

FSOMA has been tracking this legislation and lobbying with senators and representatives for several years. This year, unfortunately, the bill has a good chance of passing. We have discussed amendments to protect our titles with the bill sponsors and with committee members. Unfortunately, because our *statute* does not contain the title Acupuncture Physician, and the bill is sponsored in the Senate by the Senate President, they are unwilling to protect it.

At this point it appears the Senate will pass the bill. The sponsor is the Senate President, and the majority Republicans will not amend the bill or oppose it without the Senate President agreement.

In the House it is a different matter. The sponsor is not in leadership. There is a chance we could amend the bill, or at least slow it down or block it's passing this term.

Your voice and that of your patients must be heard.

**Page 1. FOR IMMEDIATE RELEASE: 1<sup>st</sup> Major Problem – That Florida Acupuncturists Can't Ignore**

**FL Senate Bill 230 (SB 230): Health Care Practitioner Titles and Designations**

This proposed bill redefines which health care professions can include the term "physician" in their practitioner title. If this bill is enacted into law, then Licensed Acupuncturists will no longer be permitted to legally use the professional title "Acupuncture Physician" after 07/01/2023. Any licensee who uses or advertises "Acupuncture Physician" after July 1<sup>st</sup> could be subject to disciplinary action.

**IMMEDIATE ACTION NEEDED:**

Licensed Acupuncturists interested in keeping and using the professional title "Acupuncture Physician" need to act and encourage others interested (patients) to call, email, snail-mail, or contact their local FL State Senator's office to voice opposition to the current version of SB 230. An amendment that protects Acupuncturists' professional title "Acupuncture Physician" is needed before SB 230 passes in the Senate.

**WHO TO CONTACT: Your Local FL State Senator, FL Senate President & SB 230 Sponsor**

**Find your State Elected Senator HERE - <https://www.flsenate.gov/senators/find>** (Tallahassee Office)

And these two Senators are in the best position to help fix SB 230 to include "Acupuncture Physician."

Contact the office of: Sen. Kathleen Passidomo (Sen. President) <https://www.flsenate.gov/Senators/S28>

Contact the office of: Sen. Gayle Harrell (SB 230 – Sponsor) <https://www.flsenate.gov/Senators/S31>

**TALKING POINTS:** Use what appears below: Be brief and be clear: Remind the State Senators that:

1. SB 230 strictly regulates the term "physician" when used in a licensed healthcare provider professional title.
2. Florida Dept of Health currently licenses and regulates about 2,600 licensed acupuncturists who have been legally permitted use of the professional title "acupuncture physician" since 2006.
3. The term "acupuncture physician" is widely understood and accepted as the professional title for licensed acupuncturists in Florida, throughout the United States and worldwide.
4. Forcing acupuncture physicians to abandon their professional title and change the way they have legally identified and advertised their health care businesses after 17 years is a financial burden; it's harmful and it undermines their professional reputation...all, without any cause.

5. No FL Acupuncturist has ever been disciplined for improper use of the title “acupuncture physician.”
6. Failing to recognize “acupuncture physicians” in SB 230 serves no specific public interest.
7. As written, SB 230 has the potential to disrupt the public trust in local health care practitioners and small business owners who have been licensed to provide acupuncture services in FL for decades.
8. The direct costs to Florida acupuncture physicians (about 2,587 licensees) to comply with this new regulation will likely exceed two thousand dollars each and cost more than \$5 Million statewide to comply with mandated changes in local licensing & permits, clinical documentation, exterior signs, advertisements, website design, provider credentialing, insurance, and business contracts & more.
9. Please consider discussing or approving a friendly amendment that includes an exemption for “acupuncture physician” to be included in SB 230 or vote nay ...in committee or on the Senate floor.

**This needs to be communicated by telephone, email, or snail-mail. Nothing more needs to be added.**

**Page 2. FOR IMMEDIATE RELEASE: 2<sup>nd</sup> Major Problem – That Florida Acupuncturists Can’t Ignore**

**FL House Bill 583 (HB 583): Health Care Practitioner Titles and Abbreviations**

HB 583 is the House “companion” bill to SB 230 (discussed above). The House bill (HB 583) was introduced on (Tuesday) March 7, 2023, by the bill’s sponsor Florida House Rep. Ralph Massullo, M.D. The language and principal objectives of HB 583 are very similar to SB 230. Both branches of the Florida Legislature are working to create new statutory language (new laws) within Florida Chapter 456 HEALTH PROFESSIONS AND OCCUPATIONS: GENERAL PROVISIONS to redefine which licensed health care practitioners can use and include the term “physician” in their professional title. At this time, the current language in HB 583 also redefines (limits) which Florida licensed health care practitioners can use and include the term “doctor” in their professional title.

So, where under SB 230 Licensed Acupuncturists would only be excluded from using the professional title “acupuncture physician,” under HB 583 – in its current version – Licensed Acupuncturists would be excluded from using both professional titles “acupuncture physician” and “doctor or oriental medicine.”

It is VERY IMPORTANT to understand this is not a legislative assault directed specifically at Licensed Acupuncturists. Other professions are also finding it necessary to scramble to avoid unexpected title restrictions. The reason these professional titles are at-risk of becoming restricted is because the legislature has determined that if the Practice Act for any health care profession does not expressly define and permit use of the terms or titles “physician” and/or “doctor” in the statute, then the licensed practitioner may not use those terms in their professional title.

Currently, F.S. 457 does not include a definition (protection) for the use of “Acupuncture Physician” or “Doctor of Oriental Medicine.” These professional titles were defined by the BOA in 2006 under the FAC 64B1-9.007 - Advertising Rule. At this time, FSOMA is pursuing all possible avenues to introduce an amendment to either or both SB 230 and HB 583, that would include “acupuncture physician” and “doctor of oriental medicine” as permitted titles for Licensed Acupuncturists.

But FSOMA, its lobbyists and attorneys need the membership and the whole profession, every member and licensee who wants to protect these professional titles to get their office and patients involved in

communicating clearly that an amendment that includes Acupuncture Physician and Doctor of Oriental Medicine needs to be included in HB 583 sponsored by Rep. Dr. Ralph Massullo. Please use the same exact talking points provided above on Page 1.

**WHO TO CONTACT:**

Your Local FL House Representative - <https://www.myfloridahouse.gov/findyourrepresentative>

Rep. Charles Clemons, Sr. – Chair Healthcare Regulations <https://www.myfloridahouse.gov/>

Rep. Dr. Ralph Massullo – HB 583 Sponsor <https://www.myfloridahouse.gov/Massullo M.D.>

**TALKING POINTS: Please use *same talking points* shared above for State Senators found on page one.**

**This needs to be communicated by telephone, email, or snail-mail. Nothing more needs to be added.**