



Senate Bill 233 Update

Editorial Staff | DIGITAL EXCLUSIVE

Acupuncture Today has received the following press releases from Acupuncture and Integrated Medicine Specialists (AIMS) regarding Senate Bill 233, which was introduced by state Sen. Liz Figueroa of California. All acupuncturists in California are encouraged to read the AIMS releases and take appropriate action.

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Senate Appropriations Hearing Set for SB 233

Senator Liz Figueroa's bill -- SB 233 -- is scheduled to be heard in the Senate Appropriations Committee on Monday, May 16, 2005 at 1:30 p.m. in the John L. Burton Hearing Room (Room 4203) in the California State Capitol Building.

Letters to the Senate Appropriations Committee should be sent as soon as possible in order to have maximum impact on this hearing. For details, visit <http://www.aimsaction.org/advocacy/alert/sb233>

Please continue to generate letters to your state senators and assemblymembers after this date in the event that bill is approved at the hearing. AIMS will continue to update AIMS Action Alert Network subscribers as this campaign progresses.

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AIMS ACTION ALERT!

Oppose Senate Bill 233!

Action is needed even if you have previously sent a message to your legislators! This bill has recently been amended.

Senator Liz Figueroa (District 10 -- Fremont) has authored a bill that will eliminate the California Acupuncture Board and transfer its responsibilities to a bureau within the Department of Consumer Affairs.

On May 3, 2005, Senator Figueroa amended this bill in a fashion that might severely limit the ability of acupuncturists to assess, treat, and communicate with patients; it may even curtail the ability to seek insurance reimbursement without a referring diagnosis from another health care provider.

AIMS is still assessing the legal implications of this bill. For technical legal reasons, the exact consequences of this bill are not entirely clear. But make no mistake, this is a serious issue that requires immediate action from practitioners and from consumers.

Depending upon legal interpretation, this bill *might* prohibit licensed acupuncturists from:

- Establishing "by any method, device, or procedure whatsoever" if a patient "is suffering from any physical or mental disorder";
- Using "mechanical devices or machines" for diagnostic purposes, including blood pressure monitoring equipment;
- Communicating "any conclusion regarding (a patient's) physical or mental condition."

This bill *will*:

- Downgrade the Acupuncture Board to a bureau with the Department of Consumer Affairs (DCA); and
- Place ultimate regulatory decision-making authority in the hands of a single political appointee rather than a diverse group of stakeholders.

If this bill passes and if the most restrictive legal opinion prevails, this bill would severely restrict the ability of Licensed Acupuncturists to practice and would constitute a giant step backwards for the status of the profession.

Resources

To review the document upon which this bill is based, see the [final recommendations of the Joint Committee on Boards, Commission, and Consumer Protection](#).

For detailed information on SB 233, visit the [Official California Legislative Information site](#). The bill makes reference to two other sections of the Business and Professions Code; these sections can be referenced by visiting the following links:

- [Section 2038 of the Business and Professions Code](#)
- [Section 2052 of the Business and Professions Code](#)

Speak Out Now!

SB 233 may be heard in the Senate Appropriations Committee as early as May 16, 2005. This committee is chaired by Senator Carole Migden (San Francisco--East side; Marin County).

Urge Senator Midgen and your Senator and Assemblymember to oppose the May 3rd amendment and to oppose the elimination of the Acupuncture Board unless it is immediately "sunrisen." The legislature has many options short of eliminating the Board, which should be fully explored before this drastic step is taken.

Remember:

- To have maximum impact, *rephrase the message in your own words*, especially the first paragraph.
- *If you are a licensed acupuncturist or a patient in California*, mention this.

Due to the importance of this particular issue, AIMS urges you to print a letter on your own letterhead

and fax it to Senator Migden and your state representatives.

Senator Migden's fax number is (916) 445-4722.

Don't know who your state representatives are? Need their fax numbers? [Click here](#).

If using your own letterhead, you may download a sample letter:



Download a sample letter
for PRACTITIONERS

(Rich Text Format)



Download a sample letter
for PATIENTS and
CONSUMERS

(Rich Text Format)

If you cannot fax your own letter, you may send a message via the AIMS Online Advocacy System:

<http://www.aimsaction.org/advocacy/alert/sb233/message.htm>