AN ACT to amend 446.01 (2) (a), 446.03 (intro.), 446.03 (1), 446.04 (2), 446.04 (4),
446.05 (1) and 451.02 (1); and to create 440.08 (2) (a) 24a., 446.01 (1a), 446.01 (1b), 446.023 and 446.04 (6) of the statutes; relating to: chiropractor registration to practice acupuncture.

Analysis by the Legislative Reference Bureau

Under current law, a person generally may not practice acupuncture in Wisconsin unless the person is an acupuncturist certified by the Department of Safety and Professional Services (DSPS). Under this bill, a chiropractor who is licensed for the practice of chiropractic by the Chiropractic Examining Board (board) may practice acupuncture without being certified by DSPS if the board registers the licensed chiropractor to practice acupuncture. Under the bill, the board may register a licensed chiropractor to practice acupuncture if the chiropractor does all of the following:

1. Applies to the board for registration to practice acupuncture.
2. Submits evidence satisfactory to the board that the licensed chiropractor has completed at least 100 hours of instruction in acupuncture at a college of chiropractic approved by the board or at an accredited college or university.
3. Successfully completes the acupuncture examination administered by the National Board of Chiropractic Examiners.
4. Pays a one–time registration fee of $100.
BILL

Under the bill, once registered by the board to practice acupuncture, a licensed chiropractor must complete at least two hours of continuing education in acupuncture annually.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 440.08 (2) (a) 24a. of the statutes is created to read:

440.08 (2) (a) 24a.  Chiropractor registration to practice acupuncture:

December 15 of each even-numbered year.

SECTION 2. 446.01 (1a) of the statutes is created to read:

446.01 (1a) “Acupuncture” has the meaning given in s. 451.01 (1).

SECTION 3. 446.01 (1b) of the statutes is created to read:

446.01 (1b) “Acupuncturist” has the meaning given in s. 451.01 (2).

SECTION 4. 446.01 (2) (a) of the statutes is amended to read:

446.01 (2) (a)  To examine into the fact, condition, or cause of departure from complete health and proper condition of the human; to treat without the use of drugs as defined in s. 450.01 (10) or surgery; to counsel; to practice acupuncture if the acupuncturist is registered under s. 446.023; to advise for the same for the restoration and preservation of health or to undertake, offer, advertise, announce, or hold out in any manner to do any of the aforementioned acts, for compensation, direct or indirect or in expectation thereof; and

SECTION 5. 446.023 of the statutes is created to read:

446.023 Chiropractor registration to practice acupuncture.  (1)

DEFINITION. In this section, “licensed chiropractor” means a person who is licensed by the examining board to engage in the practice of chiropractic.
(2) Registration required. (a) Except as provided under par. (b), no licensed chiropractor may practice acupuncture unless he or she is registered by the examining board under this section.

(b) No registration is required under this section for any of the following:
   1. A licensed chiropractor who is an acupuncturist certified under ch. 451.
   2. A licensed chiropractor who practices acupuncture as part of a supervised course of study or residency program in acupuncture that is approved by the examining board.

(c) The examining board shall register a licensed chiropractor under this section who does all of the following:
   1. Submits an application for registration to the examining board on a form provided by the examining board.
   2. Submits evidence satisfactory to the examining board that the licensed chiropractor has completed at least 100 hours of instruction in acupuncture at a college of chiropractic approved by the examining board or at a college or university accredited by an accrediting agency that is recognized by the secretary of the federal department of education.
   3. Successfully completes the acupuncture examination administered by the National Board of Chiropractic Examiners.
   4. Pays a registration fee of $100.

(3) Registration renewal. (a) The renewal date for a registration under this section is specified under s. 440.08 (2) (a). There is no renewal fee.

(b) A licensed chiropractor registered under this section shall, at the time that he or she applies for renewal of a registration under par. (a), submit evidence satisfactory to the examining board that he or she has completed at least 2 hours
annually of continuing education in an acupuncture–related program approved by
the examining board under s. 446.028.

SECTION 6. 446.03 (intro.) of the statutes is amended to read:

446.03 Reprimand; revocation, limitation, or suspension of a license or
certificate.  (intro.) The examining board, by order, may reprimand a licensee,
certificate holder, or registrant and may deny, limit, suspend or revoke any license,
certificate, or certificate of registration if the licensee, certificate holder, or registrant
does any of the following:

SECTION 7. 446.03 (1) of the statutes is amended to read:

446.03 (1) Obtains the license, certificate, or certificate of registration through
error or fraud.

SECTION 8. 446.04 (2) of the statutes is amended to read:

446.04 (2) Loaning of a chiropractic license or certificate, or of a registration
issued under s. 446.023, to anyone.

SECTION 9. 446.04 (4) of the statutes is amended to read:

446.04 (4) Splitting or dividing any fee for chiropractic service with any person
except an associate licensed chiropractor, or, for an acupuncture service, an
acupuncturist certified under ch. 451.

SECTION 10. 446.04 (6) of the statutes is created to read:

446.04 (6) Use of unsanitary or unsafe acupuncture equipment.

SECTION 11. 446.05 (1) of the statutes is amended to read:

446.05 (1) Subject to the rules promulgated under s. 440.03 (1), the examining
board may make investigations and conduct hearings in regard to the conduct of any
licensed chiropractor who, it has reason to believe, violated s. 446.02, 446.023, or
446.03. The person complained against may proceed to review any action of the
examining board under ch. 227.

**SECTION 12.** 451.02 (1) of the statutes is amended to read:

451.02 (1) An individual holding a license, permit, registration, or certificate
under ch. 441, 446, 447, 448, or 449 who engages in a practice of acupuncture that
is also included within the scope of his or her license, permit, registration, or
certificate.

**SECTION 13. Effective date.**

(1) This act takes effect on the first day of the 7th month beginning after
publication.