

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 374
Health

(Delegate White Holland, *et al.*)

Finance

State Acupuncture Board - Revisions

This bill requires the State Acupuncture Board, on renewal of a license, to make available *proof of renewal* to each licensee rather than issuing a renewal certificate. The bill prohibits a person from employing an individual to practice acupuncture without a license or aiding or abetting the unauthorized practice of acupuncture. A violator is subject to specified fines and/or imprisonment, as well as a civil fine of up to \$10,000. The bill also updates the name of the Accreditation Commission for Acupuncture and Herbal Medicine (formerly the Accreditation Commission for Acupuncture and *Oriental* Medicine).

Fiscal Summary

State Effect: Any changes in board workload can be absorbed within existing budgeted resources. The civil/criminal penalty provisions of the bill do not have a material impact on State finances or operations.

Local Effect: The criminal penalty provisions of the bill do not have a material impact on local finances or operations.

Small Business Effect: None.

Analysis

Bill Summary: A person who violates the prohibition on employing an unlicensed individual to practice acupuncture or aiding or abetting the unauthorized practice of acupuncture is guilty of a misdemeanor (first offense) or a felony (subsequent offenses) and subject to the following:

- for a first offense, a fine of up to \$5,000 and/or imprisonment for up to one year;
- for any subsequent offense, a fine of up to \$5,000 per day and/or imprisonment for up to five years; and
- a civil fine of up to \$10,000 assessed by the board in accordance with regulations adopted by the board.

The board must remit any penalties collected under this provision to the general fund.

Current Law: “Practice acupuncture” means the use of East Asian medical therapies for the purpose of normalizing energetic physiological functions including pain control, and for the promotion, maintenance, and restoration of health. “Practice acupuncture” includes (1) stimulation of the body by the insertion of needles; (2) the application of moxibustion; and (3) manual, mechanical, thermal, electrical, or other East Asian medical therapies only when performed in accordance with the principles of East Asian medical theories and practices.

Unless licensed by the board or otherwise permitted to do so under the Maryland Acupuncture Act, a person may not (1) practice, attempt to practice, or offer to practice acupuncture; (2) represent to the public, by description of services, methods, procedures, or otherwise, that the person is authorized to practice acupuncture; or (3) use the words or terms “acupuncturist,” “licensed acupuncturist,” or “L.Ac.” unless the person is authorized to practice acupuncture. A violator is guilty of a misdemeanor and subject to a fine of up to \$5,000 and/or imprisonment for up to three years. Practicing acupuncture without a license or misrepresenting to the public that an individual is authorized to practice acupuncture are also subject to civil fines of up to \$50,000. Fines are assessed by the board and paid to the general fund.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 370 (Senator Augustine) - Finance.

Information Source(s): Maryland Department of Health; Department of Legislative Services

Fiscal Note History: First Reader - January 28, 2026
js/jc Third Reader - March 23, 2026
Revised - Amendment(s) - March 23, 2026

Analysis by: Eliana R. Prober

Direct Inquiries to:
(410) 946-5510
(301) 970-5510