

March 26, 2009

**H 842. CONSUMER HEALTH FREEDOM ACT.** Filed 3/26/09. *TO ESTABLISH THE CONSUMER HEALTH FREEDOM ACT FOR COMPLEMENTARY AND ALTERNATIVE FORMS OF HEALTH CARE SERVICES AND TO FACILITATE ACCESS TO ALTERNATIVE HEALTH CARE SERVICES.*

Adds new Chapter 90E entitled the *Consumer Health Freedom Act*. Defines the term *complementary or alternative health care service* to include a variety of services such as acupressure, aromatherapy, dance, music and art therapy, herbalism, homeopathy and naturopathy. Provides that a person who provides complementary and alternative health care services (provider) will not be in violation of state medical or health profession licensing laws unless the person performs certain types of procedures, such as puncturing the skin, performing surgery, prescribing drugs or controlled substances, or performing chiropractic adjustment or massage therapy. A provider may also be in violation of licensure law if the provider (1) provides to a person a diagnosis or treatment of a health condition and willfully causes that person recognizable and imminent risk of significant physical or mental harm or (2) states or implies that the provider is a licensed physician or other licensed professional. Requires the provider to (1) disclose certain information before providing services, including a statement that the provider is not licensed, certified or registered by the state and (2) obtain a written acknowledgment from the client at the time of the first service affirming that he or she has received the information. Provides that the new law does not limit the rights of any person seeking relief for negligence or any other civil remedy against a provider. Effective June 1, 2009.

**Intro. by Parmon, Harrison, Johnson, Fisher.** GS 90E