

A-Engrossed House Bill 2143

Ordered by the House April 7
Including House Amendments dated April 7

Sponsored by Representative NOSSE; Representative NELSON (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act says what the "five-needle protocol" is and who can perform it. (Flesch Readability Score: 71.7).

Defines "five-needle protocol." *[Allows an individual with required training to provide the five-needle protocol and exempts the individual from the requirement to obtain a license to practice acupuncture.]* **Allows the Oregon Medical Board to establish a registry of individuals who are qualified to provide the five-needle protocol. Provides that only an individual included on the registry may provide the five-needle protocol. Creates an exception. Exempts an individual included on the registry from the requirement to obtain a license to practice acupuncture.**

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

Relating to five-needle protocol; creating new provisions; amending ORS 677.761; and prescribing an effective date.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2 of this 2025 Act is added to and made a part of ORS chapter 677.

SECTION 2. (1) As used in this section, "five-needle protocol" means the standardized five-needle treatment protocol in which five points on the human outer ear are stimulated with sterile, single-use disposable needles, ear seeds or ear beads for the purpose of achieving temporary relief from the symptoms of substance use disorder, mental health conditions or trauma. The five points are the shen men, sympathetic, liver, kidney and lung points.

(2) The Oregon Medical Board may establish by rule a registry of individuals who are qualified to provide the five-needle protocol. The board may adopt rules to establish:

(a) Qualifications for registration, including but not limited to education and training requirements;

(b) An application and registration fee;

(c) The form and manner of application;

(d) Sanitation and best practice standards;

(e) A schedule of violations and disciplinary actions; and

(f) Any other requirements or standards the board determines necessary.

(3) The board may issue a five-needle protocol registration to an applicant who meets the requirements established by the board by rule under this section.

(4) The board shall adopt rules regarding the renewal of a registration issued under this section.

(5) The board may, for the purpose of requesting a state or nationwide criminal records

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 check under ORS 181A.195, require the fingerprints of an individual who is applying for or
2 renewing a registration under this section or an individual who is under investigation by the
3 board for a reason related to registration under this section.

4 (6)(a) Except as provided in paragraph (b) of this subsection, only an individual registered
5 under this section may provide the five-needle protocol and shall use only objectively safe
6 practices and materials, as further described by the board by rule.

7 (b) An acupuncturist licensed under ORS 677.757 to 677.770 may provide the five-needle
8 protocol without registration under this section.

9 (7) Subject to ORS 677.759, unless an individual is an acupuncturist licensed under ORS
10 677.757 to 677.770, the individual may not hold themselves out as being an acupuncturist or
11 otherwise indicate that the individual is authorized to practice acupuncture, as defined in
12 ORS 677.757.

13 (8)(a) Subject to paragraph (b) of this subsection, a proceeding for disciplinary action of
14 an individual registered under this section must be substantially in accord with the following
15 procedure:

16 (A) An individual, including a member of the board, may file a complaint to the board
17 and the board shall verify the complaint; and

18 (B) A hearing must be given to the individual accused in the complaint in accordance
19 with ORS chapter 183 as a contested case.

20 (b) Paragraph (a)(B) of this subsection does not apply if the individual accused in the
21 complaint admits to the facts of a complaint described in paragraph (a) of this subsection
22 so long as the complaint alleges facts that establish the individual is in violation of one or
23 more grounds for suspension or revocation of a registration, as determined by the board by
24 rule.

25 **SECTION 3.** ORS 677.761 is amended to read:

26 677.761. Nothing in ORS 677.757 to 677.770 is intended to:

27 (1) Prevent, limit or interfere with an individual licensed or certified by the Oregon Medical
28 Board from practicing health care other than acupuncture within the scope of the license or certi-
29 fication of the individual.

30 (2) Limit any other licensed or certified health care practitioner from practicing acupressure or
31 other therapy within the scope of the license or certification of the individual.

32 (3) Limit the activities of any person who engages in the business of providing Oriental massage,
33 exercise and related therapeutic methods or who provides substances listed in an Oriental
34 pharmacopoeia, or vitamins or minerals or dietary advice, so long as the activities of the person are
35 not otherwise prohibited by law.

36 (4) Limit the ability of practitioners from outside Oregon to demonstrate the practice of
37 acupuncture as part of a recognized and limited duration educational program, lecture or event
38 within this state under rules adopted by the board.

39 (5) Prevent, limit or interfere with the provision of the five-needle protocol, as defined
40 in section 2 of this 2025 Act, in compliance with the requirements of section 2 of this 2025
41 Act.

42 **SECTION 4.** (1) Section 2 of this 2025 Act and the amendments to ORS 677.761 by section
43 3 of this 2025 Act become operative on March 1, 2026.

44 (2) The Oregon Medical Board may take any action before the operative date specified in
45 subsection (1) of this section that is necessary for the board to exercise, on and after the

1 operative date specified in subsection (1) of this section, all of the duties, functions and
2 powers conferred on the board by section 2 of this 2025 Act and the amendments to ORS
3 677.761 by section 3 of this 2025 Act.

4 SECTION 5. This 2025 Act takes effect on the 91st day after the date on which the 2025
5 regular session of the Eighty-third Legislative Assembly adjourns sine die.

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