

26 Section 1. Section 457.102, Florida Statutes, is amended
 27 to read:

28 457.102 Definitions.—As used in this chapter:

29 (1) "Acupuncture" means a skilled intervention and form of
 30 primary health care, based on traditional and contemporary
 31 Eastern medicine and biological sciences ~~Chinese medical~~
 32 ~~concepts and modern oriental medical techniques~~, that employs
 33 acupuncture diagnosis and treatment, as well as adjunctive
 34 therapies and diagnostic techniques, for the promotion,
 35 maintenance, and restoration of health and the prevention of
 36 disease. Acupuncture shall include, but not be limited to, the
 37 insertion, stimulation, and removal of acupuncture needles and
 38 the application of moxibustion to specific areas of the human
 39 body and the use of electroacupuncture, Qi Gong, Eastern
 40 ~~oriental~~ massage and bodywork, herbal therapy, dietary
 41 guidelines, and other adjunctive therapies, as defined by board
 42 rule.

43 (2) "Acupuncture assistant" means an unlicensed person who
 44 has completed an accredited certification program approved by
 45 the board for the purpose of assisting a licensee under this
 46 chapter.

47 (3)~~(2)~~ "Acupuncturist" means a practitioner of Eastern
 48 medicine who is any person licensed under ~~as provided in this~~
 49 chapter to practice acupuncture as a primary health care
 50 provider.

51 ~~(4)-(3)~~ "Board" means the Board of Acupuncture.

52 (5) "Department" means the Department of Health.

53 (6) "Direct supervision" means the immediate supervision
 54 by a licensed acupuncturist, with the licensee assuming legal
 55 liability for the supervised actions. The board shall establish
 56 by rule what constitutes direct supervision under this chapter.

57 ~~(7)-(6)~~ "Eastern Oriental medicine" means the use of a
 58 primary health care system of medicine that includes
 59 differential diagnoses and treatment principles, modalities,
 60 procedures, and techniques employing acupuncture; traditional
 61 and contemporary Eastern medicine; herbal medicine; adjunctive
 62 therapies; biological sciences; and medical assessments,
 63 examinations, and evaluations for the promotion, maintenance,
 64 and restoration of health and the prevention of human disease
 65 acupuncture, electroacupuncture, Qi Gong, oriental massage,
 66 herbal therapy, dietary guidelines, and other adjunctive
 67 therapies.

68 ~~(8)-(4)~~ "License" means the document of authorization
 69 issued by the department for a person to engage in the practice
 70 of acupuncture.

71 ~~(9)-(7)~~ "Prescriptive rights" means the prescription,
 72 administration, and use of needles, medical ~~and~~ devices,
 73 restricted devices, and prescription devices; diagnostic
 74 laboratory tests and imaging procedures; and acupuncture point
 75 injection therapies which include the injection of botanical and

76 herbal medicines, nutritional substances, or sterile solutions
 77 that are used in the practice of acupuncture and Eastern
 78 ~~oriental~~ medicine.

79 Section 2. Subsection (2) of section 457.105, Florida
 80 Statutes, is amended, and subsection (3) is added to that
 81 section, to read:

82 457.105 Licensure qualifications and fees.—

83 (2) A person may become licensed to practice acupuncture
 84 if the person applies to the department and meets all of the
 85 following criteria:

86 (a) Is 21 years of age or older, has good moral character,
 87 and has the ability to communicate in English, which is
 88 demonstrated by having passed the national written examination
 89 in English or, if such examination was passed in a foreign
 90 language, by also having passed a nationally recognized English
 91 proficiency examination.~~†~~

92 (b) Has completed 60 college credits from an accredited
 93 postsecondary institution and, effective July 1, 2026, has
 94 completed a minimum of 90 college credits leading to a
 95 bachelor's degree from a liberal arts college or a university
 96 accredited by an accrediting agency recognized and approved by
 97 the United States Department of Education, or a foreign college,
 98 university, or institution program, as a prerequisite to
 99 enrollment in an authorized, accredited ~~3-year course of study~~
 100 ~~in acupuncture and oriental medicine, and has completed a 3-year~~

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101 ~~course of study in acupuncture and oriental medicine, and~~
102 ~~effective July 31, 2001, a 4-year course of study in acupuncture~~
103 ~~and Eastern oriental medicine, which, effective July 30, 2030,~~
104 ~~terminates with the completion of a doctoral degree in~~
105 ~~acupuncture that is recognized and approved by the United States~~
106 ~~Department of Education and which meets standards established by~~
107 ~~the board by rule, including ~~which standards include, but are~~~~
108 ~~not limited to, successful completion of academic courses in~~
109 ~~western anatomy, western physiology, western pathology, western~~
110 ~~biomedical terminology, first aid, and cardiopulmonary~~
111 ~~resuscitation (CPR). However, any person who enrolled in an~~
112 ~~authorized course of study in acupuncture before August 1, 1997,~~
113 ~~must have completed only a 2-year course of study which meets~~
114 ~~standards established by the board by rule, which standards must~~
115 ~~include, but are not limited to, successful completion of~~
116 ~~academic courses in western anatomy, western physiology, and~~
117 ~~western pathology.~~†

118 (c) Has successfully completed a board-approved national
119 examination and certification process, is actively licensed in a
120 state that has examination and licensing qualification
121 requirements that are substantially equivalent to or more
122 stringent than those required by ~~of~~ this state, or passes an
123 examination administered by the department, which examination
124 tests the applicant's competency and knowledge of the practice
125 of acupuncture and Eastern oriental medicine. At the request of

126 any applicant, traditional ~~oriental~~ nomenclature for the points
 127 shall be used in the examination. The examination shall include
 128 a practical examination of the knowledge and skills required to
 129 practice modern and traditional acupuncture and Eastern ~~oriental~~
 130 medicine, covering diagnostic and treatment techniques and
 131 procedures. ~~;~~ ~~and~~

132 (d) Pays the required fees set by the board by rule not to
 133 exceed the following amounts:

134 1. Examination fee: \$500 plus the actual per applicant
 135 cost to the department for purchase of the written and practical
 136 portions of the examination from a national organization
 137 approved by the board.

138 2. Application fee: \$300.

139 3. Reexamination fee: \$500 plus the actual per applicant
 140 cost to the department for purchase of the written and practical
 141 portions of the examination from a national organization
 142 approved by the board.

143 4. Initial biennial licensure fee: \$400, if licensed in
 144 the first half of the biennium, and \$200, if licensed in the
 145 second half of the biennium.

146 (3) A person licensed under this section may not advertise
 147 or practice as a physician, an osteopathic physician, or a
 148 chiropractic physician unless he or she maintains an active
 149 license to practice as such physician under chapter 458, chapter
 150 459, or chapter 460.

151 Section 3. Section 457.106, Florida Statutes, is created
 152 to read:

153 457.106 Scope of practice for acupuncturists and
 154 acupuncture assistants.-

155 (1) (a) The scope of practice for an acupuncturist includes
 156 those acts, modalities, procedures, techniques, and
 157 interventions a licensee is authorized to provide under this
 158 chapter in person or remotely using telehealth, including, but
 159 not limited to:

160 1. Examination, evaluation, analysis, diagnosis,
 161 management, and treatment services.

162 2. The use and ordering of testing procedures, diagnostic
 163 imaging, and laboratory tests.

164 3. The stimulation of points, areas of the body, and
 165 tissues or substances within the body using acupuncture and
 166 Eastern medicine, herbal medicine therapies, nutritional
 167 substances, point injection, sterile solutions, qi, medical
 168 instruments, and other devices or means, as defined by board
 169 rule.

170 (b) The board shall periodically revise the use of
 171 acupuncture point injection therapies as described in rule under
 172 64B1-4.012, Florida Administrative Code, based on national
 173 standards of practice.

174 (2) Activities and duties for an acupuncture assistant
 175 shall be defined by board rule and may include, but not be

176 limited to, checking on patients and removing acupuncture
 177 needles. Prohibited activities and duties may include, but not
 178 be limited to, developing or altering an acupuncture plan of
 179 care and the insertion of acupuncture needles.

180 Section 4. Subsection (3) of section 457.107, Florida
 181 Statutes, is amended to read:

182 457.107 Renewal of licenses; continuing education.—

183 (3) The board shall prescribe by rule continuing education
 184 requirements of up to 30 hours biennially as a condition for
 185 renewal of a license. All education programs must be approved by
 186 the board and ~~that~~ contribute to the advancement, extension, or
 187 enhancement of professional skills and knowledge related to the
 188 practice of acupuncture, whether conducted by a nonprofit or
 189 profitmaking entity, ~~are eligible for approval.~~ The continuing
 190 professional education requirements must be in acupuncture or
 191 Eastern oriental ~~oriental~~ medicine subjects, including, but not limited
 192 to, anatomy, biological sciences, adjunctive therapies,
 193 sanitation and sterilization, emergency protocols, ~~and~~ diseases,
 194 and practice management. As used in this subsection, the term
 195 "practice management" means the development or mechanics of
 196 establishing and managing an office, including enhancement of
 197 patient care, risk management, cybersecurity, cost containment,
 198 health care documentation, and insurance coding, billing, and
 199 claims processing. Up to 6 hours of practice management
 200 continuing education may be applied to satisfy the requirements

201 for license renewal per biennium licensing period. The board may
 202 set a fee of up to \$100 for each continuing education provider.
 203 The licensee shall retain in his or her records the certificates
 204 of completion of continuing professional education requirements.
 205 All national and state acupuncture and Eastern ~~oriental~~ medicine
 206 organizations and acupuncture and Eastern ~~oriental~~ medicine
 207 schools are approved to provide continuing professional
 208 education in accordance with this subsection.

209 Section 5. Paragraphs (a) and (b) of subsection (1) of
 210 section 457.116, Florida Statutes, are amended to read:

211 457.116 Prohibited acts; penalty.—

212 (1) A person may not:

213 (a) Practice acupuncture unless the person is licensed
 214 under ss. 457.101-457.118, except if the person is acting in the
 215 capacity of a guest instructor or a guest practitioner. The
 216 board shall establish by rule a definition, scope of practice,
 217 and other conditions necessary to implement a guest instructor
 218 and a guest practitioner exemption for teaching approved courses
 219 and practicing acupuncture in response to a declared disaster or
 220 emergency;

221 (b) Use, in connection with his or her name or place of
 222 business, any title or description of services which
 223 incorporates the words "acupuncture," "acupuncturist,"
 224 "certified acupuncturist," "licensed acupuncturist," or
 225 "acupuncture physician" ~~"oriental medical practitioner"~~; the

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226 | letters "L.Ac.," "R.Ac.," or "A.P." ~~"A.P.," or "D.O.M."~~; or any
227 | other words, letters, abbreviations, or insignia indicating or
228 | implying that he or she practices acupuncture unless he or she
229 | is a holder of a valid license issued pursuant to ss. 457.101-
230 | 457.118;

231 | Section 6. This act shall take effect July 1, 2024.