

Senate Bill 156

By: Senators James of the 35th and Ragan of the 11th

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Article 3 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated,
2 relating to acupuncture, so as to authorize certain chiropractors to use acupuncture in the
3 treatment of patients; to provide for requirements; to provide for related matters; to repeal
4 conflicting laws; and for other purposes.

5 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

6 **SECTION 1.**

7 Article 3 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to
8 acupuncture, is amended by striking Code Section 43-34-71, relating to prohibited activities
9 relating to the practice of acupuncture, and inserting in lieu thereof the following:

10 "43-34-71.
11 (a) Unless licensed under this article or exempted under subsection (b) of this Code
12 section, no person shall:
13 (1) Practice acupuncture or auricular (ear) detoxification therapy; or
14 (2) Represent himself or herself to be an acupuncturist or auricular (ear) detoxification
15 specialist who is licensed under this article.
16 (b) The prohibition in subsection (a) of this Code section does not apply to:
17 (1) Any person licensed to practice medicine under Article 2 of this chapter;
18 (2) The practice of acupuncture which is an integral part of the program of study by
19 students enrolled in an acupuncture education program under the direct clinical
20 supervision of a licensed acupuncturist with at least five years of clinical experience; or
21 (3) The practice of acupuncture by any person licensed or certified to perform
22 acupuncture in any other jurisdiction where such person is doing so in the course of
23 regular instruction in an approved educational program of acupuncture or in an
24 educational seminar of an approved professional organization of acupuncture, provided
25 that in the latter case the practice is supervised directly by a person licensed to practice

acupuncture pursuant to this article or an acupuncturist who is licensed to practice medicine under Article 2 of this chapter; or

(4) Any chiropractor who meets the requirements of Code Section 43-34-73, relating to the practice of acupuncture.

5 (c) Any person violating subsection (a) of this Code section or Code Section 43-34-73
6 43-34-72 shall, upon conviction thereof, be guilty of a misdemeanor."

SECTION 2.

8 Said article is further amended by inserting at the end thereof a new Code Section 43-34-73
9 to read as follows:

10 "43-34-73.

11 Any chiropractor who has successfully completed a course of study consisting of not less
12 than 300 hours of study and approved by the board and who has been certified to use
13 acupuncture by the board may use acupuncture in the treatment of patients. The use of
14 acupuncture by any other chiropractor shall be unlawful. The use of acupuncture by a
15 chiropractor certified by the board to use acupuncture shall be lawful, shall be within the
16 scope of practice of such chiropractor, and shall not constitute the practice of medicine."

SECTION 3.

18 All laws and parts of laws in conflict with this Act are repealed.