1	SENATE BILL NO. 307
2	INTRODUCED BY Hardengy Smoth your
3	Leenan Lamer Jahren HARP January
4	A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE DEFINITION OF ACUPUNCTURE; PROHIBITING
5	UNLICENSED PERSONS FROM PURPORTING TO PRACTICE ACUPUNCTURE; AND AMENDING SECTIONS
6	37-13-103, 37-13-104, AND 37-13-301, MCA."
7	
8	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
9	
10	Section 1. Section 37-13-103, MCA, is amended to read:
11	"37-13-103. Definitions. As used in this chapter, the following definitions apply:
12	(1) "Acupuncture" means the <u>diagnosis,</u> treatment <u>, or correction</u> of the human body <u>human</u>
13	conditions, ailments, diseases, injuries, or infirmities by means of mechanical, thermal, or electrical
14	stimulation effected by the insertion of solid needles. The term includes the use of acupressure and the use
15	of oriental food therapies and herbs.
16	(2) "Acupuncturist" means a natural person licensed by the board of medical examiners to practice
17	acupuncture.
18	(3) "Board" means the Montana state board of medical examiners.
19	(4) "School of acupuncture" means a school where in which acupuncture is taught that has been
20	recognized and designated by the board of medical examiners."
21	
22	Section 2. Section 37-13-104, MCA, is amended to read:
23	"37-13-104. Partial exemptions. (1) (a) Nothing in this This chapter shall may not be construed to
24	require doctors of medicine, osteopathy, chiropractic, dentistry, and podiatry who are licensed in Montana
25	to take further examinations in anatomy, physiology, chemistry, dermatology, diagnosis, bacteriology,
26	materia medica, or other subjects which that are or may be required for licensure in their respective
27	professions ; but no
28	(b) A doctor of medicine, osteopathy, chiropractic, dentistry, or podiatry shall may not practice
29	acupuncture in this state unless and until he that doctor has completed a course and passed an examination



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in acupuncture as required by this chapter.

54th Legislature LC0881.01

1	(2) Except as provided in 37-13-301 and with particular regard to the insertion of solid needles, this
2	chapter is not intended to limit, interfere with, or prevent a licensed health professional from practicing
3	within the scope of the health professional's license."
4	
5	Section 3. Section 37-13-301, MCA, is amended to read:
6	"37-13-301. License required for practice. (1) No \underline{A} person may not engage in the practice of
7	acupuncture in this state unless he the person is licensed under the provisions of this chapter.
8	(2) A person may not purport to practice acupuncture or use the title "acupuncturist" or any similar
9	title unless the person is licensed under the provisions of this chapter."
10	-END-

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54th Legislature

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10	title unless the person is licensed under the provisions of this chapter."
11	-END-



HOUSE STANDING COMMITTEE REPORT

March 16, 1995

Page 1 of 1

Mr. Speaker: We, the committee on Business and Labor report that Senate Bill 307 (third reading copy -- blue) be concurred in as amended.

Signed:

 ${\cal B}$ ruce Simon, Chair

Carried by: Rep. Keenan

And, that such amendments read:

1. Page 1, line 15. Strike: "therapies" Insert: "remedies" Strike: "THERAPIES" Insert: "remedies" Strike: "REMAINS" Insert: "is"

2. Page 2, line 5.

Insert: "(3) This chapter does not affect the practice of an
 occupation by an individual who does not represent to the
 public that the individual is licensed under this chapter."

-END-

SB SOT HOUSE 611111SC.Hbk

Committee Vote: Yes /8, No /0.



HOUSE COMMITTEE OF THE WHOLE AMENDMENT

Senate Bill 307 Representative Simon

> March 20, 1995 2:51 pm Page 1 of 1

Mr. Chairman: I move to amend Senate Bill 307 (third reading copy -- blue).

Representative Simon

And, that such amendments to Senate Bill 307 read as follows:

1. Page 1, lines 15 and 16. Strike: "THE" on line 15 through "BOARD." on line 16

-END-

(ADOPT) 93-0

SB 307

HOUSE

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3	USED TO PERFORM ACUPUNCTURE, this chapter is not intended to limit, interfere with, or prevent a
4	licensed health professional from practicing within the scope of the health professional's license.
5	(3) THIS CHAPTER DOES NOT AFFECT THE PRACTICE OF AN OCCUPATION BY AN INDIVIDUAL
6	WHO DOES NOT REPRESENT TO THE PUBLIC THAT THE INDIVIDUAL IS LICENSED UNDER THIS
7	CHAPTER."
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