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FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Commerce & Econ. Dev.
Title: An Act relating to the practice BRU: Occupational Licensing
of acupuncture.
Sponsor: Duncan Components: Admin. & Boards
Requester: L&C Committee

EXPENDITURES / REVENUES : (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES	0	2.9	2.9	2.9	2.9	2.9
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	1.1	1.1	1.1	1.1	1.1
SUPPLIES	0	0	0	0	0	0
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	4.0	4.0	4.0	4.0	4.0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	4.0	0	4.0	0	4.0
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FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER	0	4.0	4.0	4.0	4.0	4.0
TOTAL	0	4.0	4.0	4.0	4.0	4.0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary.)

CSSB 134 (L&C) provides for licensing of acupuncturists by the department. The bill will allow acupuncture services to be offered by all qualified individuals; whereas, currently only medical doctors can offer acupuncture services. The costs identified in this fiscal note are explained on the following page.

Prepared by: Jennifer Strickler, Administrative Officer Phone: 465-2144
Division: Occupational Licensing Date: March 20, 1989

Approved by Commissioner: Larry Mercurierr, Commissioner Phone: 465-2500
Agency: Department of Commerce & Economic Development Date: 3/28/89

Distribution (by preparer):

Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

CONTINUATION of FISCAL NOTE ANALYSIS

CSSB 134 (L&C)

Testimony on this bill has revealed that very few acupuncturists currently reside in-state (fewer than five) and that only a few additional acupuncturists are expected to seek admission should this legislation pass. For the purposes of this fiscal note, we have anticipated a maximum of ten licensees.

This fiscal note differs from previous fiscal notes on the subject in that a portion of overhead personal services costs which the program can be expected to cover are included. As with all licensing occupations, each program is attributed a portion of administrative expenses of the division based on the number of licensees divided by the total number of division licensees. In this case, ten licensees represent .004% of the administrative costs reflected in the personal services and contractual services line items of the divisions's budget.

Because of the small number of practitioners, it would be unreasonable to establish a licensing fee which would require those few licensees to bear the entire cost of the licensing function. In such cases, the licensing costs must be supplemented by general funds or other licensing fees.

Revenues: The revenues projected are based on ten licensees paying a biennial license fee of \$400.

WHAT IS ACUPUNCTURE?

Acupuncture is a healing method used in traditional Chinese medicine, a medical system with a history of thousands of years of effective use, now practiced worldwide.

Bioenergetics of the Acupuncture Network

- . Traditional Chinese ideas of energy exchange are like those of modern physics--the same principles work in all parts of the universe, however large or small--the solar system, an atom, or a human body.
- . The acupuncture network in the body is an "electromagnetic circulatory system" of energy flow along channels related to the organs. The energy, called qi, (pronounced chee) flows like current in an electrical system.
- . The twelve main channels are directly connected to organs--heart, liver, kidney, stomach, etc. They are "circuits" with energy flowing from the organs out into the arms and legs and back. There are also extra channels, for example, the "belt" channel, which goes around the waist. All of these form a network.
- . The network can "signal" the organs to do different things. Recent research in China has shown that putting a needle in the large intestine point on a dog's paw will change the movements of its large intestine.

Energy Balance

- . Balance in the energy network means good health. As long as the network is strong, balanced, and not blocked, a person will be healthy. Imagine a body with its "electromagnetic circulatory system" flowing along about the same lines as the blood circulatory system. Visualize the lines of current with a strong, consistent glow, and a smooth, regular flow through all the channels. This is the picture of health
- . Imbalance means disease. The flow of energy can be too weak, too strong, blocked, or not moving in the proper pathways. For example, if you could photograph the network, a sprain might appear as a hot spot or "short." A migraine headache might show a blockage, and a heart attack would reveal a weak or blank spot.

Diagnosis

- . Diagnosis in Chinese medicine looks for patterns of imbalance in this energy network that relate to signs and symptoms in the body.
- . Traditional diagnosis uses a history and physical examination. The doctor asks special questions about what has happened inside and outside the body that put the system out of balance--wind, cold, heat, emotions, excess food or drink--and many others. A traditional oriental medical doctor will look at skin color, examine "alarm points" along the channels that indicate imbalance, look at the tongue, and feel the pulses. These are just a few of the important parts of a traditional medical examination.

Treatment

- . Treatment balances the system. Points are stimulated to increase energy, dissolve blockages--to encourage all of the "involuntary" body processes to return to their natural state of harmony. The main treatments used either alone or in combination to balance the system are:

acupuncture herbs moxa massage

- . Acupuncture stimulates points along the channels with very fine needles. These are now almost always made of stainless steel, but traditionally they could be made of other materials--bone, bamboo, silver, gold. The needles have different effects depending on what points are used. Sometimes needles are electrically stimulated, usually for added pain relief or anaesthesia.
- . Herbs are taken as teas or pills to do the work of balancing. They are very specific in their effects, and can be given easily in combinations made up especially for each individual.
- . Moxa is an herb that is burned close to the skin, or sometimes directly on the skin to stimulate the points with heat.
- . Massage stimulates the points with pressure to give balancing effect.
- . Of course, the complicated imbalance in many illnesses often make the process of diagnosis and treatment complicated too. As in Western medicine, traditional Chinese diagnosis and treatment is an art as well as a science.

Staying Well With Traditional Medicine

"Wholeness" of outlook is a historic part of Chinese medicine. According to tradition, people paid their doctors when they were healthy, and stopped paying them when they were ill. Whether true or not, this shows that the idea was to keep people well, and to look for and treat the earliest signs of illness. Preventive health care--diet, rest, exercise, and emotional and spiritual balance--has always been of greatest importance in the Chinese medical tradition.

How an Acupuncture Treatment Feels

Acupuncture needles are very fine, so they are relatively painless. There is a pinprick sensation as the needle goes through the skin, followed by the sensation of the needle "taking the energy"--connecting with the system. This may be felt as a tingling or traveling sensation, soreness, heaviness, warmth or aching. Among their many effects, the needles stimulate the release of endorphins--the body's own pain-killers--so there is generally a feeling of well-being and relaxation.

How to Help Your Treatment Work Better

Because treatments "rearrange" your energetic pattern, moderation is the key in eating, exercise and exposure to temperatures to maintain the new energy arrangement. The two hours immediately before and after your treatment is not the time for a heavy meal, alcoholic drinks or pain relievers, a strenuous workout, or a trip to the sauna.

Acupuncture and herbs have a cumulative effect, so it is also important to follow through with a recommended series of treatments to get the desired results, and to follow all other instructions from your practitioner.

Treatment Response

Most patients want to know whether acupuncture just treats symptoms, or if it can really relieve the causes of their illness. With many different kinds of problems, the energetic changes brought about by acupuncture and herbs can bring a person fully back to health.

Results depend on the duration and nature of the disease, the amount of damage that has been done, whether surgery has been performed, the age and general health of the person--the same kinds of factors that determine outcomes in Western medicine.

Even if a disease process has gone too far to be reversed

entirely, it is often possible to slow or stop the progress of the disease, or at least to provide some relief from symptoms so that the person can live more comfortably.

Sterilization

Acupuncture needles are sterilized according to protocols approved for surgical instruments. Depending on your practitioner, steam autoclave or dry heat sterilization may be used. Sterilization is, by definition, the killing of all bacterial, fungus, virus, and spores.

Just as it is safe to re-use surgical instruments after they have been properly sterilized, it is also safe to re-use needles. If you are still concerned about this issue, ask your practitioner, and they will use disposable needles. Disposable needles are generally used for all people with hepatitis or AIDS or for people at high risk for these diseases.

Sterilization and all procedural techniques follow the Clean Needle Technique manual prepared by the National Commission for the Certification of Acupuncture.

The American Association of Acupuncture and Oriental Medicine

The AAOM is a national organization of practitioners and students of acupuncture and Oriental medicine. Its purposes are:

- to provide the primary organizational forum for state, regional and specialized acupuncture organizations in the United States
- to elevate standards of practice and education
- to provide a forum for sharing of professional knowledge
- to assist in the establishment of just health codes and laws and to support those that exist
- to develop and establish continuing education programs for professionals
- to educate the general public about Oriental medicine
- to promote, encourage and support research
- to support and cooperate with the national professional organizations for certification of practitioners and educational institutions. In our field, the National Commission for the Certification of Acupuncture and the National Accreditation Commission for Schools and Colleges of Acupuncture and Oriental Medicine.

ACUPUNCTURE

TESTIMONY FOR HOUSE FINANCE

SB 134

5/02/89

The practice of acupuncture has been increasing in recent years. Other states have been adopting regulations so that today approximately half of the states have existing regulations concerning the practice of acupuncture. You have all been contacted by constituents who provide testament to the success of acupuncture treatments where traditional Western medicine or chiropractic treatment has failed.

As originally proposed, SB 134 would have established a 5 member board to regulate the practice of acupuncture. The accompanying fiscal note was about 12 thousand dollars per year. We have modified the bill to give the Department of Commerce and Economic Development the authority to regulate acupuncture in-house. The fiscal note accompanying the present version of the bill CSSB 134 (L&C) is 4 thousand dollars per year.

1 see Randall Burns from occupational licensing is here to address that issue.

Another major concern was also addressed. We have removed any insurance requirements from the bill. CSSB 134 (L&C) specifies that insurance coverage is OPTIONAL. I believe that because of the success of acupuncture in treating certain

conditions (SPECIFICALLY DRUG and ALCOHOL ADDICTION) at a fraction of the cost of traditional medicine, the insurance companies will eventually want to look at whether it might actually save them money to use acupuncture as opposed to another treatment.

I urge your support for SB 134. Acupuncture has proven to be effective where other treatments have failed. It is not a miracle cure, but I feel that it should be legal, regulated by the State, and available to all Alaskans who feel that it can help them.

HOUSE COMMITTEE REPORT

(7)

Date Referred: April 24, 1989

FURTHER REFERRALS: FINANCE

Date of Committee Action: 5/2/89

The HESS Committee considered: CSSB 134 (LABOR & COMMERCE) am
CS FOR SENATE BILL NO. 134 (L&C) am
[PRACTICE OF ACUPUNCTURE]
 "An Act relating to the practice of acupuncture."

RECOMMENDATIONS:

- be replaced with _____ the same title
- have attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

- | | |
|---|--|
| <p>ATTACH. NEW FISCAL NOTE(S):
(Dept)</p> <ul style="list-style-type: none"> <input type="checkbox"/> fiscal impact _____ <input type="checkbox"/> <u>zero</u> fiscal note _____ <input type="checkbox"/> <u>zero</u> with analysis _____ | <p>APPROVES PREVIOUS:
(Date/Dept)</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> fiscal note(s) <u>3/28/89 Commerce</u> <input type="checkbox"/> <u>zero</u> fiscal note(s) _____ <input type="checkbox"/> <u>zero</u> in/analysis _____ |
|---|--|

SIGNING DO PASS:

SIGNING:

(Check approx. column)

	Do Not Pass	No Rec	Ment
<i>Whelan Davis</i>	x		
<i>Rep. [unclear]</i>	x		
<i>[unclear]</i>	x		

[Signature]

 Chairman's Signature

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Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

SB 136

H HESS

3/20/90

H. HESS

3/27/90

H HESS

3/28/90

H HESS

4/23/90

HOUSE COMMITTEE REPORT

(7)

Date Referred: February 9, 1990

FURTHER REFERRALS:

FINANCE

Date of Committee Action: 4/23/90

The HESS Committee considered:

CSSB 136(2d Rls)

CSSB NO. 136 (2d Rules)

EDUCATION TRUST FUND

"An Act establishing the Alaska education trust fund and authorizing advance tuition payment contracts; and providing for an effective date."

RECOMMENDATIONS:

be replaced with HCS CS SB 136

the same title
 a new title

have attached amendment(s)

do pass

do not pass

no recommendation

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(s):
(Dept)

APPROVES PREVIOUS:

(Date/Dept)

fiscal impact _____

fiscal note(s) 2/17/90 / Uat, Revenue

zero fiscal note _____

zero fiscal note(s) _____

zero with analysis _____

zero fn/analysis _____

SIGNING DO PASS?

SIGNING:

(Check approp. column)

Do Not Pass
No Rec
Amend

J. Ellis
W. Krumbein
Benjamin
Mark Bump

SIGNING:	Do Not Pass	No Rec	Amend
<u>Cheri Davis</u>		<input checked="" type="checkbox"/>	

J. Ellis
Chairman's Signature