

## CHAPTER 319

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**PROFESSIONS AND OCCUPATIONS**


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**HOUSE BILL 15-1360**

BY REPRESENTATIVE(S) Ginal, Singer, Becker K., Kraft-Tharp, Lebsack, Hullinghorst;  
also SENATOR(S) Lundberg, Newell, Kefalas.

**AN ACT**

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

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

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

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

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

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

(3.5) (a) "Practice of acupuncture" means the insertion and removal of acupuncture needles, INJECTION THERAPY, the application of heat therapies to specific areas of the human body, and adjunctive therapies. Adjunctive therapies

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

within the scope of acupuncture may include manual, mechanical, thermal, electrical, and electromagnetic treatment; the recommendation of therapeutic exercises; and, subject to federal law, the recommendation of herbs and dietary guidelines. The "practice of acupuncture" is based upon traditional and modern oriental medical concepts and does not include the utilization of western medical diagnostic tests and procedures, such as magnetic resonance imaging, radiographs (X rays), computerized tomography scans, and ultrasound.

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

**12-29.5-102.5. Injection therapy - training - substances - rules.** (1) A LICENSEE SHALL OBTAIN THE NECESSARY TRAINING AS DETERMINED BY THE DIRECTOR PRIOR TO PRACTICING INJECTION THERAPY.

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

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

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

Approved: June 5, 2015