

AMENDED IN SENATE APRIL 16, 2012

SENATE BILL

No. 1239

Introduced by Senator Price

February 23, 2012

An act to amend Sections 4928~~and~~, 4934, *and* 4939 of the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

SB 1239, as amended, Price. Acupuncture.

Existing law, the Acupuncture Licensure Act, provides for the licensure and regulation of the practice of acupuncture by the Acupuncture Board. Existing law authorizes the board to appoint an executive officer. Existing law repeals these provisions on January 1, 2013. Under existing law, boards scheduled for repeal are required to be evaluated by the Joint Sunset Review Committee.

This bill would extend the operation of these provisions until January 1, ~~2017~~ 2015. The bill would instead specify that the board would be subject to review by the appropriate policy committees of the Legislature.

Existing law requires the board, on or before January 1, 2004, to establish standards for the approval of schools and colleges offering education and training in the practice of an acupuncturist. Under existing law, within 3 years of initial approval by the board, each program approved by the board is required to receive full institutional approval by the Bureau for Private Postsecondary Education, which is responsible for, among other things, providing approval to operate private postsecondary institutions according to specified minimum operating standards.

This bill would provide the board with ongoing authority to establish those standards. The bill would also update references to provisions providing for the approval by the bureau to operate private postsecondary institutions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 4928 of the Business and Professions
2 Code is amended to read:

3 4928. The Acupuncture Board, which consists of seven
4 members, shall enforce and administer this chapter.

5 This section shall remain in effect only until January 1, ~~2017~~
6 2015, and as of that date is repealed, unless a later enacted statute,
7 that is enacted before January 1, ~~2017~~ 2015, deletes or extends
8 that date.

9 Notwithstanding any other ~~provision~~ of law, the repeal of this
10 section renders the board subject to review by the appropriate
11 policy committees of the Legislature.

12 SEC. 2. Section 4934 of the Business and Professions Code is
13 amended to read:

14 4934. (a) The board, by and with the approval of the director,
15 may employ personnel necessary for the administration of this
16 chapter, and the board, by and with the approval of the director,
17 may appoint an executive officer who is exempt from the
18 provisions of the *State Civil Service Act (Part 2 (commencing*
19 *with Section 18500) of Division 5 of Title 2 of the Government*
20 *Code).*

21 (b) This section shall remain in effect only until January 1, ~~2017~~
22 2015, and as of that date is repealed, unless a later enacted statute,
23 that is enacted before January 1, ~~2017~~ 2015, deletes or extends
24 that date.

25 SEC. 3. Section 4939 of the Business and Professions Code is
26 amended to read:

27 4939. (a) ~~On or before January 1, 2004, the~~ The board shall
28 establish standards for the approval of schools and colleges offering
29 education and training in the practice of an acupuncturist, including
30 standards for the faculty in those schools and colleges and tutorial

1 programs, completion of which will satisfy the requirements of
2 Section 4938.

3 (b) Standards for the approval of training programs shall include
4 a minimum of 3,000 hours of study in curriculum pertaining to the
5 practice of an acupuncturist. This subdivision shall apply to all
6 students entering programs on or after January 1, 2005.

7 (c) Within three years of initial approval by the board, each
8 program so approved by the board shall receive full institutional
9 approval under ~~Article 3.5 (commencing with Section 94760) of~~
10 ~~Chapter 7 of Part 59 6 (commencing with Section 94885) of~~
11 *Chapter 8 of Part 59 of Division 10 of Title 3* of the Education
12 Code in the field of traditional Asian medicine, or in the case of
13 institutions located outside of this state, approval by the appropriate
14 governmental educational authority using standards equivalent to
15 those of ~~Article 3.5 (commencing with Section 94760) of Chapter~~
16 ~~7 of Part 59 6 (commencing with Section 94885) of Chapter 8 of~~
17 *Part 59 of Division 10 of Title 3* of the Education Code, or the
18 board's approval of the program shall automatically lapse.