

HB1141 L.005

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health and Environment.

HB12-1141 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, 12-29.5-105, add
4 (3) as follows:

5 **12-29.5-105. Unlawful acts - exceptions.** (3) NOTWITHSTANDING
6 ANY PROVISION OF THIS ARTICLE TO THE CONTRARY, A NURSE MAY
7 PERFORM FIVE-POINT AURICULAR ACUDETUX PROTOCOL IN COMPLIANCE
8 WITH SECTION 12-38-111.3 AND A MENTAL HEALTH PROFESSIONAL MAY
9 PERFORM FIVE-POINT AURICULAR ACUDETUX PROTOCOL IN COMPLIANCE
10 WITH SECTION 12-43-207.5.

11 **SECTION 2.** In Colorado Revised Statutes, add 12-38-111.3 as
12 follows:

13 **12-38-111.3. Five-point NADA auricular acudetox protocol -**
14 **nurses - definitions.** (1) A PRACTICAL OR PROFESSIONAL NURSE
15 LICENSED PURSUANT TO THIS PART 1 WHO HAS SUCCESSFULLY COMPLETED
16 THE NATIONAL ACUPUNCTURE DETOXIFICATION ASSOCIATION TRAINING OR
17 EQUIVALENT TRAINING AS DETERMINED BY THE BOARD MAY PERFORM
18 FIVE-POINT NADA AURICULAR ACUDETUX PROTOCOL ON A PATIENT WHO
19 HAS BEEN DIAGNOSED WITH AN ADDICTION DISORDER BY A PERSON WHO
20 IS LICENSED TO DIAGNOSE THE DISORDER AND WHEN USED EXCLUSIVELY
21 AND SPECIFICALLY IN CONJUNCTION WITH TREATMENT OF AN ADDICTION
22 DISORDER. THE PRACTICAL OR PROFESSIONAL NURSE SHALL PERFORM THE
23 FIVE-POINT NADA AURICULAR ACUDETUX PROTOCOL ONLY UNDER THE
24 DIRECT OR INDIRECT SUPERVISION OF AN ACUPUNCTURIST LICENSED IN
25 THIS STATE WHO HAS COMPLETED THE FIVE-POINT AURICULAR ACUDETUX
26 TRAINING OR A NADA-CERTIFIED PHYSICIAN LICENSED IN THIS STATE WHO
27 HAS COMPLETED THE FIVE-POINT AURICULAR ACUDETUX TRAINING. THE
28 PRACTICAL OR PROFESSIONAL NURSE SHALL PERFORM THE FIVE-POINT
29 NADA AURICULAR ACUDETUX PROTOCOL IN A MANNER CONSISTENT WITH
30 GENERALLY ACCEPTED PARAMETERS, INCLUDING CLEAN NEEDLE
31 TECHNIQUES AND STANDARDS OF THE CENTER FOR COMMUNICABLE
32 DISEASES, AND THAT MEETS SAFE AND PROFESSIONAL STANDARDS.

33 (2) AS USED IN THIS SECTION:

34 (a) "FIVE-POINT NADA AURICULAR ACUDETUX PROTOCOL" MEANS
35 THE SUBCUTANEOUS INSERTION OF STERILE, DISPOSABLE ACUPUNCTURE
36 NEEDLES IN THE FOLLOWING FIVE CONSISTENT, PREDETERMINED
37 BILATERAL LOCATIONS:



1 (I) SYMPATHETIC;

2 (II) SHEN MEN;

3 (III) KIDNEY;

4 (IV) LIVER; AND

5 (V) LUNG.

6 (b) "INDIRECT SUPERVISION" MEANS SUPERVISION THAT DOES NOT
7 REQUIRE THE PRESENCE OF THE SUPERVISOR IN THE OFFICE OR ON THE
8 PREMISES AT THE TIME THE PROCEDURE IS BEING PERFORMED, BUT DOES
9 REQUIRE THE PRACTICAL OR PROFESSIONAL NURSE TO HAVE AN ONGOING
10 RELATIONSHIP WITH THE SUPERVISOR AND FOR THE SUPERVISOR TO BE
11 AVAILABLE FOR CONSULTATION AND PERIODIC DIRECT OBSERVATION OF
12 THE PROCEDURE.

13 (c) "NADA" MEANS THE NATIONAL ACUPUNCTURE
14 DETOXIFICATION ASSOCIATION.

15 **SECTION 3.** In Colorado Revised Statutes, add 12-43-207.5 as
16 follows:

17 **12-43-207.5. Five-point auricular acudetox protocol - mental**
18 **health professionals - definitions.** (1) A PSYCHOLOGIST, SOCIAL
19 WORKER, MARRIAGE AND FAMILY THERAPIST, LICENSED PROFESSIONAL
20 COUNSELOR, LICENSED ADDICTION COUNSELOR, OR LEVEL III CERTIFIED
21 ADDICTION COUNSELOR, REFERRED TO COLLECTIVELY IN THIS SECTION AS
22 "MENTAL HEALTH PROFESSIONALS", CERTIFIED OR LICENSED PURSUANT TO
23 THIS ARTICLE WHO HAS SUCCESSFULLY COMPLETED THE NATIONAL
24 ACUPUNCTURE DETOXIFICATION ASSOCIATION TRAINING OR EQUIVALENT
25 TRAINING AS DETERMINED BY THE DIRECTOR MAY PERFORM FIVE-POINT
26 AURICULAR ACUDETUX PROTOCOL ON A PATIENT WHO HAS BEEN
27 DIAGNOSED WITH AN ADDICTION DISORDER BY A PERSON WHO IS LICENSED
28 TO DIAGNOSE THE DISORDER AND WHEN USED EXCLUSIVELY AND
29 SPECIFICALLY IN CONJUNCTION WITH TREATMENT OF AN ADDICTION
30 DISORDER. A PSYCHOLOGIST, SOCIAL WORKER, MARRIAGE AND FAMILY
31 THERAPIST, LICENSED PROFESSIONAL COUNSELOR, LICENSED ADDICTION
32 COUNSELOR, OR LEVEL III CERTIFIED ADDICTION COUNSELOR SHALL
33 PERFORM THE FIVE-POINT AURICULAR ACUDETUX PROTOCOL ONLY UNDER
34 THE DIRECT OR INDIRECT SUPERVISION OF AN ACUPUNCTURIST LICENSED
35 IN THIS STATE WHO HAS COMPLETED THE FIVE-POINT AURICULAR
36 ACUDETUX TRAINING OR A NADA-CERTIFIED PHYSICIAN LICENSED IN THIS
37 STATE WHO HAS COMPLETED THE FIVE-POINT AURICULAR ACUDETUX
38 TRAINING. THE MENTAL HEALTH PROFESSIONAL SHALL PERFORM THE
39 FIVE-POINT AURICULAR ACUDETUX PROTOCOL IN A MANNER CONSISTENT
40 WITH GENERALLY ACCEPTED PARAMETERS, INCLUDING CLEAN NEEDLE
41 TECHNIQUES AND STANDARDS OF THE CENTER FOR COMMUNICABLE



1 DISEASES, AND THAT MEETS SAFE AND PROFESSIONAL STANDARDS.

2 (2) AS USED IN THIS SECTION:

3 (a) "FIVE-POINT AURICULAR ACUETOX PROTOCOL" MEANS THE
4 SUBCUTANEOUS INSERTION OF STERILE, DISPOSABLE ACUPUNCTURE
5 NEEDLES IN THE FOLLOWING FIVE CONSISTENT, PREDETERMINED
6 BILATERAL LOCATIONS:

7 (I) SYMPATHETIC;

8 (II) SHEN MEN;

9 (III) KIDNEY;

10 (IV) LIVER; AND

11 (V) LUNG.

12 (b) "INDIRECT SUPERVISION" MEANS SUPERVISION THAT DOES NOT
13 REQUIRE THE PRESENCE OF THE SUPERVISOR IN THE OFFICE OR ON THE
14 PREMISES AT THE TIME THE PROCEDURE IS BEING PERFORMED, BUT DOES
15 REQUIRE THE MENTAL HEALTH PROFESSIONAL TO HAVE AN ONGOING
16 RELATIONSHIP WITH THE SUPERVISOR AND FOR THE SUPERVISOR TO BE
17 AVAILABLE FOR CONSULTATION AND PERIODIC DIRECT OBSERVATION OF
18 THE PROCEDURE.

19 (c) "NADA" MEANS THE NATIONAL ACUPUNCTURE
20 DETOXIFICATION ASSOCIATION.

21 **SECTION 4. Effective date.** This act takes effect July 1, 2012.

22 **SECTION 5. Safety clause.** The general assembly hereby finds,
23 determines, and declares that this act is necessary for the immediate
24 preservation of the public peace, health, and safety."

** ** ** ** **

