

ASSEMBLY BILL

No. 918

Introduced by Assembly Member Quirk-Silva

February 17, 2021

An act to amend Section 4938 of the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

AB 918, as introduced, Quirk-Silva. Acupuncture: licensure: examination.

The Acupuncture Licensure Act provides for the licensure and regulation of the practice of acupuncture by the Acupuncture Board. Existing law requires an applicant for a license to pass a written examination that tests the applicant's ability, competence, and knowledge in the practice of acupuncture. Existing law requires the examination to be administered by the board and developed by the Office of Professional Examination Services of the Department of Consumer Affairs.

This bill would instead require applicants to obtain a passing score on one or more examinations administered by the National Certification Commission for Acupuncture and Oriental Medicine, as determined by the board based on the skills, standards, and knowledge required for licensure pursuant to the act.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 4938 of the Business and Professions
2 Code is amended to read:

3 4938. (a) The board shall issue a license to practice
4 acupuncture to any person who makes an application and meets
5 the following requirements:

6 (1) Is at least 18 years of age.
7 (2) Furnishes satisfactory evidence of completion of one of the
8 following:

9 (A) (i) An approved educational and training program.
10 (ii) If an applicant began an educational and training program
11 at a school or college that submitted a letter of intent to pursue
12 accreditation to, or attained candidacy status from, the
13 Accreditation Commission for Acupuncture and Oriental Medicine,
14 but the commission subsequently denied the school or college
15 candidacy status or accreditation, respectively, the board may
16 review and evaluate the educational training and clinical experience
17 to determine whether to waive the requirements set forth in this
18 subdivision with respect to that applicant.

19 (B) Satisfactory completion of a tutorial program in the practice
20 of an acupuncturist that is approved by the board.

21 (C) In the case of an applicant who has completed education
22 and training outside the United States, documented educational
23 training and clinical experience that meets the standards established
24 pursuant to Sections 4939 and 4941.

25 ~~(3) Passes a written examination administered by the board that~~
26 ~~tests the applicant's ability, competency, and knowledge in the~~
27 ~~practice of an acupuncturist. The written examination shall be~~
28 ~~developed by the Office of Professional Examination Services of~~
29 ~~the Department of Consumer Affairs.~~

30 *(3) Obtains a passing score on one or more examinations*
31 *administered by the National Certification Commission for*
32 *Acupuncture and Oriental Medicine, as determined by the board*
33 *based on the skills, standards, and knowledge required for*
34 *licensure pursuant to this act.*

35 (4) Is not subject to denial pursuant to Division 1.5 (commencing
36 with Section 475).

37 (5) Completes a clinical internship training program approved
38 by the board. The clinical internship training program shall not

1 exceed nine months in duration and shall be located in a clinic in
2 this state that is an approved educational and training program.
3 The length of the clinical internship shall depend upon the grades
4 received in the examination and the clinical training already
5 satisfactorily completed by the individual prior to taking the
6 examination. The purpose of the clinical internship training
7 program shall be to ensure a minimum level of clinical competence.
8 (b) Each applicant who qualifies for a license shall pay, as a
9 condition precedent to its issuance and in addition to other fees
10 required, the initial licensure fee.

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