

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 313

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO ACUPUNCTURE; REPEALING SECTION 54-4709, IDAHO CODE, RELATING TO WAIVER OF REQUIREMENTS; AMENDING CHAPTER 47, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-4709, IDAHO CODE, TO PROVIDE FOR ENDORSEMENT LICENSURE; AND AMENDING SECTION 54-4711, IDAHO CODE, TO ESTABLISH ADDITIONAL GROUNDS FOR LICENSE SUSPENSION AND REVOCATION AND TO MAKE TECHNICAL CORRECTIONS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 54-4709, Idaho Code, be, and the same is hereby repealed.

SECTION 2. That Chapter 47, Title 54, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 54-4709, Idaho Code, and to read as follows:

54-4709. ENDORSEMENT LICENSURE. An applicant who proves to the satisfaction of the board that he is licensed or registered under the laws of another state, territory, or jurisdiction of the United States that, in the opinion of the board, imposes substantially equivalent licensing requirements as this chapter may, upon the payment of the required fee and the approval of the application, be licensed by endorsement pursuant to this chapter.

SECTION 3. That Section 54-4711, Idaho Code, be, and the same is hereby amended to read as follows:

54-4711. SUSPENSION AND REVOCATION. To protect the health, safety and welfare of the public, the board, in accordance with the requirements of chapter 52, title 67, Idaho Code, may refuse to issue or may refuse to renew a license, certification or permit, or may suspend or revoke a license, certification or permit, under such conditions as the board may require, if the applicant or holder of the license, certification or permit has:

(1) Been convicted of a felonious act, or crime ~~involving moral turpitude~~ that reflects on the qualifications, functions, or duties of an acupuncturist;

(2) Obtained or attempted to obtain the issuance or renewal of a license, certification or permit pursuant to this chapter by means of fraud, misrepresentation or concealment of material facts;

(3) Engaged in the practice of acupuncture in a manner ~~which~~ that does not meet the generally accepted standards for the practice of acupuncture within the state of Idaho;

(4) Failed to maintain the confidentiality of records or other information pertaining to an identifiable client, except as required or authorized by law;

1 (5) Engaged in any conduct that constitutes an abuse or exploitation of
2 a client arising out of the trust and confidence placed in the acupuncturist
3 by the client;

4 (6) Engaged in conduct that violates the provisions of this chapter,
5 the rules of the board or the terms of any permit issued by the board; ~~or~~

6 (7) Failed to comply with a board order entered in a disciplinary mat-
7 ter;

8 (8) Had a license revoked or suspended or has been otherwise disci-
9 plined by the board or the proper authorities of another state, territory, or
10 jurisdiction of the United States or another country; or

11 (9) Had a license or certification in a related field revoked or sus-
12 pending or has been otherwise disciplined in Idaho or another state, terri-
13 tory, or jurisdiction of the United States or another country.