

Representative Suzanne Harrison proposes the following substitute bill:

AURICULAR DETOXIFICATION AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Suzanne Harrison

Senate Sponsor: Michael K. McKell

LONG TITLE

General Description:

This bill allows certain health care providers to perform auricular detoxification.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ provides the circumstances for when a health care provider may perform auricular detoxification; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

58-72-304, as last amended by Laws of Utah 2004, Chapter 309

ENACTS:

58-1-602, Utah Code Annotated 1953



26 *Be it enacted by the Legislature of the state of Utah:*

27 Section 1. Section **58-1-602** is enacted to read:

28 **Part 6. Unique Training and Certification for Health Care Providers**

29 **58-1-602. Auricular detoxification certification.**

30 (1) As used in this section:

31 (a) "Health care provider" means an individual who is licensed under:

32 (i) Subsection [58-31b-301\(2\)\(a\), \(b\), \(d\), or \(e\)](#);

33 (ii) Chapter 60, Mental Health Professional Practice Act;

34 (iii) Chapter 61, Part 3, Licensing; or

35 (iv) Chapter 70a, Utah Physician Assistant Act.

36 (b) (i) "NADA protocol" means:

37 (A) a protocol developed by the National Acupuncture Detoxification Association; and

38 (B) an adjunctive therapy using one to five invariant ear acupuncture or acupressure

39 points for the adjunctive treatment and prevention of substance use disorders or to provide

40 support for individuals who have experienced physical or emotional trauma.

41 (ii) "NADA protocol" does not include the stimulation of other auricular or distal

42 acupuncture points.

43 (2) A health care provider may perform the NADA protocol if the health care provider:

44 (a) obtains a certification from the National Acupuncture Detoxification Association to
45 perform the NADA protocol; and

46 (b) provides the division proof of obtaining the certification.

47 (3) A health care provider may perform a protocol substantially similar to the NADA
48 protocol if:

49 (a) the division has determined the protocol is substantially similar to the NADA
50 protocol; and

51 (b) the individual has met each requirement the division has created to perform the
52 protocol.

53 (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
54 division may make rules for implementing Subsection (3).

55 Section 2. Section **58-72-304** is amended to read:

56 **58-72-304. Exceptions from licensure.**

57 In addition to the exemptions from licensure set forth in Section 58-1-307, the
58 following [~~persons~~] individuals may engage in the practice of acupuncture subject to the stated
59 circumstances and limitations without being licensed under this chapter:

60 (1) an individual described in Section 58-1-602 who is performing a procedure
61 described in Section 58-1-602;

62 [~~(1)~~] (2) an individual licensed as a physician and surgeon or osteopathic physician and
63 surgeon under Chapter 67, Utah Medical Practice Act, and Chapter 68, Utah Osteopathic
64 Medical Practice Act;

65 [~~(2)~~] (3) a commissioned physician or surgeon serving in the armed forces of the
66 United States or other federal agency; and

67 [~~(3)~~] (4) a chiropractic physician licensed under Chapter 73, Chiropractic Physician
68 Practice Act~~[-A]~~, except that a chiropractic physician may not claim to be a licensed
69 acupuncturist without acupuncturist licensure.