

**First Regular Session
Seventieth General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 15-1060.01 Kristen Forrestal x4217

HOUSE BILL 15-1360

HOUSE SPONSORSHIP

Ginal, Singer

SENATE SPONSORSHIP

Lundberg, Newell

House Committees

Health, Insurance, & Environment

Senate Committees

Health & Human Services

A BILL FOR AN ACT

101 **CONCERNING THE USE OF INJECTION THERAPY BY ACUPUNCTURISTS**
102 **LICENSED PURSUANT TO ARTICLE 29.5 OF TITLE 12, COLORADO**
103 **REVISED STATUTES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill allows acupuncturists to practice injection therapy to treat patients. Injection therapy is defined as the injection of sterile herbs, vitamins, minerals, homeopathic substances, or other similar substances into acupuncture points by means of hypodermic needles. Prior to practicing injection therapy, an acupuncturist must receive the necessary

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

Capital letters indicate new material to be added to existing statute.

Dashes through the words indicate deletions from existing statute.

SENATE
2nd Reading Unamended
May 5, 2015

HOUSE
3rd Reading Unamended
April 27, 2015

HOUSE
2nd Reading Unamended
April 23, 2015

training as determined by the director of the division of professions and occupations (director).

The bill allows acupuncturists to obtain substances for injection therapy from a registered prescription drug outlet, registered manufacturer, or registered wholesaler.

The director is required to promulgate rules concerning injection therapy.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 12-29.5-102, **amend**
3 (3.3) and (3.5) (a); and **add** (3.4) as follows:

4 **12-29.5-102. Definitions.** As used in this article, unless the
5 context otherwise requires:

6 (3.3) ~~"Licensee" means an acupuncturist licensed pursuant to~~
7 ~~section 12-29.5-104~~ "INJECTION THERAPY" MEANS THE INJECTION OF
8 STERILE HERBS, VITAMINS, MINERALS, HOMEOPATHIC SUBSTANCES, OR
9 OTHER SIMILAR SUBSTANCES SPECIFICALLY MANUFACTURED FOR
10 NONINTRAVENOUS INJECTION INTO ACUPUNCTURE POINTS BY MEANS OF
11 HYPODERMIC NEEDLES USED PRIMARILY FOR THE TREATMENT OF
12 MUSCULOSKELETAL PAIN. PERMISSIBLE SUBSTANCES INCLUDE SALINE,
13 GLUCOSE, LIDOCAINE, PROCAINE, ORIENTAL HERBS, VITAMIN B-12,
14 TRAUMEEL, SARAPIN, AND HOMEOPATHIC SUBSTANCES. "INJECTION
15 THERAPY" INCLUDES THE USE OF EPINEPHRINE AND OXYGEN AS
16 NECESSARY FOR PATIENT CARE AND SAFETY, INCLUDING FOR THE PURPOSE
17 OF ADDRESSING ANY RISK OF ALLERGIC REACTIONS WHEN USING INJECTION
18 SUBSTANCES.

19 (3.4) "LICENSEE" MEANS AN ACUPUNCTURIST LICENSED PURSUANT
20 TO SECTION 12-29.5-104.

21 (3.5) (a) "Practice of acupuncture" means the insertion and
22 removal of acupuncture needles, INJECTION THERAPY, the application of

1 heat therapies to specific areas of the human body, and adjunctive
2 therapies. Adjunctive therapies within the scope of acupuncture may
3 include manual, mechanical, thermal, electrical, and electromagnetic
4 treatment; the recommendation of therapeutic exercises; and, subject to
5 federal law, the recommendation of herbs and dietary guidelines. The
6 "practice of acupuncture" is based upon traditional and modern oriental
7 medical concepts and does not include the utilization of western medical
8 diagnostic tests and procedures, such as magnetic resonance imaging,
9 radiographs (X rays), computerized tomography scans, and ultrasound.

10 **SECTION 2.** In Colorado Revised Statutes, **add 12-29.5-102.5**
11 as follows:

12 **12-29.5-102.5. Injection therapy - training - substances - rules.**

13 (1) A LICENSEE SHALL OBTAIN THE NECESSARY TRAINING AS DETERMINED
14 BY THE DIRECTOR PRIOR TO PRACTICING INJECTION THERAPY.

15 (2) NOTWITHSTANDING SECTION 12-42.5-305, A LICENSEE WHO
16 HAS RECEIVED THE NECESSARY TRAINING TO PRACTICE INJECTION
17 THERAPY MAY OBTAIN SUBSTANCES FOR INJECTION THERAPY FROM A
18 REGISTERED PRESCRIPTION DRUG OUTLET, REGISTERED MANUFACTURER,
19 OR REGISTERED WHOLESALER. AN ENTITY THAT PROVIDES A SUBSTANCE
20 TO A LICENSEE IN ACCORDANCE WITH THIS SECTION, AND WHO RELIES IN
21 GOOD FAITH UPON THE LICENSE INFORMATION PROVIDED BY THE LICENSEE,
22 IS NOT LIABLE FOR PROVIDING THE SUBSTANCE.

23 (3) THE DIRECTOR SHALL PROMULGATE RULES TO IMPLEMENT THIS
24 SECTION THAT INCLUDE THE NECESSARY TRAINING FOR A LICENSEE TO
25 PRACTICE INJECTION THERAPY AND A LIST OF SUBSTANCES THAT A
26 LICENSEE MAY OBTAIN FOR INJECTION THERAPY. IN PROMULGATING THE
27 RULES, THE DIRECTOR SHALL CONSULT WITH KNOWLEDGEABLE MEDICAL

1 PROFESSIONALS AND PHARMACISTS.

2 **SECTION 3. Safety clause.** The general assembly hereby finds,
3 determines, and declares that this act is necessary for the immediate
4 preservation of the public peace, health, and safety.