. This act shall take effect July 1, 2024.