

HB0195S01 compared with HB0195

~~text~~ shows text that was in HB0195 but was deleted in HB0195S01.

text shows text that was not in HB0195 but was inserted into HB0195S01.

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Representative Suzanne Harrison proposes the following substitute bill:

AURICULAR DETOXIFICATION AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Suzanne Harrison

Senate Sponsor: _____

LONG TITLE

General Description:

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

Highlighted Provisions:

This bill:

- ▶ defines terms;~~and~~
- ▶ 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

HB0195S01 compared with HB0195

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

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

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

Part 6. Unique Training and Certification for Health Care Providers

58-1-602. Auricular detoxification certification.

(1) As used in this section:

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

(i) Subsection 58-31b-301(2)(a), (b), (d), or (e);

(ii) {Title 58, }Chapter 60, Mental Health Professional Practice Act;

(iii) {Title 58, }Chapter 61, Part 3, Licensing; **or**

(iv) {Title 58, Chapter 67, Utah Medical Practice Act;

~~(v) Title 58, Chapter 68, Utah Osteopathic Medical Practice Act; or~~

~~(vi) Title 58, } Chapter 70a, Utah Physician Assistant Act.~~

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

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

(B) an adjunctive therapy using one to five invariant ear acupuncture or acupressure points for the adjunctive treatment and prevention of substance use disorders or to provide support for individuals who have experienced physical or emotional trauma.

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

(2) A health care provider may {independently }perform the NADA protocol if the health care provider:

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

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

(3) A health care provider may {independently }perform a protocol substantially

HB0195S01 compared with HB0195

similar to the NADA protocol if:

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

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

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

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

58-72-304. Exceptions from licensure.

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

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

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

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

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