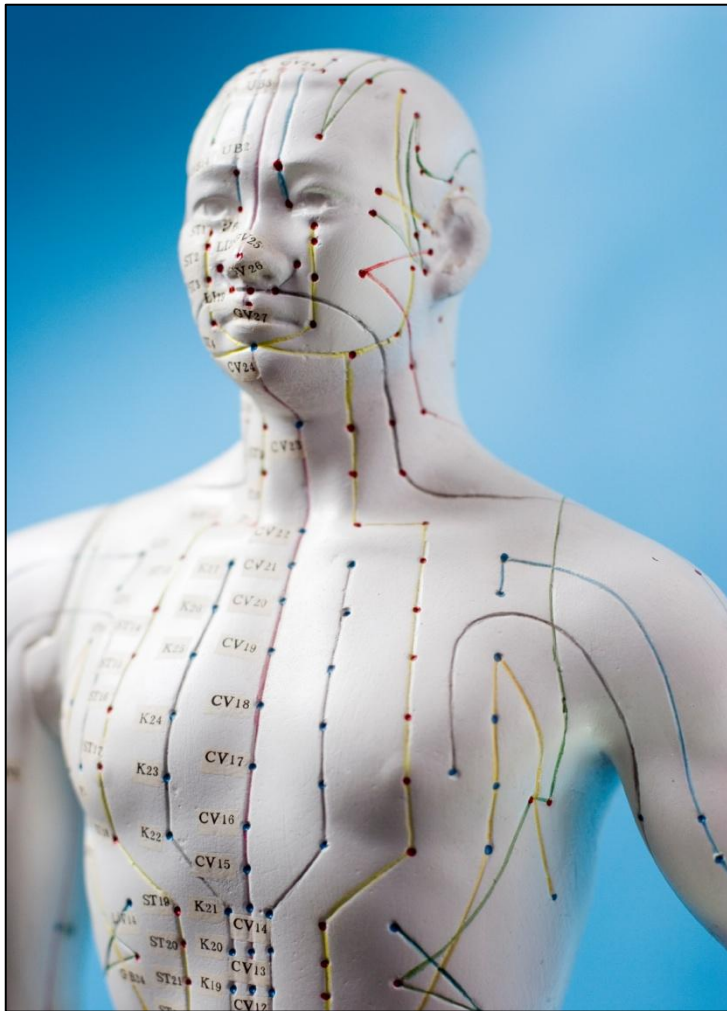


Acupuncture

State Law Summary





January 14, 2014

Dear Acupuncture and Oriental Medicine Practitioner:

I am pleased to provide you with the first draft of the acupuncture industry's only comprehensive summary of all the state laws governing the practice of acupuncture.

I know this document isn't yet perfect. The goal is to produce a final document that has been fully vetted by the industry and can serve as unified reference tool for practitioners, students, vendors, associations and legislative advocates. If you have any corrections, modifications, additions or other alterations, please email me at Info@NationalPolicyGroup.com.

The final document will be released to the industry at no charge upon its completion. Hopefully, it will be a dynamic resource that is regularly updated to reflect future legislative and regulatory changes.

If you have any questions or require any additional information, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Guimond', with a stylized flourish at the end.

Mark Guimond
President

Acupuncture State Law Summary License Agreement

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Acupuncture State Law Summary

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Introduction

The NPG Acupuncture State Law Summary is a summary of each of the state laws that may impact acupuncture practitioners' primary operations. There are numerous other laws that govern general business operations (i.e. payroll taxes and business licenses) and there may be other laws that regulate business practices outside of acupuncture (i.e. hazardous waste disposal). This Summary is not legal advice, but serves as a starting point to help you to find the law and understand its application to the industry and practitioners.

The NPG Acupuncture State Law Summary is a compilation of information from attorneys, public information sources and state regulators. Due to the changes in the law, case law and various interpretations of the law, this Summary should not be relied on or used for citation because it may not fully represent the law as it stands at any given moment in time.

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This publication is not a substitute for legal advice. This publication is not designed to provide comprehensive information with regard to the subject matter covered. It is published with the understanding that the author, publisher, distributor and all associated parties are not engaged in rendering legal advice or other expert professional advice. If legal advice or other expert professional assistance is required, the services of a competent professional or lawyer should be sought.

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ACUPUNCTURE STATE LAW SUMMARY

DEFINITIONS & EXPLANATIONS OF SUBJECT CATEGORIES

Name of Law: A general description of the header used to identify the law and search term.

Statute Location: The statutory reference used to find the law.

Statute URL: The location on the internet to find the law.

Rule: The regulatory reference used to find the rule.

Rule URL: The location on the internet to find the rule.

License/Registration Required: Whether the state law requires a license, registration or certification.

Definition of Acupuncture: The definition applying the acupuncture practitioner's functions to the statute.

Scope of Practice: An expansion of the definition.

Prohibitions: Conduct that is specifically prohibited or actions that are prohibited from failing to engage in.

Disclosures: The disclosures that must be made by a practitioner.

Chinese Herbal Requirement: Whether the law requires herbal education.

Education Requirement: The education or demonstrated proficiency requirements to practice acupuncture.

Testing Requirement: Specific testing required by the state.

NCCAOM Certification Requirement: Whether the state law requires NCCAOM certification.

Continuing Education Requirement: Whether the law requires continuing education.

Bond/Insurance Requirement: Whether the state requires a bond or insurance to be posted.

Notes: Information not necessarily covered by a specific category or additional information about an item.

License Application Fee: The charge for an applicable license or registration.

License Investigation Fee: The charge for an investigation as part of an applicable license or registration.

Background Check: Whether a background check is required for licensure.

Fingerprint Check: Whether finger prints must be submitted for licensure.

License Renewal Fee: The charge for the renewal of an applicable license or registration.

License Term: The date on which an applicable license or registration must be renewed prior to expiration.

Enforcement Department: The department of the state agency with subject matter jurisdiction.

Enforcement Agency URL: The location on the internet to find the state agency with subject matter jurisdiction.

Enforcement Agency Contact: The contact person of the state agency with subject matter jurisdiction.

Enforcement Agency Contact Email: The email of the contact person of the state agency with subject matter jurisdiction

Agency Address: The address of the state agency with subject matter jurisdiction.

Agency City, State, Zip: The city, state and zip code of the state agency with subject matter jurisdiction.

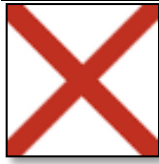
Agency Phone: The phone number of the state agency with subject matter jurisdiction.

Agency Email: The email address of the state agency with subject matter jurisdiction.

Application URL: The location on the internet to find the license to practice acupuncture.

Web List of Licensees: The internet address of the list of licensees for the state.

Alabama



Acupuncture is deemed by the Medical Licensure Commission to be an experimental procedure of which the safety and medical effectiveness has not been established. The Commission therefore determines that while acupuncture practice by licensed physicians should not be absolutely prohibited, some safeguards are necessary to insure that the public is not harmed or victimized by unprofessional practices, such as the unskilled or uninformed application of acupuncture treatment, or unfounded claims of effectiveness.

The Commission therefore determines that it shall be deemed unprofessional conduct, and grounds for action against the license of any physician pursuant to § 34-24-360(a), Ala. Code (1975) for a physician to offer or administer acupuncture treatment except in compliance with the requirements set forth by the Federal Food and Drug Administration in Federal Register Vol. 88, No. 46, p 6419 (March 9, 1973). In administering this requirement, the Commission establishes the following criteria, which must be adhered to by physicians licensed by the Commission:

- (a) All acupuncture devices in this State must be labeled properly according to applicable Federal Food and Drug requirements,
- (b) A physician must secure a patient's informed consent according to the guidelines established at 21 Code of Federal Regulations Section 130.37, and no claims of therapeutic or diagnostic effectiveness may be made by a physician.



ALABAMA STATE BOARD OF MEDICAL EXAMINERS

OFFICE OF THE GENERAL COUNSEL
848 WASHINGTON AVE., MONTGOMERY AL 36104
P.O. BOX 946, MONTGOMERY AL 36101-0946
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PATRICIA E. SHANER
GENERAL COUNSEL
tshaner@albme.org

WILLIAM F. ADDISON
ASSOCIATE COUNSEL
waddison@albme.org

June 6, 2005

Dear _____ :

This letter is issued in response to your inquiry concerning the requirements for licensure for the practice of acupuncture and/or naturopathy in the state of Alabama. Any person practicing naturopathy in the state of Alabama who does not hold a certificate of qualification conferred by the Alabama Board of Medical Examiners and a license to practice medicine or osteopathy conferred by the Medical Licensure Commission of Alabama is practicing medicine in violation of state law. Any person practicing acupuncture in the state of Alabama who does not hold a certificate of qualification conferred by the Alabama Board of Medical Examiners and a license to practice medicine or osteopathy conferred by the Medical Licensure Commission of Alabama is practicing medicine in violation of state law, unless that person is a chiropractor licensed by the Alabama State Board of Chiropractic Examiners to practice acupuncture.

Section 34-24-50 of the Code of Alabama, the "practice of medicine or osteopathy" is defined as the following:

- (1) To diagnose, treat, correct, advise or prescribe for any human disease, ailment, injury, infirmity, deformity, pain or other condition, physical or mental, real or imaginary, by any means or instrumentality;
- (2) To maintain an office or place of business for the purpose of doing acts described in subdivision (1), whether for compensation or not;
- (3) To use, in the conduct of any occupation or profession pertaining to the diagnosis or treatment of human disease or conditions, the designation "doctor," "doctor of medicine," "doctor of osteopathy," "physician," "surgeon," "physician and surgeon," "Dr.," "M.D." or any combination thereof unless such a designation additionally contains the description of another branch of the healing arts for which a person has a license.

Section 34-24-51 of the Code of Alabama, which provides a penalty for practicing medicine without a license and which excludes certain practitioners of the healing arts from the penalty, states, in pertinent part, the following:

Any person who practices medicine or osteopathy or offers to do so in this state without a certificate of qualification having been issued in his behalf by the State Board of Medical Examiners and without a license and certificate of registration

from the State Licensing Board for the Healing Arts shall be guilty of a misdemeanor . . . Nothing in this section shall be construed as applying to any person practicing chiropractic, dentistry, podiatry, optometry or any other branch of the healing arts, except medicine and osteopathy, pursuant to a license which has been issued, or which may hereafter be issued, by any state licensing board and who are practicing within the scope of such license.

The old State Licensing Board for the Healing Arts is now known as the Medical Licensure Commission of Alabama.

The applicability of §§34-24-50 and 34-24-51 to the practice of naturopathy in Alabama was discussed in *Williams v. State, ex. rel. Medical Licensure Commission*, 453 So. 2d 1051 (Ala. Civ. App. 1984). In *Williams*, the Court of Civil Appeals of Alabama found that a naturopath practicing in Alabama had engaged in the practice of medicine without a proper license in violation of the requirements of §§34-24-50 and 34-24-51. *Williams* at 1053 and 1054. The trial court's order enjoining Ms. Williams from practicing without a license was affirmed.

Although Ms. Williams had attended various schools of naturopathy and had obtained a business or occupational license required by state revenue statutes, Ala. Code §40-12-1, *et. seq.*, the Court stated, "There is no state license for the practice of naturopathy in Alabama." *Id.* at 1052. Also, the Court noted that Ms. Williams could not be licensed as a naturopath in Alabama "because the legislature has not made the practice of naturopathy a branch of the healing arts in Alabama." *Id.* at 1053.

After applying the evidence in the case to §§34-24-50 and 34-24-51, the appellate court affirmed the trial court's finding that Ms. Williams had undertaken to treat a patient "by any means or instrumentality" without having been licensed by the appropriate licensing authority, the Medical Licensure Commission of Alabama. *Id.* at 1052-1054.

The appellate court noted that §34-24-51 prohibits the practice of medicine by anyone who has not first received a license from the Medical Licensure Commission. *Id.* at 1053. The court held that "the legislature has not established licensing requirements or standards for the practice of naturopathy. Accordingly, the practice of naturopathy should properly be reserved to those practitioners of the healing arts who have been licensed by the appropriate licensing authority." *Id.* at 1054.

Based on the holding in *Williams v. State* and Ala. Code §§34-24-50 and 34-24-51, it is the opinion of the Alabama Board of Medical Examiners that the practice of naturopathic medicine in Alabama by someone who holds only a degree from a school of naturopathic medicine is the practice of medicine without a license. Neither naturopathy nor acupuncture has

June 6, 2005
Page 3

been recognized by the Legislature of the State of Alabama as a separate branch of the healing arts for which a license is issued and a separate scope of practice has been established. Consequently, in Alabama, the practice of naturopathic medicine and the practice of acupuncture are restricted to persons who have been issued a license by the Medical Licensure Commission of Alabama or to persons who hold a license issued by another state licensing board which issues licenses allowing a certain scope of practice in a particular branch of the healing arts. For example, the Alabama State Board of Chiropractic Examiners does issue licenses allowing the practice of acupuncture by certain chiropractors who have received requisite training.

If you have any questions or would like to discuss this matter further, please contact me at 1-800-227-2606.

Sincerely,
ALABAMA BOARD OF MEDICAL EXAMINERS

Patricia E. Shaner
General Counsel

PES:chk

Alaska



Name of Law: Acupuncture

Statute Location: AS 08.06

Statute URL: <http://commerce.alaska.gov/dnn/Portals/5/pub/AcupunctureStatutes.pdf>

Rule: 12 AAC 05

Rule URL: <http://commerce.alaska.gov/dnn/Portals/5/pub/AcupunctureStatutes.pdf>

License/Registration Required: Yes

Definition of Acupuncture: “Acupuncture” means a form of healing developed from traditional Chinese medical concepts that uses the stimulation of certain points on or near the surface of the body by the insertion of needles to prevent or modify the perception of pain or to normalize physiological functions;

“Practice of acupuncture” means the insertion of sterile acupuncture needles and the application of moxibustion to specific areas of the human body based upon acupuncture diagnosis; the practice of acupuncture includes adjunctive therapies involving mechanical, thermal, electrical, and electromagnetic treatment and the recommendation of dietary guidelines and therapeutic exercise.

Scope of Practice: N/A

Prohibitions: A person who practices acupuncture may not

- (1) Give, prescribe, or recommend in the practice a
 - (A) Prescription drug;
 - (B) Controlled substance;
 - (C) Poison;
- (2) Engage in surgery; or
- (3) Use the word “physician” in the person’s title unless the person is also licensed as a physician.

Disclosures: A person who practices acupuncture shall disclose to each patient that the licensee’s training and practice is in acupuncture by posting a conspicuous notice in the patient waiting room and including the disclosure on all written material made available to patients or the public.

Each person licensed to practice acupuncture shall display the license in a conspicuous place where the licensee practices.

Chinese Herbal Requirement: No

Education Requirement: Must have passed the NCCAOM examination and have either graduated from an accredited U.S. school of acupuncture, or hold a license in another jurisdiction.

Testing Requirement: No

NCCAOM Certification Requirement: Yes

Continuing Education Requirement: An applicant for renewal of a license to practice acupuncture shall document completion of 15 contact hours of continuing competency activities acceptable to the department that was earned during the concluding licensing period.

Continuing competency activities offered or recognized by the following organizations are acceptable if they are related to the practice of acupuncture in accordance with (a) of this section:

- (1) National Commission for Certification of Acupuncturists;
- (2) A school of acupuncture approved by the department.

The NCCAOM segregates continuing education into two categories: “Competency Maintenance” and “Professional Development Activities”. The State of Alaska only recognizes continuing education that falls under “Competency Maintenance” points for license renewal.

Bond/Insurance Requirement: A person who practices acupuncture without being covered by malpractice insurance shall disclose to each patient that the person does not have the insurance.

Notes: N/A

License Application Fee: Nonrefundable application fee \$50

License Investigation Fee: No

Background Check: No

Fingerprint Check: No

License Renewal Fee: \$50 (prorated renewal fee \$25 license number 146 and above)

License Term: Licenses are issued for a two-year period. However, all acupuncture licenses expire September 30 of even-numbered years, regardless of the date of issuance, except licenses issued within 90 days of the expiration date are issued to the next biennial expiration date.

Enforcement Department: Department of Commerce, Community, and Economic Development
Division of Corporations, Business and Professional Licensing – Acupuncture Section

Enforcement Agency URL: www.commerce.alaska.gov/occ/pacu.htm

Enforcement Agency Contact: Virginia Geary, Licensing Examiner

Enforcement Agency Contact Email: virginia.geary@alaska.gov

Agency Address: 333 Willoughby Avenue, 9th Floor

Agency City, State, Zip: Juneau, Alaska 99801-0800

Agency Phone: (907) 465-2695

Application URL: <http://commerce.alaska.gov/dnn/portals/5/pub/acu4110.pdf>

Web List of Licensees: <http://www.commerce.state.ak.us/occ/OccSearch/main.cfm>



Name of Law: Acupuncture

Statute Location: Title 32, Chapter 39, Article 1

Statute URL:

<http://www.azleg.state.az.us/FormatDocument.asp?inDoc=/ars/32/03901.htm&Title=32&DocType=ARS>

Rule: Title 4, Chapter 8

Rule URL: http://www.azsos.gov/public_services/Title_04/4-08.htm

License/Registration Required: Yes

Definition of Acupuncture: "Acupuncture" means puncturing the skin by thin, solid needles to reach subcutaneous structures, stimulating the needles to affect a positive therapeutic response at a distant site and the use of adjunctive therapies.

Scope of Practice: N/A

Prohibitions: Possession of a license pursuant to this chapter does not by itself entitle a person to use the title "doctor" or "physician".

A person licensed pursuant to this chapter shall not represent to any member of the public that, by virtue of that license, the person is licensed to practice any modality other than acupuncture.

Disclosures: A person licensed pursuant to this chapter shall post the license in a conspicuous location in that person's office.

Chinese Herbal Requirement: No

Education Requirement: To receive a license to practice acupuncture pursuant to this chapter a person shall submit an application as prescribed by the board. The application shall document to the board's satisfaction that the applicant has successfully completed a clean needle technique course approved by the board and both of the following:

1. Has been certified in acupuncture by the national commission for the certification of acupuncture and oriental medicine, or its successor organization, another certifying body or examination that is recognized by the board, or has been licensed by another state with substantially similar standards, and has not had certification or licensure revoked.

2. Has graduated from or completed training in a board approved program of acupuncture with a minimum of one thousand eight hundred fifty hours of training that includes at least eight hundred hours of board approved clinical training.

Further, the board will accept documentation from an applicant that demonstrates the applicant has taken and passed all four of the exam modules: Point Location Module, Foundations of Oriental Medicine Module, Biomedicine Module and the Acupuncture Module as provided by the National Commission for the Certification of Acupuncture and Oriental Medicine.

The board will recognize documentation from an applicant that demonstrates the applicant has taken and passed the California Acupuncture Licensing Examination or is licensed by another state with similar standards to Arizona

Testing Requirement: No

NCCAOM Certification Requirement: No

Continuing Education Requirement: An acupuncturist shall retain for a minimum of 2 years records of all continuing education course work completed. The Board, at its discretion, may audit a random sample of acupuncturists who report compliance with the continuing education requirement.

A licensee shall complete at least 15 hours of approved continuing education per year. The Board shall award hours in an approved continuing education as follows:

1. Seminar or workshop: One hour of continuing education for each contact hour;
2. Course at an accredited educational institution: 15 hours of continuing education for each semester hour;
3. Self-study, online, or correspondence course: Hours of continuing education determined by the course provider;
4. Teaching an approved continuing education: One hour of continuing education for each hour taught;
5. Having an article on the practice of acupuncture or traditional East-Asian medicine published in a peer-reviewed professional journal or in a text book: 15 hours of continuing education;
6. Attending a Board meeting: One hour for attending one meeting during a year; and
7. Having a text book published relating to the practice of acupuncture or traditional East-Asian medicine: 15 hours of continuing education.

The Board shall limit the number of hours of approved continuing education awarded as follows:

1. No more than 30 percent of the required hours may be obtained from teaching an approved continuing education. Hours may be obtained from teaching a particular approved continuing education only once during each year. No hours may be obtained from participating as a member of a panel at an approved continuing education; and

2. Hours that exceed the maximum required during a year may not be carried over to a subsequent year.

Bond/Insurance Requirement: No

Notes: An acupuncturist shall:

1. Make a complete, legible, and accurate record of each patient to whom an acupuncture treatment is given. The acupuncturist shall ensure that a patient record is in English and includes:

a. Name of the patient,

b. Patient history,

c. Dates of treatment,

d. Treatment given, and

e. Progress made during acupuncture treatments; and

2. Maintain a patient record for six years after the last treatment of the patient or whichever date occurs later.

3. If the patient is a child, either for at least three years after the child's eighteenth birthday or for at least six years after the last date the child received medical or health care services from that provider, whichever date occurs later.

Notes: An acupuncturist shall have established a protocol for the secure storage, transfer and access of medical records.

License Application Fee: Application for an acupuncture license: \$150

License Investigation Fee: No

Background Check: No

Fingerprint Check: No

License Renewal Fee: \$275

License Term: One year

Enforcement Department: Acupuncture Board of Examiners

Enforcement Agency URL: <http://www.azacupunctureboard.us/index.htm>

Enforcement Agency Contact: Pete Gonzalez

Enforcement Agency Contact Email: petegonzalez@azakupunctureboard.us

Agency Address: 1400 West Washington, Suite# 230

Agency City, State, Zip: Phoenix, Arizona 85007

Agency Phone: (602) 364-0145

Application URL: <http://www.azakupunctureboard.us/forms.html>

Web List of Licensees: <http://www.azakupunctureboard.us/ASPsearch.html>

Arkansas



Name of Law: Arkansas Acupuncture Practices Act

Statute Location: 17-102-101

Statute URL: Search "Acupuncture" at: <http://www.lexisnexis.com/hottopics/arcode/Default.asp>

Rule: Title 1 - 6

Rule URL:

http://asbart.org/documents/ASBART%20Rules%20%28OFFICIAL%20COPY_FILED%2012.07.06%29.pdf

License/Registration Required: Yes. The Arkansas Board of Acupuncture and Related Techniques does not currently have reciprocity agreements with any other states.

Definition of Acupuncture: "Acupuncture" means the insertion, manipulation, and removal of needles from the body and the use of other modalities and procedures at specific locations on the body for the prevention, cure, or correction of a malady, illness, injury, pain, or other condition or disorder by controlling and regulating the flow and balance of energy and functioning of the patient to restore and maintain health, but acupuncture shall not be considered surgery

"Related techniques" means the distinct system of basic health care that uses all allied diagnostic and treatment techniques of acupuncture, Oriental, traditional, and modern, for the prevention or correction of a malady, illness, injury, pain, or other condition or disorder by controlling and regulating the flow and balance of energy and functioning of the patient to restore and maintain health.

"Related techniques" include, but are not limited to, acupuncture, moxibustion or other heating modalities, cupping, magnets, cold laser, electroacupuncture including electrodermal assessment, application of cold packs, ion pumping cord, lifestyle counseling, including general eating guidelines, tui na, massage incidental to acupuncture, breathing and exercising techniques, and the recommendation of Chinese herbal medicine lawfully and commercially available in the United States. Provided, "related techniques", including, but not limited to, tui na, shall not involve manipulation, mobilization, or adjustment to the spine or extraspinal articulations.

Scope of Practice: The practice of acupuncture and related techniques in Arkansas is a distinct system of primary health care with the goal of prevention, cure, or correction of any illness, injury pain or other disorder or condition by controlling and regulating the flow and balance of energy and function of

the person to restore and maintain health. Acupuncture and related techniques include all of the allied traditional and modern diagnostic, treatment, and therapeutic methods of the Chinese/Asian healing arts.

Prohibitions: A licensee must keep written records reflecting the course of treatment of the patient for no less than five years.

A licensee must use clean needle technique, use only pre-sterilized, disposable needles in the administration of acupuncture, wash hands with soap and water or other disinfectants before handling needles and between treatments of different patients.

A licensee must not use staples or re-use the same needles on more than one patient.

A licensee shall not prescribe, dispense, or administer a legend drug nor administer an injection of a substance.

It constitutes false advertising under this section for a licensee to refer to himself or herself other than as a licensed acupuncturist, certified acupuncturist, acupuncture practitioner, or Oriental acupuncture practitioner.

A licensee shall not identify himself or herself as a doctor or physician.

Disclosures: The failure to post a license may be considered unprofessional conduct.

Chinese Herbal Requirement: Yes

Education Requirement: An applicant must have successfully completed not fewer than sixty semester credit hours of college education, to include a minimum of thirty semester credit hours in the field of science; and has completed a program in acupuncture and related techniques and has received a certificate or diploma from an institute approved by the Board. The training received in the program shall be for a period of no fewer than four academic years and shall include a minimum of eight hundred hours of supervised clinical practice.

Clinical practice is the practice of acupuncture and related techniques after graduation from an educational program in acupuncture with personal attendance in classes and clinics.

Testing Requirement: Examinations shall be given in English and in writing and shall include the following subjects:

- (1) Anatomy and physiology;
- (2) Pathology;
- (3) Diagnosis;

(4) Hygiene, sanitation, and sterilization techniques;

(5) Acupuncture and related principles, practices, and techniques; and

(6) Chinese herbal medicine.

(b) The Arkansas State Board of Acupuncture and Related Techniques shall hold an examination at least one time each calendar year, and all applicants shall be notified in writing of the date and time of all examinations. The board may utilize a nationally recognized examination if it deems the national exam is sufficient to qualify a practitioner for licensure in this state.

(c) The board shall issue a license to every applicant whose application has been filed with and approved by the board and who has paid the required fees and who either:

(1) Has passed the board's examination with a score on each subject of not less than seventy percent; or

(2) Has achieved a passing score on a board-approved nationally recognized examination.

NCCAOM Certification Requirement: The Board may accept hours from Board approved course or NCCAOM approved courses as valid continuing education hours.

Continuing Education Requirement: The Board shall not renew the license of an licensee unless the licensee presents evidence of attendance at a board-approved educational session or sessions of not less than twenty-four hours of continuing education within the previous biennial period, which shall include a CPR course for healthcare professionals, to be considered at two of the required twenty-four hours of continuing education.

Bond/Insurance Requirement: No

Notes: A chiropractic physician licensed to practice chiropractic pursuant to the Arkansas Chiropractic Practices Act shall be entitled to practice acupuncture as part of chiropractic practice upon completion of one hundred hours training in acupuncture/meridian therapy from a college accredited by the Council on Chiropractic Education.

Prior to any chiropractic physician engaging in the practice of acupuncture/meridian therapy, said physician shall be required to submit to the Board of Examiners a certificate of completion of one-hundred hour's instruction in acupuncture/meridian therapy.

License Application Fee: \$250

License Investigation Fee: None

Background Check: No

Fingerprint Check: No

License Renewal Fee: \$400

License Term: Maximum of two years in the January 1st to the second consecutive December 31st range.

Enforcement Department: Arkansas Board of Acupuncture and Related Techniques

Enforcement Agency URL: <http://www.asbart.org/>

Enforcement Agency Contact: Christina Hamilton

Enforcement Agency Contact Email: asbart@cgiresults.com

Agency Address: 11701 West 36th Street

Agency City, State, Zip: Little Rock, AR 72211

Agency Phone: (501) 687-1396

Application URL: <http://www.asbart.org/application.htm>

Web List of Licensees: <http://asbart.org/licensees.htm>

California



Name of Law: Acupuncture Licensure Act

Statute Location: Business and Professions Code Section 4925-4934.2

Statute URL:

<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=bpc&group=04001-05000&file=4925-4934.2>

Rule: Title 16, California Code of Regulations, Chapter 13.7

Rule URL: http://www.acupuncture.ca.gov/pubs_forms/laws_regs/regs.shtml

License/Registration Required: Yes

Definition of Acupuncture: "Acupuncture" means the stimulation of a certain point or points on or near the surface of the body by the insertion of needles to prevent or modify the perception of pain or to normalize physiological functions, including pain control, for the treatment of certain diseases or dysfunctions of the body and includes the techniques of electroacupuncture, cupping, and moxibustion.

Scope of Practice: A person holds himself or herself out as engaging in the practice of acupuncture by the use of any title or description of services incorporating the words "acupuncture," "acupuncturist," "certified acupuncturist," "licensed acupuncturist," "Asian medicine," "oriental medicine," or any combination of those words, phrases, or abbreviations of those words or phrases, or by representing that he or she is trained, experienced, or an expert in the field of acupuncture, Asian medicine, or Chinese medicine.

Prohibitions: Every acupuncture office shall be maintained in a clean and sanitary condition at all times, and shall have a readily accessible bathroom facility.

In all offices where non-disposable needles are used, there shall be functioning sterilization equipment.

In treating a patient, an acupuncturist shall adhere to the following procedures:

- (a) The acupuncturist's hands shall be brush-scrubbed with soap and warm water immediately before examining patients or handling acupuncture needles and other instruments, and between patients.
- (b) All instruments shall be sterilized before and between uses in a manner which will destroy all microorganisms. All needle trays which contain sterile needles shall also be sterile. Each time instruments are sterilized, the acupuncturist shall use a tape or strip indicator which shows that sterilization is complete.

- (c) Acupuncture points, where needles are to be inserted, shall be cleaned with an appropriate antiseptic before insertion of the needle.
- (d) In the event an acupuncture needle inserted in a patient breaks subcutaneously, the treating acupuncturist shall immediately consult a physician. An acupuncturist shall not sever or penetrate the tissues in order to excise such a needle.
- (e) Any complication, including but not limited to, hematoma, peritonitis or pneumothorax arising out of acupuncture treatment shall be referred immediately to a physician or dentist or podiatrist, if appropriate, if immediate medical treatment is required.
- (f) Acupuncture shall not be performed using hypodermic needles.
- (g) All instruments to be discarded shall be disposed of safely.
- (h) Needles shall be disposed of by placing them in a sealed, unbreakable container marked "Hazardous Waste" and disposed of in accordance with state and local law.

Any acupuncturist who provides acupuncture treatment outside the office shall carry the required sterile needles and other instruments in a sterile airtight container. All standards of practice applicable to treatment outside the office shall be adhered to by the acupuncturist providing such treatment.

An acupuncturist shall keep complete and accurate records on each patient who is given acupuncture treatment, including but not limited to, treatments given and progress made as a result of the acupuncture treatments.

An acupuncturist shall use needles labeled for single use only. It shall constitute unprofessional conduct for an acupuncturist to use a needle more than once.

A licensed acupuncturist may advertise the provision of any acupuncture services authorized to be provided by such licensure so long as such advertising does not promote the excessive or unnecessary use of such services.

It is improper advertising to disseminate any advertising which represents in any manner that the acupuncturist can cure any type of disease, condition or symptom.

The use of the title "Doctor" or the abbreviation "Dr." by an acupuncturist as authorized above without further indicating the type of license, certificate or degree which authorizes such use, constitutes unprofessional conduct.

The abandonment of a patient by the licentiate without written notice to the patient that treatment is to be discontinued and before the patient has had a reasonable opportunity to secure the services of another practitioner.

An acupuncture corporation is a corporation which is authorized to render professional services, so long as that corporation and its shareholders, officers, directors, and employees rendering professional services who are acupuncturists are in compliance with the Moscone-Knox Professional Corporation Act.

The name of an acupuncture corporation and any name or names under which it may render professional services shall contain words "acupuncture" or "acupuncturist" and wording or abbreviations denoting corporate existence.

Disclosures: An acupuncturist licensee shall post his or her license in a conspicuous location in his or her place of practice at all times. If an acupuncturist has more than one place of practice, he or she shall obtain from the board a duplicate license for each additional location and post the duplicate license at each location.

Chinese Herbal Requirement: Yes

Education Requirement: Satisfactory evidence of completion of one of the following:

- (1) An educational and training program approved by the board.
- (2) Satisfactory completion of a tutorial program in the practice of an acupuncturist which is approved by the board.
- (3) In the case of an applicant who has completed education and training outside the United States and Canada, documented educational training and clinical experience.
- (c) Passes a written examination administered by the board that tests the applicant's ability, competency, and knowledge in the practice of an acupuncturist.
- (e) Completes a clinical internship training program approved by the board. The clinical internship training program shall not exceed nine months in duration and shall be located in a clinic in this state, which is approved by the board. The length of the clinical internship shall depend upon the grades received in the examination and the clinical training already satisfactorily completed by the individual prior to taking the examination. On and after January 1, 1987, individuals with 800 or more hours of documented clinical training shall be deemed to have met this requirement. The purpose of the clinical internship training program shall be to ensure a minimum level of clinical competence.

Standards for the approval of training programs shall include a minimum of 3,000 hours of study in curriculum pertaining to the practice of an acupuncturist.

- (1) General biology.
- (2) Chemistry--including organic and biochemistry.
- (3) General physics--including a general survey of biophysics.
- (4) General psychology--including counseling skills.
- (5) Anatomy--a survey of microscopic, gross anatomy and neuroanatomy.
- (6) Physiology--a survey of basic physiology, including neurophysiology, endocrinology, and neurochemistry.
- (7) Pathology--a survey of the nature of disease and illness, including microbiology, immunology, psychopathology, and epidemiology.
- (8) Nutrition and vitamins.

Minimum class hours: 400

(9) History of medicine--a survey of medical history, including transcultural healing practices.

(10) Medical terminology--fundamentals of English language medical terminology.

Minimum class hours: 30

(11) Clinical sciences--a review of internal medicine, pharmacology, neurology, surgery, obstetrics/gynecology, urology, radiology, nutrition and public health.

(12) Clinical medicine--a survey of the clinical practice of medicine, osteopathy, dentistry, psychology, nursing, chiropractic, podiatry, and homeopathy to familiarize practitioners with the practices of other health care practitioners.

(13) Western pharmacology.

(14) A minimum of eight hours in a certified course offering first-aid and adult/child cardiopulmonary resuscitation (CPR). Such course shall be taken from the American Red Cross, American Heart Association or other organization with an equivalent course work approved by the board.

Minimum class hours: 128

(15) Traditional Oriental medicine--a survey of the theory and practice of traditional diagnostic and therapeutic procedures.

(16) Acupuncture anatomy and physiology--fundamentals of acupuncture, including the meridian system, special and extra loci, and auriculotherapy.

(17) Acupuncture techniques--instruction in the use of needling techniques, moxibustion, and electroacupuncture, including contraindication and complications. Students shall either (1) successfully complete a course which requires a student to pass an examination in clean needle technique, taught at a board approved school that uses as its primary reference the most current edition of the "Clean Needle Technique Manual" published by the National Acupuncture Foundation, or (2) successfully complete a Clean Needle Technique course administered by the Council of Colleges of Acupuncture and Oriental Medicine.

(18) Acupressure.

(19) Breathing techniques--introductory course in QiGong.

(20) Traditional Oriental exercise--introductory course in Tai Chi Chuan.

Minimum class hours: 660

(21) Traditional Oriental herbology including botany--a portion of the hours shall be given in a clinical setting

Minimum class hours: 300

(22) Practice management--instruction in the legal and ethical aspects of maintaining a professional practice, including record keeping, professional liability, patient accounts, and referral procedures.

(23) Ethics relating to the practice of acupuncture.

Minimum class hours: 30

Testing Requirement: Yes. Examinations shall be administered in English, Chinese, and Korean. The examination shall test the applicant's knowledge and competency in the practice of oriental medicine through acupuncture.

NCCAOM Certification Requirement: No

Continuing Education Requirement: The board shall require each acupuncturist to complete 50 hours of continuing education every two years as a condition for renewal of his or her license. No more than five hours of continuing education in each two-year period may be spent on issues unrelated to clinical matters or the actual provision of health care to patients.

First time licensees must complete at least:

- 35 hours if in the first 13-16 months
- 40 hours if in the first 17-20 months
- 45 hours if in the first 21-23 months.

Bond/Insurance Requirement: No

Notes: N/A

License Application Fee: The application fee shall be \$75. The examination and reexamination fee shall be \$550, plus the applicable fingerprint processing fee in effect at the time the application is submitted. License fee is \$176 - \$325.

License Investigation Fee: No

Background Check: Yes

Fingerprint Check: Yes

License Renewal Fee: \$325

License Term: Licenses issued pursuant to this chapter shall expire on the last day of the birth month of the licensee during the second year of a two-year term, if not renewed.

Enforcement Department: California Acupuncture Board

Enforcement Agency URL: http://www.acupuncture.ca.gov/contact_us.shtml

Enforcement Agency Contact: Terri Thorfinnson

Enforcement Agency Contact Email: N/A

Agency Address: 1747 N. Market Blvd, Suite 180

Agency City, State, Zip: Sacramento, CA 95834

Agency Phone: (916) 515-5200

Application URL: http://www.acupuncture.ca.gov/pubs_forms/license_app.pdf

Application for Examination URL: http://www.acupuncture.ca.gov/pubs_forms/exam_forms.shtml

Web List of Licensees:

[http://www2.dca.ca.gov/pls/wllpub/wllqryna\\$lcev2.startup?p_qte_code=AC&p_qte_pgm_code=6500](http://www2.dca.ca.gov/pls/wllpub/wllqryna$lcev2.startup?p_qte_code=AC&p_qte_pgm_code=6500)

Colorado



Name of Law: Acupuncturists

Statute Location: Title 12 Professions and Occupations, Article 29.5

Statute URL: <http://cdn.colorado.gov/cs/Satellite?blobcol=urldata&blobheadername1=Content-Disposition&blobheadername2=Content-Type&blobheadervalue1=inline%3B+filename%3D%22Colorado+Revised+Statute+for+Acupuncturists%2C+effective+July+1%2C+2010.pdf%22&blobheadervalue2=application%2Fpdf&blobkey=id&blobtable=MungoBlobs&blobwhere=1251832177041&ssbinary=true>

Rule: 4 CCR 738-1

Rule URL: <http://cdn.colorado.gov/cs/Satellite?blobcol=urldata&blobheadername1=Content-Disposition&blobheadername2=Content-Type&blobheadervalue1=inline%3B+filename%3D%22Acupuncture+Rules+and+Regulations%2C+effective+November+14%2C+2012.pdf%22&blobheadervalue2=application%2Fpdf&blobkey=id&blobtable=MungoBlobs&blobwhere=1251832460682&ssbinary=true>

License/Registration Required: Yes. Reciprocity permitted.

Definition of Acupuncture: "Acupuncture" means a system of health care based upon traditional oriental medical concepts that employs oriental methods of diagnosis, treatment, and adjunctive therapies for the promotion, maintenance, and restoration of health and the prevention of disease.

Scope of Practice: "Practice of acupuncture" means the insertion and removal of acupuncture needles, the application of heat therapies to specific areas of the human body, and traditional oriental adjunctive therapies. Traditional oriental adjunctive therapies within the scope of acupuncture may include manual, mechanical, thermal, electrical, and electromagnetic treatment, the recommendation of oriental therapeutic exercises, and, subject to federal law, the recommendation of herbs and dietary guidelines.

The "practice of acupuncture" shall be defined by traditional oriental medical concepts and shall not include the utilization of western medical diagnostic tests and procedures, such as magnetic resonance imaging, radiographs (X rays), computerized tomography scans, and ultrasound.

"Practice of acupuncture" does not mean:

- (a) Osteopathic medicine and osteopathic manipulative treatment;
- (b) "Chiropractic" or "chiropractic adjustment" or therapies allowed as part of the practice of chiropractic or chiropractic adjustment;
- (c) Physical therapy or therapies allowed as part of the practice of physical therapy.

It is not intended nor shall it be interpreted that the practice of acupuncture constitutes the practice of medicine within the scope of the "Colorado Medical Practice Act".

Prohibitions: The director may deny licensure to or take disciplinary action against an acupuncturist if the director finds that the acupuncturist has committed any of the following acts:

Failed to refer a patient to an appropriate practitioner when the problem of the patient is beyond the training, experience, or competence of the acupuncturist;

Accepted commissions or rebates or other forms of remuneration for referring clients to other professional persons;

Offered or gave commissions, rebates, or other forms of remuneration for the referral of clients; except that an acupuncturist may pay an independent advertising or marketing agent compensation for advertising or marketing services rendered on his behalf by such agent, including compensation which is paid for the results of performance of such services, on a per patient basis;

Engaged in sexual contact, sexual intrusion, or sexual penetration with a patient during the period of time beginning with the initial patient evaluation and ending with the termination of treatment.

Obtaining an acupuncturist license does not automatically entitle or confer upon the licensee the right to use the title "Dr." or "Doctor". A licensed acupuncturist can use the title "Doctor" or "Dr." only when such licensee has, in fact, been awarded a doctorate degree from an acupuncture or oriental medicine academic/educational institution. In such instances where a licensee qualifies to use the title "Doctor" or "Dr.", an acupuncturist can use the title "Doctor" or "Dr." only when accompanied by the words "Doctor of Acupuncture" or letters "D.Ac.", "Oriental Medicine Doctor" or "OMD", "Doctor of Acupuncture and Oriental Medicine" or "D.Ac.OM", "Doctor of Traditional Chinese Medicine" or "DTCM", "Doctor of Acupuncture and Oriental Medicine" or "DAOM", or any other doctoral degree recognized and approved by the Director of Registrations.

Disclosures: Every acupuncturist shall provide the following information in writing to each patient during the initial patient contact:

- (a) The name, business address, and business phone number of the acupuncturist;
- (b) A fee schedule;
- (c) A statement indicating that:
 - (I) The patient is entitled to receive information about the methods of therapy, the techniques used, and the duration of therapy, if known;

- (II) The patient may seek a second opinion from another health care professional or may terminate therapy at any time;
- (III) In a professional relationship, sexual intimacy is never appropriate and should be reported to the director of the division of registrations in the department of regulatory agencies;
- (d) A listing of the acupuncturist's education, experience, degrees, membership in a professional organization whose membership includes not less than one-third of the persons licensed pursuant to this article, certificates or credentials related to acupuncture awarded by such organizations, the length of time required to obtain said degrees or credentials, and experience;
- (e) A statement indicating any license, certificate, or registration in acupuncture or any other health care profession which was issued to the acupuncturist by any local, state, or national health care agency, and indicating whether any such license, certificate, or registration was suspended or revoked;
- (f) A statement that the acupuncturist is complying with any rules and regulations promulgated by the department of public health and environment with respect to this article, including those related to the proper cleaning and sterilization of needles used in the practice of acupuncture and the sanitation of acupuncture offices;
- (g) A statement indicating that the practice of acupuncture is regulated by the department of regulatory agencies and the address and phone number of the director of the division of registrations in the department of regulatory agencies; and
- (h) A statement indicating the acupuncturist's training and experience in the recommendation and application of adjunctive therapies and herbs as defined by traditional oriental medical concepts.
- (2) Any changes in the information required by paragraphs (a) to (f) of subsection (1) of this section shall be made in the mandatory disclosure within five days of the said change.
- (3) The acupuncturist shall retain a copy of the written information specified in subsection (1) of this section, dated and signed by the patient, from the time of the initial evaluation until at least three years after the termination of treatment.

Chinese Herbal Requirement: No

Education Requirement: In order to qualify for licensure, an acupuncturist shall have:

- (a) Successfully completed an education program for acupuncturists that conforms to standards approved by the director or
- (b) Qualifications based on education, experience, or training which are substantially similar to those which are documented in the form required by the director and accepted by him in lieu of such education program.

Education, training, or service gained in military services to be accepted and applied towards receiving a license, must be substantially equivalent, as determined by the Director, to the qualifications otherwise applicable at the time of receipt of application.

Testing Requirement: No

NCCAOM Certification Requirement: To satisfy the licensure requirement Director requires an applicant to have a current certification at the time of initial license application by the National Certification Commission for Acupuncture and Oriental Medicine.

Continuing Education Requirement: No

Bond/Insurance Requirement: As a condition of licensure, every acupuncturist shall purchase and maintain commercial professional liability insurance with an insurance company authorized to do business in this state in a minimum indemnity amount of:

- (a) Fifty thousand dollars per incident and fifty thousand dollars per year, if practicing as a sole proprietor or general partnership;
- (b) Three hundred thousand dollars per incident and three hundred thousand dollars per year, if practicing as a limited liability company or a corporation.

Notes: A policy has been issued to clarify the use of injection therapy and permissible substances for injection in the practice of acupuncture (see below).

The Director for the Office of Acupuncture Licensure has determined that non-acupuncturist health professionals cannot be prohibited from displaying “Dipl. Ac.” or similar proprietary credentialing designations such as “Dipl. Ac. (NCCAOM)”, provided that the proprietary designation is accurate and truthful, and that the underlying credential is authentic and current. However, nothing in this position statement shall be construed to authorize the unlicensed practice of acupuncture.

License Application Fee: \$100

License Investigation Fee: N/A

Background Check: The Division conducts audits of its licensing database against several criminal and national disciplinary databases.

Fingerprint Check: No

License Renewal Fee: \$115

License Term: All Acupuncturist licenses expire on December 31 of odd-numbered years and must be renewed to continue practicing. All new applicants who are issued a license within 120 days of the upcoming renewal expiration date will be issued a license with the subsequent expiration date.

Enforcement Department: Department of Regulatory Agencies, Division of Professions and Occupations, Office of Acupuncture Licensure

Enforcement Agency URL:

<http://cdn.colorado.gov/cs/Satellite?c=Page&childpagename=DORA-Reg%2FDORALayout&cid=1251626796369&pagename=CBONWrapper>

Enforcement Agency Contact: Leanne Duffy

Enforcement Agency Contact Email: DORA_AcupunctureBoard@state.co.us

Agency Address: 1560 Broadway, Suite 1350

Agency City, State, Zip: Denver, CO 80202

Agency Phone: (303) 894-7800

Application URL: <http://cdn.colorado.gov/cs/Satellite?c=Page&childpagename=DORA-Reg%2FDORALayout&cid=1251629759061&pagename=CBONWrapper>

Web List of Licensees: <https://www.colorado.gov/dora/licensing/Lookup/LicenseLookup.aspx>



Dora
Department of Regulatory Agencies

**Division of Registrations
Office of Acupuncture Licensure**

November 17, 2011

Director's Position Statement 001

Display of "Dipl.Ac." or Similar Designations by Non-Acupuncturist Health Professionals

THE DIRECTOR'S POSITION:

The Director for the Office of Acupuncture Licensure has determined that non-acupuncturist health professionals cannot be prohibited from displaying "Dipl. Ac." or similar proprietary credentialing designations such as "Dipl. Ac. (NCCAOM)", provided that the proprietary designation is accurate and truthful, and that the underlying credential is authentic and current. However, nothing in this position statement shall be construed to authorize the unlicensed practice of acupuncture.

BASIS FOR THE DIRECTOR'S POSITION:

Section 12-29.5-105(1.5)(b)(II), C.R.S., states that it is unlawful for any person to:

Use the title "licensed acupuncturist", "registered acupuncturist", or "diplomat of acupuncture", or use the designation "L.Ac.", "R.Ac.", or "Dipl. Ac.", unless such person is practicing pursuant to section 12-36-106 (3).

* * *

Section 12-36-106(3), C.R.S., details the exemptions from the licensing requirements of the Colorado Medical Practice Act.

Prior to the late 1990's, NCCAOM authorized display of the proprietary "Dipl.Ac." credential by those individuals who passed the associated requirements. After the late 1990's, the name of the credential changed to "Dipl. Ac. (NCCAOM)".

The purpose of § 12-29.5-105(1.5)(b)(II), C.R.S., is to protect the public from false and misleading use of any designation that would cause consumers to detrimentally rely on the designation for health care purposes. As such, the Director has determined that the public

interest is satisfied and that there is no basis to prohibit a non-acupuncturist health care professional's display of the credential when (1) the designation is proprietary, (2) the individual's display of the designation is accurate and truthful, and (3) the underlying credential is authentic and current.

Nothing in this position statement shall be construed to authorize the unlicensed practice of acupuncture.

Approved by Rosemary McCool, November 17, 2011

COLORADO ACUPUNCTURE LICENSURE

Policies of the Director

POLICY NUMBER: 30-1
Title: Injection Therapy
Date Issued: July 1, 1999
Date(s) Revised: December 1, 2005
Reference:
Purpose: To clarify the use of injection therapy and permissible substances for injection in the practice of acupuncture

POLICY: In July 1999, the Director of Registrations for the Acupuncture Licensure determined injection therapy to be within the scope of acupuncture practice.

As defined in section 12-29.5-102(3.5), C.R.S., acupuncture is a profession based on traditional oriental medical concepts, but does not include the utilization of western medical diagnostic tests and procedures. The practice of acupuncture includes the insertion and removal of acupuncture needles, heat therapies, and traditional oriental adjunctive therapies. The realm of traditional oriental adjunctive therapies is broad and includes manual, mechanical, thermal, electrical, and electromagnetic treatment; the recommendation of oriental therapeutic exercises; and the recommendation of herbs and dietary guidelines.

Injection therapy is the injection of sterile herbs, vitamins, minerals, homeopathics, or other similar-type substances into acupuncture points by means of hypodermic needles. The therapy is used primarily to treat chronic musculoskeletal pain. Although injection therapy is not considered an entry-level skill, the Director finds that acupuncturists receive substantial needle training and have proficient knowledge in the areas of trigger points. The Director notes that four states (Arkansas, Florida, New Mexico, and South Carolina) have found injection therapy to be within the scope of acupuncture. These factors provide the basis for the Director's determination that injection therapy falls within the scope of acupuncture.

Permissible substances for injection include all vitamins, minerals, homeopathics and herbals specifically manufactured for non-intravenous injection such as saline, glucose, Lidocaine, Procaine, oriental herbs, Vitamin B-12, Traumeel, Sarapin, and similar homeopathic-type substances. The Director notes that there is always the risk of allergic reaction when using injection substances. As such, the Director finds that the use of Epinephrine and oxygen are necessary for patient care and safety anytime Colorado acupuncturists administer injections.

Similar to other advanced procedures practiced within the scope of acupuncture, but not necessarily taught in an entry-level educational program, the Director expects acupuncturists to obtain the necessary training prior to performing injection therapy. Training programs should include information about anatomy and physiology, pharmacology, risk management, injection techniques, and actual application.

Therefore, the Director determines that injection therapy falls within the scope of acupuncture as defined in section 12-29.5-102(3.5), C.R.S., and may be independently practiced by Colorado-licensed acupuncturists.

Connecticut



Name of Law: Acupuncturists

Statute Location: Chapter 384c, Sec. 20-206aa

Statute URL:

http://www.ct.gov/dph/lib/dph/practitioner_licensing_and_investigations/plis/acupuncture/acu_statute.pdf

Rule: No

Rule URL: N/A

License/Registration Required: Yes. Reciprocity permitted.

Definition of Acupuncture: "The practice of acupuncture" means the system of restoring and maintaining health by the classical and modern Oriental medicine principles and methods of assessment, treatment and prevention of diseases, disorders and dysfunctions of the body, injury, pain and other conditions.

Scope of Practice: The practice of acupuncture includes:

- (A) Assessment of body function, development of a comprehensive treatment plan and evaluation of treatment outcomes according to acupuncture and Oriental medicine theory;
- (B) Modulation and restoration of normal function in and between the body's energetic and organ systems and biochemical, metabolic and circulation functions using stimulation of selected points by inserting needles, including, trigger point, subcutaneous and dry needling, and other methods consistent with accepted standards within the acupuncture and Oriental medicine profession;
- (C) Promotion and maintenance of normal function in the body's energetic and organ systems and biochemical, metabolic and circulation functions by recommendation of Oriental dietary principles, including, use of herbal and other supplements, exercise and other self-treatment techniques according to Oriental medicine theory; and
- (D) Other practices that are consistent with the recognized standards of the acupuncture and Oriental medicine profession and accepted by the National Certification Commission for Acupuncture and Oriental Medicine.

Prohibitions: N/A

Disclosures: No

Chinese Herbal Requirement: No

Education Requirement: Successful completion of 60 semester hours, or its equivalent, of postsecondary study in an institution of postsecondary education which, if in the United States or its territories, was accredited by a recognized regional accrediting body or, if outside the United States or its territories, was legally chartered to grant postsecondary degrees in the country in which located.

Successful completion of a course of study in acupuncture in a program that, at the time of graduation, was in candidate status with or accredited The Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM), and included:

- For a person who completed such course of study before October 1, 2012, a minimum of one thousand three hundred fifty hours of didactic and clinical training, five hundred of which were clinical, or
- For a person who completed such course of study on or after October 1, 2012, a minimum of one thousand nine hundred five hours of didactic and clinical training, six hundred sixty of which were clinical.

Successful completion of all portions of the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) acupuncture examination, including the Acupuncture Portion (ACP) of the Comprehensive Written Examination (CWE) in Acupuncture, the Clean Needle Technique Portion (CNT) of the Comprehensive Written Examination (CWE) in Acupuncture and the Practical Examination of Point Location Skills (PEPLS);

Successful completion of the Clean Needle Technique (CNT) Course offered by the Council of Colleges of Acupuncture and Oriental Medicine (CCAOM).

Testing Requirement: No

NCCAOM Certification Requirement: For registration periods beginning on and after October 1, 2014, a licensee applying for license renewal shall (A) maintain a certification by the National Certification Commission for Acupuncture and Oriental Medicine, or (B) earn not less than thirty contact hours of continuing education approved by the National Certification Commission for Acupuncture and Oriental Medicine within the preceding twenty-four month period.

Continuing Education Requirement: Each licensed acupuncturist shall meet the following requirements when renewing their license after October 1, 2014:

Maintain a certification by the National Certification Commission for Acupuncture and Oriental Medicine, or

Earn not less than thirty contact hours of continuing education approved by the National Certification Commission for Acupuncture and Oriental Medicine within the preceding twenty-four month period.

Bond/Insurance Requirement: No

Notes: The Department of Public Health may issue a license to an out-of-state licensee provided the applicant holds a current, valid acupuncturist license in good standing in another state or territory of the United States and the state or territory of current licensure maintains licensing standards equal to or higher than Connecticut's requirements.

License Application Fee: \$200

License Investigation Fee: No

Background Check: No

Fingerprint Check: No

License Renewal Fee: \$250 (biennial)

License Term: Two years

Enforcement Department: Department of Health

Enforcement Agency URL: <http://www.ct.gov/dph/cwp/view.asp?a=3121&q=389216>

Enforcement Agency Contact: Dr. Jewel Mullen, Commissioner

Enforcement Agency Contact Email: oplc.dph@ct.gov

Agency Address: 410 Capitol Ave., MS# 12 APP

Agency City, State, Zip: Hartford, CT 06134-0308

Agency Phone: (860) 509-7603

Application URL: N/A

Web List of Licensees: No

Delaware



Name of Law: Acupuncture Practitioners

Statute Location: Title 24, Chapter 17, Subchapter X

Statute URL: <http://delcode.delaware.gov/title24/c017/sc10/index.shtml#TopOfPage>

Rule: Title 24, 1790 Acupuncture Advisory Council

Rule URL: <http://regulations.delaware.gov/AdminCode/title24/1790.shtml>

License/Registration Required: Yes. Reciprocity permitted.

Definition of Acupuncture: "Practice of Acupuncture" means the use of oriental medical therapies for the purpose of normalizing energetic physiological functions including pain control, and for the promotion, maintenance, and restoration of health.

Scope of Practice: "Acupuncture" is the stimulation of points on the body by the insertion and manipulation of acupuncture needles using both traditional and modern scientific methods of evaluation and point selection. It also refers to a form of health care, based on a theory of energetic physiology that describes and explains the interrelationship of the body organs or functions with an associated acupuncture point or combination of points located on "channels" or "meridians". Acupuncture points shall include the classical points defined in authoritative acupuncture texts and special groupings of acupuncture points elicited using generally accepted diagnostic techniques of oriental medicine and selected for stimulation in accord with its principles and practices. Acupuncture points are stimulated in order to restore the normal function of the aforementioned organs or sets of functions. Acupuncture shall also include the ancillary techniques of oriental medicine including moxibustion, acupressure or other forms of manual meridian therapy and recommendations that include oriental dietary therapy, supplements and lifestyle modifications according to the principles of oriental medicine. Oriental dietary therapy shall be defined as recommending, advising or furnishing nonfraudulent information about herbs, vitamins, minerals, amino acids, carbohydrates, sugars, enzymes, food concentrates, foods, other food supplements, or dietary supplements.

Prohibitions: Needles used in the practice of acupuncture shall only be pre-packaged, single use, sterile acupuncture needles. These needles shall only be used on an individual patient in a single treatment session and disposed of according to federal standards for biohazard waste.

Solicitation or acceptance of a fee from a patient or other person by fraudulent representation that a manifestly incurable condition, as determined with reasonable medical certainty, can be permanently cured;

Engaging in sexual relations with a patient until at least six months have lapsed since the patient-practitioner relationship has ended.

Making deceptive, untrue, or fraudulent misrepresentations in the practice of acupuncture;

Soliciting patients, either personally or through an agent, through the use of fraud, intimidation, or undue influence, or a form of overreaching conduct;

Failing to keep written medical records documenting the course of treatment of the patient;

Exercising undue influence on the patient to exploit the patient for financial gain of the licensee or of a third party;

Charging a grossly exorbitant fee for professional or occupational services rendered.

Disclosures: N/A

Chinese Herbal Requirement: Yes

Education Requirement: Proof of achievement of a Diplomate in Oriental Medicine from NCCAOM or other equivalent recognized by the Council and approved by the Board
(2) Evidence of completion of a course in clean needle technique and
(3) For applicants for whom English is a second language, proof of ability to speak English.

Testing Requirement: No

NCCAOM Certification Requirement: Certification accepted for education requirement

Continuing Education Requirement: Licensees are required to complete Professional Development Activity (PDA) points biennially.

PDAs shall be prorated for new licensees in accordance with the following schedule:

- Two years remaining in the licensing cycle requires - 30 hours
- One year remaining in the licensing cycle requires -15 hours
- Less than one year remaining in the licensing cycle -exempt

Each hour of continuing education is equal to PDA point.

Fifteen of the required 30 PDA points shall enhance core knowledge, skills and abilities and shall be in biomedicine and/or one of the five branches of Oriental medicine (e.g., acupuncture, Chinese herbs, Chinese dietary therapy, Qigong, Asian bodywork therapy). Four the 15 core PDA points shall be taken in safety and/or ethics (e.g., CPR, herbal safety, universal precautions, clean needle techniques, ethics and liability, public health reporting requirements).

The remaining 15 PDA points may be taken in electives that directly contribute to a licensee's knowledge or practice of acupuncture (including Western science and medical practices, medical ethics, medical research, practice management, adjunctive therapies, patient education, and disaster relief training, etc.).

Extensive list of acceptable activities and programs for PDA points.

Bond/Insurance Requirement: No

Notes: You have a mandatory obligation to file a written report with the Board of Medical Licensure and Discipline within 30 days if you have any reason to believe that a medical practitioner other than yourself is (or may be) guilty of unprofessional conduct or that he/she is (or may be):

- Medically incompetent
- Mentally or physically unable to engage safely in the practice of medicine
- Excessively using or abusing drugs including alcohol.

You have a mandatory obligation to make an immediate oral report to the Department of Services for Children, Youth and Their Families if you know of, or you suspect, child abuse or neglect.

License Application Fee: \$165

License Investigation Fee: \$69

Background Check: Yes

Fingerprint Check: Yes

License Renewal Fee: You are notified of the amount of the renewal fee at the time of renewal.

License Term: Each license shall be renewed biennially

Enforcement Department: Department of State: Division of Professional Regulation: Board of Medical Licensure and Discipline

Enforcement Agency URL: <http://dpr.delaware.gov/boards/medicalpractice/acupuncture.shtml>

Enforcement Agency Contact: James L. Collins

Enforcement Agency Contact Email: customerservice.dpr@state.de.us

Agency Address: 861 Silver Lake Blvd., Suite 203

Agency City, State, Zip: Dover, DE 19904

Agency Phone: (302) 744-4500

Application URL:

http://www.dpr.delaware.gov/boards/medicalpractice/documents/Acupuncture_Application.pdf

Web List of Licensees: <https://dpronline.delaware.gov/mylicense%20weblookup/Search.aspx>

District of Columbia



Name of Law: Practice of Naturopathic Medicine Licensing Amendment Act of 2003

Statute Location: Law # L15-172

Statute URL: <http://dcclims1.dccouncil.us/images/00001/20040422115000.pdf>

Rule: District of Columbia Municipal Regulations, Title 17, Chapter 47

Rule URL:

http://doh.dc.gov/sites/default/files/dc/sites/doh/publication/attachments/Acupuncture_DC_%20Municipal_%20Regulations.pdf

License/Registration Required: Yes. Reciprocity permitted.

Definition of Acupuncture: Acupuncture Techniques:

- Use of acupuncture needles to stimulate acupuncture points and meridians
- Use of electrical, mechanical, or magnetic devices to stimulate acupuncture points and meridians
- Moxibustion
- Acupressure
- Cupping
- Dermal friction technique
- Infra-red
- Sonopuncture
- Laserpuncture
- Point injection therapy (aquapuncture)

- Dietary advice based on Oriental medical theory provided in conjunction with all techniques listed above.

Scope of Practice: N/A

Prohibitions: "A licensed acupuncturist does not need to enter into a collaboration agreement with a licensed physician or osteopath to practice acupuncture."

Disclosures: No

Chinese Herbal Requirement: No

Education Requirement: Complete a program in the practice of acupuncture that is as follows:

(a) Is provided by a school that is legally chartered or organized in the state, territory or country where the school is located, or is accredited or recognized by the following:

- (1) The National Accreditation Commission for Schools and Colleges of Acupuncture and Oriental Medicine;
- (2) An accrediting body recognized by the Secretary of the United States Department of Education; or
- (3) A Department of Education of a state or territory of the United States that uses published standards to evaluate the program's content, facilities and administration; and

(b) Consists of one of the following:

- (1) Three academic years of instruction including five hundred hours of clinical training in a school for acupuncture; or
- (2) Two academic years of instruction in a school of acupuncture; and fifteen hundred contact hours of apprenticeship under a preceptor who is a licensed acupuncturist in good standing.

The Board may approve the education and training qualifications of an applicant who has completed apprenticeship in acupuncture that is as follows:

- (a) Extends for a period of three years;
- (b) Includes a minimum of forty-five hundred contact hours of clinical training with increasing responsibilities in patient care culminating in complete treatment; and
- (c) Is under a preceptor who is a licensed acupuncturist in good standing.

Testing Requirement: Applicants who have successfully completed the National Examination administered by the National Commission for the Certification of Acupuncturist (NCCA) (the national examination) or who wish to sit for the District of Columbia's practical examination shall apply by Examination only. The District examination shall cover the following areas:

1. Acupuncture point location;
2. Sterilization;
3. Needling and other therapeutic techniques.

NCCAOM Certification Requirement: No

Continuing Education Requirement: No

Bond/Insurance Requirement: No

Notes: An applicant under this section who does not speak English as a native language shall be required to receive a passing score on an English competency test approved by the Board.

License Application Fee: \$230

License Investigation Fee: No

Background Check: Yes

Fingerprint Check: Yes

License Renewal Fee: \$145

License Term: The term for a certificate, license, or registration issued or renewed...shall be two (2) years or for the balance of the license period, whichever is shorter. A license shall expire at 12:00 midnight of December 31st of each even-numbered year.

Enforcement Department: Department of Health, Health Professional Licensing Administration,
Board of Acupuncture

Enforcement Agency URL: <http://doh.dc.gov/node/118462>

Enforcement Agency Contact: N/A

Enforcement Agency Contact Email: doh@dc.gov

Agency Address: 899 North Capitol Street, NE, First Floor

Agency City, State, Zip: Washington, DC 20002

Agency Phone: (202) 724-4900

Application URL: <http://doh.dc.gov/node/118372>

Renewal URL: <http://doh.dc.gov/node/120482>

Web List of Licensees: N/A

FLORIDA



Name of Law: Acupuncture

Statute Location: Title XXXII, Chapter 457

Statute URL:

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&StatuteYear=2011&URL=0400-0499/0457/0457.html

Rule: Division 64B1

Rule URL: <https://www.flrules.org/gateway/Organization.asp?OrgNo=64b1>

License/Registration Required: Yes

Definition of Acupuncture: “Acupuncture” means a form of primary health care, based on traditional Chinese medical concepts and modern oriental medical techniques, that employs acupuncture diagnosis and treatment, as well as adjunctive therapies and diagnostic techniques, for the promotion, maintenance, and restoration of health and the prevention of disease. Acupuncture shall include, but not be limited to, the insertion of acupuncture needles and the application of moxibustion to specific areas of the human body and the use of electroacupuncture, Qi Gong, oriental massage, herbal therapy, dietary guidelines, and other adjunctive therapies, as defined by board rule.

Scope of Practice: Acupuncture shall include, but not be limited to:

- (a) Auricular, hand, nose, face, foot and/or scalp acupuncture therapy;
- (b) Stimulation to acupuncture points and channels by use of any of the following:
 1. Needles, moxibustion, cupping, thermal methods, magnets, gwa-sha scraping techniques, acupatches, and acuform;
 2. Manual stimulation including acutotement (which is defined as stimulation by an instrument that does not pierce the skin), massage, acupressure, reflexology, shiatsu, and tui-na;
 3. Electrical stimulation including electro-acupuncture, percutaneous and transcutaneous electrical nerve stimulation;
 4. Laser biostimulation in accordance with relevant federal law including Food and Drug Administration rules and regulations, providing written notice of such intended use together with proof of compliance with federal requirements are received by the Board of Acupuncture not less than 14 days prior to first time use.

(3) Acupuncture diagnostic techniques shall include but not be limited to the use of observation, listening, smelling, inquiring, palpation, pulses, tongue, physiognomy, five element correspondence, ryodoraku, akabani, German electro acupuncture, Kirlian photography, and thermography.

Adjunctive therapies shall include but not be limited to:

- (a) Nutritional counseling and the recommendation of nonprescription substances which meet the Food and Drug Administration labeling requirements, as dietary supplements to promote health;
- (b) Recommendation of breathing techniques and therapeutic exercises;
- (c) Lifestyle and stress counseling;
- (d) The recommendation of all homeopathic preparations approved by the Food and Drug Administration and the United States Homeopathic Pharmacopeia Committee; and
- (e) Herbology

Prohibitions: The needles used in acupuncture shall be solid filiform instruments which shall include but not be limited to: dermal needles, plum blossom needles, press needles, prismatic needles and disposable lancets. The use of staples in the practice of acupuncture shall be prohibited.

All acupuncture needles that are to be used on a patient must be sterile and disposable, and each needle may be used only once.

An acupuncture office shall be maintained in a safe and sanitary manner.

An acupuncturist shall not use false, deceptive, or misleading advertising or advertising which claims that acupuncture is useful in curing any disease.

An acupuncturist shall not exercise influence within a patient-acupuncturist relationship for purposes of engaging a patient in sexual activity. A patient shall be presumed to be incapable of giving free, full, and informed consent to sexual activity with his or her acupuncturist.

An acupuncturist shall not solicit patients, either personally or through an agent, through the use of fraud, intimidation, undue influence, or a form of overreaching or vexatious conduct. A solicitation is any communication which directly or implicitly requests an immediate oral response from the recipient.

An acupuncturist shall not fail to keep written medical records which are consistent with the practitioner's style of acupuncture justifying the course of treatment of the patient.

Acupuncturists are required to maintain written medical records justifying the course of treatment of each patient. These records must include for each patient at least the following:

- (a) Patient's Medical History;
- (b) Acupuncture Diagnostic Impressions;
- (c) Points Used and/or Treatment Procedures Administered at Each Visit;
- (d) Acupuncturists' Recommendations;
- (e) Patient Progress Notes;
- (f) Laboratory test results when appropriate and medically necessary; and

(g) Imaging films, reports or test results when appropriate and medically necessary.

An acupuncturist shall not use information about people involved in a motor vehicle accident which has been derived from accident reports made by law enforcement officers or persons involved in accidents or using information published in a newspaper or other news publication or through a radio or television broadcast that has used information gained from such reports, for the purposes of solicitation of the people involved in such accidents.

An acupuncturist shall not practice acupuncture injection therapy without first providing notice to the Board of intent to practice acupuncture injection therapy and proof of successful completion of the required course of study.

All medical records must be maintained by the acupuncturist for a period of five years from the date of the last entry to the record.

Disclosures: No

Chinese Herbal Requirement: No

Education Requirement: Applicants applied for licensure on or after August 1, 2001 - Completion of an ACAOM candidate or accredited 4-year master's level program or foreign equivalent in oriental medicine:

- Western Anatomy
- Western Physiology
- Western Pathology
- Western Biomedical Terminology
- First Aid
- CPR
- 15 hours – Supervised Instruction in Universal Precautions Applicable to Needling Techniques
- 20 hours – Florida Laws and Rules

Applicants enrolled in program on or after July 31, 2001 - Completion of 8 hour program that incorporates the safe and beneficial use of laboratory test and imaging findings.

Applicants are required to submit proof of completion of a two hour continuing education (CE) course relating to prevention of medical errors prior to issuance of license.

Prior to commencement of clinical training, every approved course of study and tutorial program shall provide training in clean needle technique and universal precautions for preventing the transmission of bloodborn pathogens and other infectious diseases, including, for example, HIV/AIDS, hepatitis, staphylococcus, and tuberculosis.

Testing Requirement: The Board currently approves as the Florida examination for licensure the NCCAOM examination, consisting of the Foundations of Oriental Medicine Module and the Acupuncture with Point Location Module. Effective October 1, 2014, the Board approves as the Florida examination for licensure the NCCAOM examination consisting of the Foundations of Oriental Medicine Module, the Acupuncture with Point Location Module, the Biomedicine Module and the Chinese Herbology Module.

NCCAOM Certification Requirement: Yes

Continuing Education Requirement: As a condition of the biennial renewal of a license, each licensee shall complete a minimum of 30 credit hours per biennium of continuing education

REQUIRED SUBJECT AREA	REQUIRED NUMBER OF HOURS	IMPORTANT INFORMATION
General Hours	21	
Laws and Rules	2	
Biomedical Sciences	5	CE programs relating to lab testing and imaging findings will be considered as biomedical sciences
Medical Errors	2	Must be Board Approved

Licensed Acupuncturist renewing a license for the first time only are required to complete 2 hours of medical errors and 3 hours of HIV/AIDS.

During didactic and clinical training, and as part of continuing education, the Board of Acupuncture requires courses of study as to the safe and beneficial use of laboratory tests and imaging findings in the practice of acupuncture and oriental medicine.

Credit hours are not retroactive or cumulative. All credit hours must be earned within the biennium for which they are claimed.

No credit will be given for programs which are primarily devoted to administrative or business management aspects of acupuncture practice.

Other Methods of Obtaining Continuing Education per Biennium:

Two hours of continuing education credit on Chapters 456 and 457, F.S., and the rules promulgated by this board. Each licensee may satisfy this requirement by attending a complete board meeting at which another licensee is disciplined, or by providing an expert opinion without compensation, in a standard of care disciplinary case or by serving as a member of the probable cause panel.

Bond/Insurance Requirement: Professional liability coverage in an amount not less than \$10,000 per claim, with a minimum annual aggregate of not less than \$30,000 Or an irrevocable letter of credit in an amount not less than \$10,000 per claim, with a minimum aggregate availability of credit no less than \$30,000 or a surety bond in an amount not less than \$10,000 per claim, with a minimum annual aggregate of not less than \$30,000.

Notes: Applicants must provide proof of English proficiency (only for applicants that have passed the national written examination in any language other than English).

License Application Fee: Application fee: \$300.00, Unlicensed Activity Fee: \$ 5.00

TOTAL FEES:

If licensed in the first year: \$705.00

If licensed in the second year: \$505.00

License Investigation Fee: No

Background Check: No

Fingerprint Check: No

License Renewal Fee: Initial biennial licensure fee: \$400, if licensed in the first half of the biennium, and \$200, if licensed in the second half of the biennium.

License Term: All licenses expire on February 28, every even numbered year.

Enforcement Department: Department of Health, Board of Acupuncture

Enforcement Agency URL: <http://www.floridahealth.gov/licensing-and-regulation/acupuncture/board/index.html>

Enforcement Agency Contact: Jackie Clahar-Anderson

Enforcement Agency Contact Email: MQA_Acupuncture@doh.state

Agency Address: 4052 Bald Cypress Way, Bin #C06

Agency City, State, Zip: Tallahassee, FL 32399-3256

Agency Phone: (850) 245-4161

Application URL: <http://www.floridahealth.gov/licensing-and-regulation/acupuncture/applications-and-forms/index.html>

Renewal Application URL: <https://ww2.doh.state.fl.us/mqaservices/login.asp?mult=&pass=Y>

Web List of Licensees: <https://ww2.doh.state.fl.us/IRM00PRAES/PRASLIST.ASP>

Georgia



Name of Law: Acupuncture Act of Georgia

Statute Location: 43-34-60

Statute URL: <http://statutes.laws.com/georgia/title-43/chapter-34/article-3>

Rule: 360-6-.01

Rule URL: http://rules.sos.state.ga.us/cgi-bin/page.cgi?g=GEORGIA_COMPOSITE_MEDICAL_BOARD%2FACUPUNCTURE%2Findex.html&d=1

License/Registration Required: Yes. No reciprocity.

Definition of Acupuncture: “Acupuncture” means a form of therapy developed from traditional and modern Oriental concepts for health care that employs Oriental medicine techniques, treatment, and adjunctive therapies for the promotion, maintenance, and restoration of health and the prevention of disease.

Scope of Practice: "Practice of acupuncture" means the insertion of disposable acupuncture needles and the application of moxibustion to specific areas of the human body based upon Oriental medical principles as a therapeutic modality. Dry needling is a technique of the practice of acupuncture. Adjunctive therapies within the scope of acupuncture may include manual, mechanical, herbal, thermal, electrical, and electromagnetic treatment and the recommendation of dietary guidelines and exercise, but only if such treatments, recommendations, and exercises are based on concepts of traditional Oriental medicine and are directly related to acupuncture therapy.

Prohibitions: Disposable acupuncture needles are considered a biohazard waste material and must be disposed of in accordance with all applicable federal and state laws, rules and regulations. To further ensure the public health and safety of the citizens of Georgia, persons licensed under this Act and exempt individuals practicing acupuncture must keep accurate medical and office records that reflect the following detailed information:

- (a) Invoices for the purchase of disposable needles; and
- (b) Documentive disposal of all needles and method of disposal.
- (4) Records pertaining to needle purchase and needle disposal must be kept for a period of no less than five (5) years.

The law specifically prohibits dividing or agreeing to divide a fee for acupuncture services with any person who refers a patient.

Disclosures: Any person who undergoes acupuncture must consent in writing prior to such a procedure and shall be informed in general terms of the following:

- (a) That an acupuncturist is not licensed to practice medicine in the State of Georgia;
- (b) That an acupuncturist cannot practice medicine in the State of Georgia;
- (c) That the acupuncturist is not making a medical diagnosis of the person's disease or medical condition;
- (d) That, if the person wants to obtain a medical diagnosis, the person should see a licensed physician and seek medical advice from a licensed physician; and
- (e) The nature and purpose of the acupuncture treatment being rendered.

The information set forth in the informed consent form shall be in language which is easy to read and readily understandable to the consuming public.

Display the license issued by the Board in a public and appropriate manner.

Chinese Herbal Requirement: No

Education Requirement: Successfully completed a degree in acupuncture or a formal course of study and training in acupuncture. The applicant shall submit documentation satisfactory to the board to show that such education or course of study and training was:

- 1. Completed at a school that is accredited by the Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM) or other accrediting entity approved by the board; or
- 2. Completed by means of a program of acupuncture study and training that is substantially equivalent to the acupuncture education offered by an accredited school of acupuncture approved by the board.
- (e) Have passed an acupuncture examination offered by an organization accredited by the National Organization of Competency Assurance and approved by the board;
- (f) Submit proof of certification in acupuncture by the National Certification Commission for Acupuncture and Oriental Medicine;
- (g) Completed successfully a clean needle technique course approved by the Board;

Before any person licensed to practice acupuncture who has less than one year of post graduate clinical experience may practice on his/her own, such person must engage in one year of active practice under the supervision of a licensed acupuncturist who has had a minimum of 4 years of active licensed clinical practice. This supervising acupuncturist may be licensed in Georgia or any other state or country with licensing requirements substantially equal to Georgia's requirements and may accumulate the required four years of active licensed clinical practice in any combination of states, so long as the licensing requirements are equal to Georgia's.

Testing Requirement: Yes

NCCAOM Certification Requirement: Yes

Continuing Education Requirement: To be eligible for renewal, a licensee must furnish satisfactory evidence of having met Board approved continuing education requirements, including a minimum of one hour concerning infectious disease.

Bond/Insurance Requirement: Professional liability insurance of at least \$100,000/\$300,000.

Notes: License applicant must submit three (3) acceptable references: one reference from a licensed United States physician either MD or DO in the jurisdiction where the applicant is practicing and who is familiar with the applicant's practice and two references from practicing acupuncturists familiar with the applicant's practice.

License Application Fee: \$300

License Investigation Fee: No

Background Check: No

Fingerprint Check: No

License Renewal Fee: \$300

License Term: A license issued under this article shall be renewed biennially. The license will expire on the last day of the month in which the applicant's birthday falls.

Enforcement Department: Georgia Composite Medical Board

Enforcement Agency URL: <http://medicalboard.georgia.gov/acupuncturist>

Enforcement Agency Contact: Carol Dorsey

Enforcement Agency Contact Email: cdorsey@dch.ga.gov

Agency Address: 2 Peachtree St., N.W., 36th Floor

Agency City, State, Zip: Atlanta, Georgia 30303

Agency Phone: (404) 463-5038

Application URL: <http://medicalboard.georgia.gov/initial-licensure-acupuncture>

Web List of Licensees: www.medicalboard.georgia.gov

Hawaii



Name of Law: Acupuncture Practitioners

Statute Location: Chapter 436E

Statute URL: http://hawaii.gov/dcca/pvl/pvl/hrs/hrs_pvl_436e.pdf

Rule: 16-72-3

Rule URL: http://hawaii.gov/dcca/pvl/pvl/har/har_72-c.pdf

License/Registration Required: Yes. Hawaii does not reciprocate with any other jurisdiction.

Definition of Acupuncture: "Practice of acupuncture" means stimulation of a certain acupuncture point or points on the human body for the purpose of controlling and regulating the flow and balance of energy in the body. The practice includes the techniques of piercing the skin by inserting needles and point stimulation by the use of acupressure, electrical, mechanical, thermal therapy, moxibustion, cupping, or traditional therapeutic means.

Scope of Practice: Acupuncture is used in a wide range of treatment. However, the board recognizes that guidelines on the scope of practice of an acupuncture practitioner should be imposed and establishes the following permissible practices of authorized treatment which consists of pain relief and analgesia; functional and musculoskeletal disorders, including functional components of diseases; and the maintenance of well being, promotion of health, and physiological balance.

Prohibitions: Under Hawaii law certain licensed acupuncturists may use the title "Doctor of Acupuncture". In order to use the title, a Hawaii licensed acupuncturist must receive authorization from the Board of Acupuncture.

The law allows the use of the designation "D.Ac." In addition, "Doctor" or "Dr." may be used as long as the word "Acupuncturist" immediately follows the licensee's name. Therefore, the Board suggests the following title uses:

- Dr. John Doe, Acupuncturist
- Doctor John Doe, Acupuncturist
- John Doe, Doctor of Acupuncture
- John Doe, D.Ac.

Further, no other titles, prefixes or designations are permitted under the law. For example “DOM.” or “OMD” are not permitted.

A licensee shall keep accurate records of each patient the licensee treats. The records shall include the name of the patient, the indication and nature of treatment given, and any other relevant data deemed important by the licensee. Records shall be kept on file for a minimum of seven years and shall be open to inspection at any time by the board or its duly authorized representative.

When acupuncture is conducted in a building used for residential purposes, a room or rooms shall be set apart as an office for the practice and shall be used solely for this purpose. It shall be equipped with a washroom and toilet facilities. An acupuncture office may be inspected at any time during normal business hours by the board or any authorized employee of the department of commerce and consumer affairs.

Required practices shall include:

- (1) A fresh, disposable paper or a fresh sheet shall be used on the examining table for each patient;
- (2) Hands shall be washed with soap and water;
- (3) A piercing needle shall be previously unused and sterilized;
- (4) A piercing needle shall not be used more than once per treatment and shall be disposed of immediately after use in the manner prescribed in paragraph (8) below;
- (5) Skin, in the area of any acupuncture procedure, shall be thoroughly swabbed with germicidal solution before using any needles;
- (6) If the sterility of an unused needle or instrument has been compromised, it shall be sterilized at a minimum temperature of 250F (or 121C) for not less than thirty minutes at fifteen pounds of pressure per square inch before usage;
- (7) Prior to its usage on a patient, a reusable instrument or a non-piercing acupuncture needle shall be sterilized at a minimum temperature of 250F (or 121C) for not less than thirty minutes at fifteen pounds of pressure per square inch;
- (8) All used needles for disposal shall be placed in a hazardous waste container that meets standards set by the department of health. All handling of the container, including but not limited to treating, transporting, and disposing of the container, shall conform with the laws and rules of the department of health

Disclosures: The license certificate shall be conspicuously displayed in the office of practice.

Chinese Herbal Requirement: No

Education Requirement: Current licensing requirements are: a) Graduation from an accredited school or a school recognized as a candidate for accreditation and b) Completion of 1,515 academic course hours plus 660 clinical training hours and c) Passage of the NCCAOM exam.

Complete a formal program of acupuncture and receive a certificate or diploma from an institute, school, or college that was accredited or recognized as a candidate for accreditation by an accrediting body recognized by the U.S. Department of Education, at the time of the applicant's graduation; or in the case

of a foreign school, one that was licensed, approved or accredited by the appropriate foreign government agency at the time of the applicant's graduation and whose curriculum is approved by the Board.

The program shall have consisted of at least 2,175 hours as follows:

- (a) Academic program in the science of acupuncture (traditional oriental medicine) of at least 1,515 hours; and
- (b) Clinical training program of at least 660 hours.

To satisfy the formal educational requirements, the applicant shall complete an acupuncture and traditional Oriental medicine course of study consisting of not less than one thousand five hundred fifteen hours. The course of study shall cover, but not be limited to:

- (A) History and philosophy of traditional Oriental medicine (Nei-Ching, Taoism, Chi and Hsieh, Yin and Yang, and others);
- (B) Traditional human anatomy, including location of acupuncture points;
- (C) Traditional physiology, including the five elements organ theory;
- (D) Traditional clinical diagnosis, including pulse diagnosis;
- (E) Pathology, including the six Yin and seven Chin;
- (F) Laws of acupuncture (mother and son, husband and wife, and five elements);
- (G) Classification and function of points;
- (H) Needle techniques;
- (I) Complications;
- (J) Forbidden points;
- (K) Resuscitation;
- (L) Safety and precautions;
- (M) Use of electrical devices for diagnosis and treatment;
- (N) Public health and welfare;
- (O) Hygiene and sanitation;
- (P) Oriental herbal studies; and
- (Q) Clinical acupuncture practice.

To satisfy the clinical training requirements, the applicant shall complete a course of training consisting of not less than six hundred sixty hours under the supervision of a licensed acupuncturist. The clinical training requirements shall be obtained at an approved school and shall not be obtained from a licensed acupuncturist in private practice or another clinical setting unless it is a part of the clinical training curriculum of an approved school.

Testing Requirement: Yes. All applicants shall pass the National Certification Commission for Acupuncture & Oriental Medicine ("NCCAOM") Acupuncture Comprehensive Written Exam ("CWE") or its equivalent. Administration of the examination(s) is handled by the NCCAOM.

In 2004, NCCAOM revised the exam and declared the following exam modules as equivalent to the CWE:

- Foundations of Oriental Medicine Module (FOMM)
- Acupuncture Module (AM)

NCCAOM Certification Requirement: Yes

Continuing Education Requirement: No

Bond/Insurance Requirement: No

Notes: In addition to any other acts or conditions provided by law, the licensing authority shall refuse to renew, reinstate, or restore, or shall deny or suspend any license if the authority has received certification from the child support enforcement agency that the licensee or applicant is not in compliance with an order of support or has failed to comply with a subpoena or warrant relating to a paternity or child support proceeding.

In addition to any other acts or conditions provided by law, the licensing authority shall not renew or reinstate, or shall deny or suspend any license or application, if the department has received certification from an administering entity that the licensee or applicant is in default or breach of any obligation under any student loan, student loan repayment contract, or scholarship contract that financed the licensee's or applicant's education, or has failed to comply with a repayment plan.

License Application Fee: \$50 + \$185 to \$295

License Investigation Fee: N/A

Background Check: No

Fingerprint Check: No

License Renewal Fee: \$220

License Term: Application for renewal, regardless of the issuance date of the license, shall be made on a form provided by the board on or before June 30 of each odd-numbered year

Enforcement Department: Department of Commerce and Consumer Affairs; Professional and Vocation Licensing

Enforcement Agency URL: <http://hawaii.gov/dcca/pvl/boards/acupuncture/>

Enforcement Agency Contact: Christine Rutkowski

Enforcement Agency Contact Email: acupuncture@dcca.hawaii.gov

Agency Address: 335 Merchant Street, Room 301

Agency City, State, Zip: Honolulu, HI 96813

Agency Phone: (808) 586-2698

Application URL: http://hawaii.gov/dcca/pvl/boards/acupuncture/application_publications

Web List of Licensees: <https://pvl.ehawaii.gov/pvlsearch/>

Idaho



Name of Law: Acupuncture

Statute Location: 54-4701

Statute URL: <http://www.legislature.idaho.gov/idstat/Title54/T54CH47.htm>

Rule: 24.17.01

Rule URL: <http://adminrules.idaho.gov/rules/current/24/1701.pdf>

License/Registration Required: Yes. The board may grant a license to any applicant who presents proof of holding a current license to practice of acupuncture in another state, the District of Columbia, or territory of the United States, if the standards for said licensure are considered by the board to be equivalent to the requirements for licensure in Idaho.

Definition of Acupuncture: "Acupuncture" means that theory of health care developed from traditional and modern Oriental medical philosophies. It employs diagnosis and treatment of conditions of the human body based upon stimulation of specific acupuncture points on meridians of the human body for the promotion, maintenance, and restoration of health and for the prevention of disease. Therapies within the scope of acupuncture include manual, mechanical, thermal, electrical and electromagnetic treatment of such specific indicated points. Adjunctive therapies included in, but not exclusive to, acupuncture include herbal and nutritional treatments, therapeutic exercise and other therapies based on traditional and modern Oriental medical theory.

Scope of Practice: "Practice of acupuncture" means the insertion of acupuncture needles and use of similar devices and therapies, including application of moxibustion, to specific indicated points on the skin of the human body as indicated pursuant to traditional and modern theories of Oriental medicine.

Prohibitions: No person authorized to practice acupuncture pursuant to this chapter may hold himself out in any way as a medical physician, doctor of osteopathy, chiropractor, physical therapist or other health care professional unless the person is properly authorized for such practice pursuant to law.

Any advertisement or advertising shall be deemed by the board to be fraudulent, false, deceptive, or misleading if it:

Creates false or unjustified expectations of beneficial treatment or successful cures;

Contains any representations or claims, as to which the practitioner, referred to in the advertising, fails to perform.

Disclosures: Prior to providing treatment to a new patient, a practitioner shall explain to the patient the fees expected for treatment, accepted methods of payment, and payment policies including when payment is expected and any fees or interest to be charged for late payments. Such explanations should be provided in writing.

If the practitioner expects payment from the patient before receiving third party payments, the practitioner shall inform the patient before providing treatment.

If the practitioner's fees change during the course of treatment, the practitioner shall inform the patient of the new fees before providing treatment under the new fee schedule.

The license shall be conspicuously displayed in the office of the Practitioner.

Chinese Herbal Requirement: No

Education Requirement: Successful completion of either:

The requirements to be a candidate for certification by the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM);

OR

Graduation from an approved formal full-time acupuncture program of at least 1725 hours of entry level education

AND

2. Successful completion of an acupuncture internship, or other equivalent experience,

AND

3. Received a passing grade on an NCCAOM acupuncture examination or other equivalent demonstration of proficiency,

AND

4. Successful completion of a Clean Needle Techniques course and examination, incorporating Blood Borne Pathogen curriculum and OSHA procedures.

Testing Requirement: Has received certification from NCCAOM, or has successfully completed other similar requirements as have been approved by the board; and

Has successfully completed an acupuncture internship or pre-professional practice program, coordinated program, or such other equivalent experience as may be approved by the board; and

Has passed an examination or other demonstration of proficiency as may be uniformly required by the board for other similarly qualified applicants for licensure.

NCCAOM Certification Requirement: Permitted

Continuing Education Requirement: Continuing education is required in order to maintain a license to practice acupuncture in Idaho. All persons renewing a license must have attended and completed a minimum of fifteen hours of acupuncture study or oriental medical theory and techniques within the previous twelve months, as approved by the Idaho Board of Acupuncture.

All courses that are germane to the practice of Acupuncture and approved by National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM), are automatically approved for continuing education. The Board may also approve other courses that are germane.

A continuing education course taken in a renewal year, but not claimed for continuing education credit in that year, may only be claimed for credit in the following renewal year.

Beginning July 1, 2014, a minimum of ten hours of continuing education must be from Category I topics, and a maximum of five hours of continuing education may be from Category II topics, as set forth below:

Approved continuing education courses shall be those courses, programs, and activities that meet the general requirements, the content requirements of these rules, and that are approved or provided by the following entities or organizations, or otherwise approved by the Board:

- NCCAOM;
- Accredited Schools. Acupuncture and oriental medicine; and
- Other Courses May Be Approved by the Board.

The content of a continuing education course must be germane to the practice of acupuncture and:

Category I courses shall relate to the following topics:

- a. Acupuncture and the practice of acupuncture including topics that directly concern the history and theory of acupuncture, oriental medicine diagnosis and treatment techniques, and techniques of adjunctive oriental medicine therapies;
- b. The role of acupuncture in individual and public health, such as emergencies and disasters; or
- c. Research and evidence-based medicine as related to acupuncture and Asian medicine;

Category II courses shall relate to the following topics:

- a. Western biomedicine and biological sciences;
- b. Scientific or clinical content with a direct bearing on the quality of patient care, community or public health, or preventive medicine;
- c. Laws and ethics;
- d. Enhancement of effective communication with other medical practitioners;
- e. Behavioral sciences, patient counseling, and patient management and motivation when such courses are specifically oriented to the improvement of patient health;
- f. Practice management unrelated to clinical matters and direct patient care, including, but not limited to, administrative record keeping, insurance billing and coding, and general business organization and management; or
- g. Patient education including, but not limited to, patient education in East Asian therapeutic exercise techniques and Asian nutritional therapies.

Bond/Insurance Requirement: No

Notes: N/A

License Application Fee: \$100

License Investigation Fee: N/A

Background Check: No

Fingerprint Check: No

License Renewal Fee: \$125

License Term: Annual

Enforcement Department: Bureau of Occupational Licenses; Board of Acupuncture

Enforcement Agency URL: <http://www.ibol.idaho.gov/IBOL/BoardPage.aspx?Bureau=ACU>

Enforcement Agency Contact: John Downey

Enforcement Agency Contact Email: acu@ibol.idaho.gov

Agency Address: 700 West State Street

Agency City, State, Zip: Boise, ID 83702

Agency Phone: (208) 334-3233

Application URL:

<http://www.ibol.idaho.gov/IBOL/BoardAdditional.aspx?Bureau=ACU&BureauLinkID=930>

Web List of Licensees:

<https://secure.ibol.idaho.gov/eIBOLPublic/LPRBrowser.aspx?Profession=ACU&DefaultBoard=Y>

Illinois



Name of Law: Acupuncture Practice Act

Statute Location: 225 ILCS 2/

Statute URL:

[http://ilga.gov/legislation/ilcs/ilcs3.asp?ActID=1290&ChapAct=225 ILCS 2/&ChapterID=24&ChapterName=PROFESSIONS+AND+OCCUPATIONS&ActName=Acupuncture+Practice+Act](http://ilga.gov/legislation/ilcs/ilcs3.asp?ActID=1290&ChapAct=225%20ILCS%202/&ChapterID=24&ChapterName=PROFESSIONS+AND+OCCUPATIONS&ActName=Acupuncture+Practice+Act).

Rule: Title 68, Subchapter b, Part 1140

Rule URL: <http://www.ilga.gov/commission/jcar/admincode/068/06801140sections.html>

License/Registration Required: Yes. Reciprocity allowed.

Definition of Acupuncture: "Acupuncture" means the evaluation or treatment of persons affected through a method of stimulation of a certain point or points on or immediately below the surface of the body by the insertion of pre-sterilized, single-use, disposable needles, unless medically contraindicated, with or without the application of heat, electronic stimulation, or manual pressure to prevent or modify the perception of pain, to normalize physiological functions, or for the treatment of certain diseases or dysfunctions of the body and includes activities referenced in Section 15 of this Act for which a written referral is not required. Acupuncture does not include radiology, electrosurgery, chiropractic technique, physical therapy, naprapathic technique, use or prescribing of any drugs, medications, herbal preparations, nutritional supplements, serums, or vaccines, or determination of a differential diagnosis.

Scope of Practice: An acupuncturist registered under this Act who is not also licensed as a physical therapist under the Illinois Physical Therapy Act shall not hold himself or herself out as being qualified to provide physical therapy or physiotherapy services. An acupuncturist shall refer to a licensed physician or dentist, any patient whose condition should, at the time of evaluation or treatment, be determined to be beyond the scope of practice of the acupuncturist.

Prohibitions: Advertising shall be limited to the following information:

- (1) Publication of the person's name, title, office hours, address and telephone number;
- (2) Information pertaining to the person's areas of specialization or limitation of professional practice;

(3) Information on usual and customary fees for routine professional services offered, which information shall include, notification that fees may be adjusted due to complications or unforeseen circumstances;

(4) Announcement of the opening of, change of, absence from, or return to business;

(5) Announcement of additions to or deletions from professional registered staff; and

(6) The issuance of business or appointment cards.

A licensee shall report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act.

A licensee shall not use claims of superior quality of care to entice the public or advertising fee comparisons of available services with those of other persons providing acupuncture services.

A licensee shall not divide with anyone, other than physicians with whom the licensee receives referrals or another acupuncturist with whom the licensee works, any fee, commission, rebate or other form of compensation for any professional services not actually and personally rendered.

The Division hereby incorporates by reference the "Statement of Ethics and Professional Conduct" of the National Certification Commission for Acupuncture and Oriental Medicine.

Disclosures: No

Chinese Herbal Requirement: No

Education Requirement: Graduation from a school accredited by the Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM) or a similar accrediting body approved by the Division; or

Completion of a comprehensive educational program approved in accordance with Section 1140.40 by the Division; and

Passing the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) acupuncture examination or a substantially equivalent examination approved by the Division; and

Proof of successful completion of the Clean Needle Technique (CNT) course offered by the Council of Colleges of Acupuncture and Oriental Medicine.

Curriculum shall be a minimum of at least 3 academic years and no less than 27 calendar months (a minimum of 1950 hours or its equivalent). This must be composed of at least:

1) 890 hours (or its equivalent) in theory and treatment techniques in acupuncture and related studies.

A) Topics shall include, but not be limited to, the following:

i) History of Acupuncture;

ii) Basic Theory. Topics include, but are not limited to, basic Yin-Yang theory, 8 principles and 5 elements; Zang (viscera) organs and Fu (bowels) organs and extraordinary organs; theory and function of channels (meridians) and collaterals; Qi, blood and body fluids; Qi tonification (supplementation) and sedation (reducing); etiology (the causes of diseases) such as 6 exogenous, 7 emotional factors and non-internal or non-external reasons; pathology;

iii) Point Location and Channel (Meridian) Theory. Topics include, but are not limited to, nomenclature and distribution of the 14 channels on the body surface – 12 regular channels, Ren (conception) channel and Du (governing) channel; classification of points; points study should include the method of locating the points, anatomic structures, classification of points, functions and indications, and contraindications; know the specific points, such as Five Shu points, Yuan (source) points, Luo (connecting) points, Xi (cleft) points, Back-Shu points, Front-Mu points, Crossing points; 8 extraordinary channels and points;

iv) Acupuncture Treatment. Topics include, but are not limited to, use of the special evaluation method, differentiation of syndromes according to 8 principles, Qi and blood, Zang-Fu organs and theory of meridians and collaterals; case review, based on history of the patient and charting; the four-examination methods; measuring and recording vital signs and symptoms, to make treatment plans and future prognosis; contraindications of treatment; indications of potential risk to the patient; the need to modify standard therapeutic approach (e.g., infants and children, pregnancy) and apparently benign presentations that may have a more serious cause (hypertension, headaches);

v) Treatment Techniques. Topics include, but are not limited to, needle insertion: depth, duration, manipulation and withdrawal; the appearance of Qi; Moxa: application, direct and indirect, etc.; other techniques (e.g., bleeding, moxibustion, cupping, Gua Sha, 7 star); tonification and sedation techniques; knowledge relating to the treatment of acute and chronic conditions, first aid, analgesia, anesthesia, and electrical stimulation; safety issues; Oriental bodywork therapy (e.g., Tui Na, Shiatsu, Amma, acupressure, etc.); contraindication for certain conditions; and

vi) Ethics and Practice Management. Topics include confidentiality; informed consent; HIPPA guidelines; understanding the scope of practice; recordkeeping: legal requirements, release of data; ethical and legal aspects of referring patients to another practitioner; professional conduct and appropriate interpersonal behavior; laws and regulations governing the practice of acupuncture; recognition and clarification of patient expectations; general liability insurance; legal requirements; professional liability insurance: risk management and quality assurance; building and managing a practice, including ethical and legal aspects of third party reimbursement; professional development.

B) No more than 90 hours may count towards history and ethics and practice management.

2) 660 hours (or its equivalent) in clinical training.

A) The program must assure that each student participates in a minimum of 500 hours in the supervised care of patients using acupuncture. This portion of the clinical training, conducted under the supervision of program-approved supervisors, must consist of 250 student-performed treatments where students conduct patient interviews, participate in treatment planning, perform appropriate acupuncture treatments, and follow up on patients' responses to treatment.

B) The supervised clinical practice must be an internship that provides the student training in all phases of patient care and must be conducted in a teaching clinic operated by the institution or in a clinical facility with a formal affiliation with the institution where the institution exercises academic oversight substantially equivalent to the academic oversight exercised for teaching clinics operated by the institution, where:

i) Clinical instructors' qualifications meet school requirements for clinical instruction;

ii) Regular, systematic evaluation of the clinical experience takes place; and

iii) Clinical training supervision procedures are substantially equivalent to those within the teaching clinic operated by the institution. Student interns must receive training from a variety of clinical faculty in order to ensure that interns are exposed to different practice styles and instructional methods.

C) Of the remaining 160 hours, 150 hours must be acquired in observation.

3) 400 hours (or its equivalent) in biomedical clinical sciences.

A) Biomedical Clinical Sciences. Topics include, but are not limited to, basic science courses; biomedical and clinical concepts and terms; human anatomy and physiology; pathology and the biomedical disease model; pharmacology; the nature of the biomedical clinical process, including history taking, diagnosis, treatment and follow-up; the clinical relevance of laboratory and diagnostic tests and procedures, as well as biomedical physical examination findings; and

B) Clean Needle Technique. Topics include infectious diseases, sterilization procedures, needle handling and disposal, and other issues relevant to bloodborne and surface pathogens; the basis and need for referral and/or consultation; the range of biomedical referral resources and the modalities they employ.

Testing Requirement: Yes

NCCAOM Certification Requirement: Yes

Continuing Education Requirement:

Every licensee who applies for renewal of a license as an acupuncturist shall complete 30 hours of continuing education (CE) relevant to the practice of acupuncture.

- 2) A prerenewal period is the 24 months preceding June 30 of each odd-numbered year.
 - 3) One CE hour shall equal one clock hour.
 - 4) Courses that are part of the curriculum of an accredited university, college or other educational institution shall be allotted CE credit at the rate of 15 CE hours for each semester hour or 10 CE hours for each quarter hour of school credit awarded.
 - 5) A renewal applicant shall not be required to comply with CE requirements for the first renewal of an Illinois license.
 - 6) Acupuncturists licensed in Illinois but residing and practicing in other states shall comply with the CE requirements set forth in this Section.
 - 7) Continuing education credit hours used to satisfy the CE requirements of another jurisdiction may be applied to fulfill the CE requirements of the State of Illinois if they meet the requirements for CE in Illinois.
- b) Approved Continuing Education (CE)
- 1) CE hours shall be earned by verified attendance (e.g., certificate of attendance or certificate of completion) at or participation in a program or course that is offered or sponsored by an approved continuing education sponsor who meets the requirements set forth in subsection (c), except for those activities provided in subsections (b)(2), (3), (4), (5) and (6).
 - 2) A maximum of 5 hours of CE credit per renewal may be earned for completion of self-study (including online) courses that are offered by an approved sponsor who meets the requirements set forth in subsection (c). Each self-study course shall include an examination.
 - 3) A maximum of 15 hours of CE credit per renewal may be earned through postgraduate training programs (e.g., extern, residency or fellowship programs) or completion of acupuncture related courses that are a part of the curriculum of an approved acupuncture program or a college, university or graduate school.
 - 4) A maximum of 15 hours of CE credit per renewal may be earned for verified teaching in a college, university or school of acupuncture approved and/or as an instructor of continuing education programs given by approved sponsors. Credit will be applied at the rate of 1.5 hours for every hour taught and only for the first presentation of the program (i.e., credit shall not be allowed for repetitious presentations of the same program).

5) A maximum of 5 hours of CE credit per renewal may be earned for authoring papers published in refereed professional journals or books.

6) A maximum of 5 hours of CE earned may be for attendance at or participation in a program in Illinois related to the practice of acupuncture.

c) Approved CE Sponsors and Programs

1) Approved sponsor, as used in this Section, shall mean:

A) The American Association of Oriental Medicine;

B) Asian American Acupuncture Association, or its affiliates;

C) Illinois Association of Acupuncture and Oriental Medicine, or its affiliates;

D) Korean American Acupuncture Association of Illinois, or its affiliates;

E) Chicago Korean American Acupuncture Association, or its affiliates; or

F) Acupuncture and Oriental Medicine Alliance, or its affiliates;

G) Any other person, firm, association, corporation, or group that has been approved and authorized by the Division.

If a licensee has earned CE hours offered in another state or territory not given by an approved sponsor for which the licensee will be claiming credit toward full compliance in Illinois, the applicant shall submit an out of state continuing education approval form, along with a \$25 processing fee, prior to participation in the program or 90 days prior to expiration of the license.

Bond/Insurance Requirement: No

Notes: The Department may refuse to issue or renew the license of any person who fails to (i) file a return or to pay the tax, penalty or interest shown in a filed return or (ii) pay any final assessment of the tax, penalty, or interest as required by any tax Act administered by the Illinois Department of Revenue, until the time that the requirements of that tax Act are satisfied.

License Application Fee: \$500

License Investigation Fee: N/A

Background Check: No

Fingerprint Check: No

License Renewal Fee: \$250

License Term: License expires 6/30 of each odd year

Enforcement Department: Illinois Department of Financial & Professional Regulation

Enforcement Agency URL: <http://www.idfpr.com/profs/info/Acupuncture.asp>

Enforcement Agency Contact: Manuel Flores

Enforcement Agency Contact Email: N/A

Agency Address: 100 West Randolph, 9th Floor

Agency City, State, Zip: Chicago, Illinois 60601

Agency Phone: (888) 473-4858

Application URL: <http://www.idfpr.com/Renewals/apply/acupuncture.asp>

Web List of Licensees: <https://www.idfpr.com/LicenseLookUp/LicenseLookup.asp>

Indiana



Name of Law: Acupuncturists

Statute Location: IC 25-2.5

Statute URL: <http://www.in.gov/legislative/ic/code/title25/ar2.5/ch1.pdf>

Statute Notes: See also IC 25-1-9, Health Professions Standards of Practice at:
<http://www.in.gov/legislative/ic/code/title25/ar1/ch9.html>

Rule: 844 IAC 13-1-1

Rule URL: <http://www.in.gov/legislative/iac/T08440/A00130.PDF?>

License/Registration Required: Yes. Reciprocity permitted.

Definition of Acupuncture: "Acupuncture" means a form of health care employing traditional and modern Oriental medical concepts, Oriental medical diagnosis and treatment, and adjunctive therapies and diagnostic techniques for the promotion, maintenance, and restoration of health and the prevention of disease.

"Acupuncture" means the evaluation and treatment of persons affected through a method of stimulation of a certain point or points on or immediately below the surface of the body by the insertion of presterilized, single-use, disposable needles, unless medically contraindicated, with or without the application of heat, electronic stimulation, or manual pressure to prevent or modify the perception of pain to normalize physiological functions, or for the treatment of certain diseases or dysfunctions of the body.

The term does not include:

- (1) Radiology, electrosurgery, chiropractic technique, physical therapy, use or prescribing of any drugs, medications, serums, or vaccines; or
- (2) Determination of an allopathic differential diagnosis.

Scope of Practice: "Practice of acupuncture" means the insertion of acupuncture needles, the application of moxibustion to specific areas of the human body based upon Oriental medical diagnosis as a primary mode of therapy, and other means of applying acupuncture under this chapter.

Prohibitions: The acupuncturist shall give reasonable written notice to an active patient or those responsible for the patient's care when the acupuncturist withdraws from a case so that another acupuncturist may be employed by the patient or by those responsible for the patient's care. An acupuncturist shall not abandon a patient.

An acupuncturist who withdraws from a case, except in emergency circumstances, shall, upon written request, make available to his or her patient all records, test results, histories, diagnoses, files, and information relating to the patient that are in the acupuncturist's custody, possession, or control, or copies of such documents herein before described.

An acupuncturist, upon his or her retirement, upon discontinuation of the practice of acupuncture, or upon leaving or moving from a community shall notify all of his or her active patients, in writing, or by publication once a week for three consecutive weeks in a newspaper of general circulation in the community, that he or she intends to is continue his or her practice of acupuncture in the community and shall encourage his or her patients to seek the services of another licensed practitioner. The acupuncturist discontinuing his or her practice shall make reasonable arrangements with his or her active patients for the transfer of his or her records, or copies thereof, to the succeeding practitioner or an acupuncture association approved by the board.

An acupuncturist shall not exercise undue influence within the relationship between the acupuncturist and the patient by making sexual advances or requests for sexual activity or by making submission to sexual conduct a condition of treatment.

Fees charged by an acupuncturist for his or her professional services shall compensate the acupuncturist only for the services actually rendered.

(b) An acupuncturist shall not divide a fee for professional services with another practitioner who is not a partner, employee, or shareholder in a professional corporation unless the:

- (1) Patient consents to the employment of the other practitioner after a full disclosure that a division of fees will be made; and
- (2) Division of fees is made in proportion to actual services performed and responsibility assumed by each practitioner.

(c) An acupuncturist shall not pay or accept compensation from a practitioner for referral of a patient.

An acupuncturist shall not use false advertising, including guaranteeing that a cure will result from an acupuncture treatment.

In order to facilitate the process of informed selection of an acupuncturist by the public, an acupuncturist may advertise services through the public media, including, but not limited to, a telephone directory, acupuncturists' directory, newspaper or other periodical, radio or television, or through a written communication not involving personal contact.

If the advertisement is communicated to the public by radio, cable, or television, it shall be prerecorded, approved for broadcast by the acupuncturist, and a recording and transcript of the actual transmission shall be retained by the acupuncturist for a period of three years from the last date of broadcast.

If the acupuncturist advertises a fee for acupuncture material, service, treatment, consultation, examination, or other procedure, the acupuncturist must provide that material, service, or procedure for no more than the fee advertised.

An acupuncturist shall not fail to maintain records in a proper manner by failing to keep written records describing the course of treatment for each patient or refusing to provide upon request patient records that have been prepared for or paid for by the patient.

Disclosures: A practitioner that provides to a patient notice concerning a third party billing for a health care service provided to the patient shall ensure that the notice:

- (1) Conspicuously states that the notice is not a bill;
- (2) Does not include a tear-off portion; and
- (3) Is not accompanied by a return mailing envelope.

A practitioner has a duty and responsibility in the establishment of an office for the practice of acupuncture to maintain a sign clearly visible to the public indicating the name or names of all practitioners practicing at that location.

Chinese Herbal Requirement: No

Education Requirement: Show to the satisfaction of the board that the applicant has:

- (A) Current active status as a diplomate in acupuncture of the National Certification Commission for Acupuncture and Oriental Medicine;
- (B) Successfully completed a three year postsecondary training program or acupuncture college program that:
 - (i) Is accredited by;
 - (ii) Is a candidate for accreditation by; or
 - (iii) Meets the standards of; the National Accreditation Commission for Schools and Colleges of Acupuncture and Oriental Medicine; and
- (C) Successfully completed a clean needle technique course approved by the National Certification Commission for Acupuncture and Oriental Medicine.

Testing Requirement: N/A

NCCAOM Certification Requirement: Yes

Continuing Education Requirement: No, IN does not require CE for either an acupuncture license renewal or a detoxification specialist renewal.

Bond/Insurance Requirement: No

Notes: A practitioner who provides health care services to the practitioner's spouse is not subject to disciplinary action.

An acupuncturist who has personal knowledge based upon a reasonable belief that another acupuncturist has engaged in illegal, unlawful, incompetent, or fraudulent conduct in the practice of acupuncture shall promptly report such conduct to the board. Further, an acupuncturist who has personal knowledge of any person engaged in, or attempting to engage in, the unauthorized practice of acupuncture shall promptly report such conduct to the board.

License Application Fee: \$150

License Investigation Fee: N/A

Background Check: Yes

Fingerprint Check: Yes

License Renewal Fee: \$100 per biennium

License Term: A renewal application for licensed Acupuncturists shall be submitted to the agency on or before September 30 of each even-numbered year.

Enforcement Department: Indiana Professional Licensing Agency; Medical Licensing Board

Enforcement Agency URL: <http://www.in.gov/pla/acupuncture.htm>

Enforcement Agency Contact: Michael Minglin

Enforcement Agency Contact Email: pla3@pla.in.gov

Agency Address: 402 W. Washington Street, Room W072

Agency City, State, Zip: Indianapolis, IN 46204

Agency Phone: (317) 234-2060

Application URL: <http://www.in.gov/pla/2345.htm>

Web List of Licensees: <https://mylicense.in.gov/everification/Search.aspx>

Iowa



Name of Law: Acupuncture

Statute Location: Chapter 148E

Statute URL: <https://www.legis.iowa.gov/docs/ico/chapter/2013/148e.pdf>

Rule: Medicine Board

Rule URL:

<https://www.legis.iowa.gov/law/administrativeRules/chapters?agency=653&pubDate=12-25-2013>

License/Registration Required: Yes

Definition of Acupuncture: "Acupuncture" is defined as a form of health care developed from traditional and modern oriental medical concepts that employ oriental medical diagnosis and treatment and adjunctive therapies and diagnostic techniques for the promotion, maintenance, and restoration of health and the prevention of disease.

Scope of Practice: "Practice of acupuncture" means the insertion of acupuncture needles and the application of moxibustion to specific areas of the human body based upon oriental medical diagnosis as a primary mode of therapy. Adjunctive therapies within the scope of acupuncture may include manual, mechanical, thermal, electrical, and electromagnetic treatment, and the recommendation of dietary guidelines and therapeutic exercise based on traditional oriental medicine concepts.

Prohibitions: A person licensed under this chapter shall be held to the same standard of care as a person licensed to practice medicine and surgery or osteopathic medicine and surgery.

An acupuncturist shall use only presterilized, disposable needles, and shall provide for adequate disposal of used needles.

An acupuncturist shall not accept remuneration for referral of a patient to other health professionals.

An acupuncturist shall not offer or give of remuneration for the referral of patients, not including paid advertisements or marketing services.

An acupuncturist shall not engage in sexual activity or genital contact with a patient while acting or purporting to act within the scope of practice, whether or not the patient consented to the sexual activity or genital contact.

Disclosures: An acupuncturist shall display the license issued in a conspicuous place in the acupuncturist's place of business.

An acupuncturist shall provide to each patient upon initial contact with the patient the following information in written form:

1. The name, business address, and business telephone number of the acupuncturist.
2. A fee schedule.
3. A listing of the acupuncturist's education, experience, degrees, certificates, or credentials related to acupuncture awarded by professional acupuncture organizations, the length of time required to obtain the degrees or credentials, and experience.
4. A statement indicating any license, certificate, or registration in a health care occupation which was revoked by any local, state, or national health care agency.
5. A statement that the acupuncturist is complying with statutes and rules adopted by the board, including a statement that only presterilized, disposable needles are used by the acupuncturist.
6. A statement indicating that the practice of acupuncture is regulated by the board.
7. A statement indicating that a license to practice acupuncture does not authorize a person to practice medicine and surgery in this state, and that the services of an acupuncturist must not be regarded as diagnosis and treatment by a person licensed to practice medicine and must not be regarded as medical opinion or advice.

Chinese Herbal Requirement: No

Education Requirement: Successful completion of a three-year postsecondary training program or acupuncture college program which is accredited by, in candidacy for accreditation by, or which meets the standards of the National Accreditation Commission for Schools and Colleges of Acupuncture and Oriental Medicine.

Current active status as a diplomate in the NCCAOM.

Sufficient knowledge of the English language.

Successful completion of a course in Clean Needle Technique approved by the NCCAOM.

Testing Requirement: No

NCCAOM Certification Requirement: Yes

Continuing Education Requirement: Submitted renewal applications must include the correct renewal fee, along with documented evidence that the licensee has completed a minimum of 30 professional development activity (PDA) points and holds a current active status as a diplomate in the

NCCAOM. A professional development activity means any activity for the purpose of continuing a person's education that is defined and approved by the NCCAOM. One PDA point equals one hour of continuing education.

Bond/Insurance Requirement: This chapter shall not be construed to require accident and health insurance coverage for acupuncture services under an existing or future contract or policy for insurance issued or issued for delivery in this state, unless otherwise provided by the contract or policy.

Notes: The board shall suspend, revoke, deny the issuance of or renewal of a license upon the receipt of a certificate from the child support unit.

License Application Fee: \$300

License Investigation Fee: \$45

Background Check: Yes

Fingerprint Check: No

License Renewal Fee: \$300

License Term: After an acupuncture license is issued, the license expires every two years on October 31 of even years.

Enforcement Department: Board of Medicine

Enforcement Agency URL: <http://www.medicalboard.iowa.gov/licensure/acupuncture.html>

Enforcement Agency Contact: Mark Bowden

Enforcement Agency Contact Email: mark.bowden@iowa.gov

Agency Address: 400 SW 8th Street, Suite C

Agency City, State, Zip: Des Moines, IA 50309

Agency Phone: 515-281-6641

Application URL: <https://eservices.iowa.gov/PublicPortal/Iowa/IBM/common/index.jsp>

Web List of Licensees:

<https://eservices.iowa.gov/PublicPortal/Iowa/IBM/licenseQuery/LicenseQuery.jsp?Profession=Acupuncturist>

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Board Position on Ear Stapling

Approved by the Iowa Board on February 8, 2007

This policy statement is not a legally binding opinion of the board, but is only intended to provide guidance to the public. The board may make formal policy only through administrative rules, declaratory orders or contested case decisions.

Ear stapling is the placement of a stainless steel staple at a reflex point in the inner cartilage of the ear for the purpose of weight loss, smoking cessation, stress management and other problems. Ear stapling is an improper practice of acupuncture. Proper acupuncture practice uses sterile, disposable acupuncture needles at a level in the skin that is less invasive than ear staples, which have a higher chance of infection. Additionally, effective acupuncture treatments require needle placement in more than one location.

To practice acupuncture in Iowa one must be licensed by the Iowa Board of Medicine. Those individuals exempt from the acupuncture licensing requirement include medical doctors (M.D.s), osteopathic physicians (D.O.s), podiatrists, chiropractors, and dentists, as specified in the Iowa Code section 148E.3.

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Kansas



Acupuncture as a profession is restricted to licensed medical personnel.

In order to practice naturopathic acupuncture, a naturopathic doctor shall obtain a naturopathic acupuncture specialty certification from the board. The board may issue this specialty certification to a naturopathic doctor who has:

- Submitted an application and paid certification fee to be determined by the board;
- Completed basic oriental medicine philosophy from a college or university approved by the board and 500 hours of supervised clinical training under a trained naturopathic acupuncturist's supervision.

"Naturopathic doctor" means a doctor of naturopathic medicine who is authorized and licensed.

"Naturopathic medicine," or "naturopathy" means a system of health care practiced by naturopathic doctors for the prevention, diagnosis and treatment of human health conditions, injuries and diseases, that uses education, natural medicines and therapies to support and stimulate the individual's intrinsic self-healing processes, and includes prescribing, recommending or administering:

- Food, food extracts, vitamins, minerals, enzymes, whole gland thyroid, botanicals, homeopathic preparations, nonprescription drugs, plant substances that are not designated as prescription drugs or controlled substances, topical drugs as defined in subsection (i) of this section, and amendments thereto;
- Health care counseling, nutritional counseling and dietary therapy, naturopathic physical applications, barrier contraceptive devices;
- Substances on the naturopathic formulary which are authorized for intramuscular or intravenous administration pursuant to a written protocol entered into with a physician who has entered into a written protocol with a naturopathic doctor licensed under this act;
- Noninvasive physical examinations, venipuncture to obtain blood for clinical laboratory tests and orofacial examinations, excluding endoscopies;
- Minor office procedures; and
- Naturopathic acupuncture.
-

"Naturopathic acupuncture" means the insertion of fine metal needles through the skin at specific points on or near the surface of the body with or without the palpation of specific points on the body and with or without the application of current or heat to the needles or skin or both to treat human disease and impairment and to relieve pain.

Kentucky



Name of Law: Acupuncture

Statute Location: KRS 311.671

Statute URL: <http://www.lrc.ky.gov/Statutes/statute.aspx?id=30609>

Rule: 201 KAR:450 and 201 KAR 9:460

Rule URL: <http://www.lrc.state.ky.us/kar/201/009/450.htm> and
<http://www.lrc.state.ky.us/kar/201/009/460.htm>

License/Registration Required: Yes. Reciprocity permitted.

Definition of Acupuncture: "Practice of acupuncture" means the insertion of acupuncture needles, with or without accompanying electrical or thermal stimulation, at certain acupuncture points or meridians on the surface of the human body for purposes of changing the flow of energy in the body and may include acupressure, cupping, moxibustion, or dermal friction. The practice of acupuncture shall not include laser acupuncture, osteopathic manipulative treatment, chiropractic adjustments, physical therapy, or surgery.

Scope of Practice: N/A

Prohibitions: If, in the course of conducting an interview regarding the patient's medical history, the patient discloses that he or she suffers from one of the potentially serious disorders or conditions listed in this section, the acupuncturist shall verify that the patient is currently under the care of a physician and consult with the treating physician before providing acupuncture treatment. If the patient refuses to provide a medical history or disclose information regarding any of the conditions listed below, acupuncture treatment shall not be provided.

"Potentially serious disorder or condition" means:

- (a) Hypertension and cardiac conditions;
- (b) Acute, severe abdominal pain;
- (c) Undiagnosed neurological changes;
- (d) Unexplained weight loss or gain in excess of fifteen percent (15%) of the patient's body weight in less than a three month period;
- (e) Suspected fracture or dislocation;
- (f) Suspected systemic infections;

- (g) Serious hemorrhagic disorder;
- (h) Acute respiratory distress without a previous history;
- (i) Pregnancy;
- (j) Diabetes; or
- (k) Cancer.

Every certified acupuncturist shall develop a written plan for consultation, emergency transfer, and referral to appropriate health-care facilities or to other health-care practitioners operating within the scope of their authorized practices, which meets the requirements contained in administrative regulations promulgated by the board. The written plan shall be filed with the board and maintained at the acupuncturist's practice location and updated as appropriate to meet current regulatory requirements.

An acupuncture practitioner shall use the designation "certified acupuncturist" or "C.Ac." following his or her name in all advertisements, professional literature, and billings used in connection with his or her practice.

An acupuncturist shall maintain a record for each patient treated, in a manner consistent with the acceptable and prevailing standards of practice within the Commonwealth. At a minimum, the record for each patient shall include:

- (a) A signed copy of the information disclosed by the acupuncturist to the patient;
- (b) Evidence that the acupuncturist has conducted or overseen an interview concerning the patient's medical history and current physical condition;
- (c) Evidence of the acupuncturist having conducted a traditional acupuncture examination;
- (d) A record of the treatment, including the acupuncture points treated; and
- (e) The evaluation and instructions given.

Disclosures: An acupuncturist shall obtain informed consent from each patient in a manner consistent with the acceptable and prevailing standards of practice within this Commonwealth and, at a minimum, the acupuncturist shall disclose to the patient the following written information prior to or during the patient's initial visit:

- (1) The acupuncturist's qualifications, including his or her education, certification information, and the definition and scope of the practice of acupuncture in the Commonwealth; and
- (2) Possible outcomes of the treatment to be given, including any pain, bruising, infection, needle sickness, or other side effects that may occur.

The certification issued by the board shall be conspicuously displayed in the certified acupuncture practitioner's place of business.

Chinese Herbal Requirement: No

Education Requirement: Have achieved a passing score on the acupuncture examination administered by the National Commission for Certification of Acupuncture and Oriental Medicine; and

Have graduated from a course of training of at least one thousand eight hundred hours, including three hundred clinical hours, that is approved by the Accreditation Commission for Acupuncture and Oriental Medicine.

Testing Requirement: Yes

NCCAOM Certification Requirement: Yes

Continuing Education Requirement: Thirty hours biennially, as a condition for renewal of a certificate. All education programs that contribute to the advancement, extension, or enhancement of professional skills and knowledge related to the practice of acupuncture, whether conducted by a nonprofit or profit-making entity, are eligible for approval. The continuing professional education requirements must be in acupuncture or oriental medicine subjects, including but not limited to anatomy, biological sciences, adjunctive therapies, sanitation and sterilization, emergency protocols, and diseases.

All national and state acupuncture and oriental medicine organizations and acupuncture and oriental medicine schools are approved to provide continuing professional education in accordance with this section.

The applicant must provide evidence of completion of the required continuing education during the previous period of certification, including evidence of completion of a continuing education course on the human immunodeficiency virus and acquired immunodeficiency syndrome in the previous ten years.

Bond/Insurance Requirement: No

Notes: The written plan developed by each certified acupuncturist shall include the following information:

The acupuncturist shall identify the protocol to be used to determine whether a potential patient suffers from one of the potentially serious disorders or conditions and to determine the identity of the physician treating the patient for the disorder or condition.

The acupuncturist shall identify the telephone, facsimile, letter, or electronic mail as the means of communication to be used to:

Notify the treating physician that the patient is seeking treatment by acupuncture and has disclosed that he or she is being treated for a potentially serious disorder or condition; and

The acupuncturist shall identify the method that will be used to document the consultation and verification. If notification and verification are accomplished by telephone, the documentation shall include, at a minimum, the name of the staff member in the physician's office providing the verification.

The acupuncturist shall specify how many attempts he or she will make to obtain verification from the treating physician that the patient is under the care of before initiating treatment by acupuncture. A minimum of two attempts is required before treatment is initiated, but the acupuncturist may choose a higher number of attempts.

While verifying whether the patient is under the physician's care for a potentially serious disorder or condition, if the physician identifies possible contraindications for the use of acupuncture in the particular patient or recommends against the use of acupuncture, the acupuncturist may use her or his professional judgment to determine if it is reasonable to provide acupuncture treatment to that particular patient, considering all available facts.

A potential patient shall be considered to be "under the care of a physician" if receiving regular or recurring treatment from the physician or from a physician assistant being supervised by the physician or from an advanced registered nurse practitioner who is practicing in association with the physician.

The certified acupuncturist shall identify the nearest emergency room facility by name, address and telephone number, the protocol for emergency transfer of patients which shall include, at a minimum, the requirement that the acupuncturist will utilize the "911" emergency notification system to arrange for emergency transfer of the patient.

The acupuncturist shall identify, by name, address and telephone number, at least two physicians who have agreed to consult with and accept referrals from the acupuncturist. If applicable, the acupuncturist shall also identify health-care facilities that have agreed to accept referrals from the acupuncturist.

License Application Fee: \$150

License Investigation Fee: N/A

Background Check: No

Fingerprint Check: No

License Renewal Fee: \$150

License Term: Two years – June 1 of the year in which the certificate expires

Enforcement Department: Kentucky Board of Medical Licensure

Enforcement Agency URL: <http://kbml.ky.gov/ah/Pages/Acupuncture.aspx>

Enforcement Agency Contact: Dawn Beahl

Enforcement Agency Contact Email: dawn.beahl@ky.gov

Agency Address: 310 Whittington Parkway, Suite 1B

Agency City, State, Zip: Louisville, KY 40222

Agency Phone: (502) 429-7150 extension 231

Application URL: <https://services.kbml.ky.gov/QCommerceNet/Index.aspx>

Web List of Licensees: <http://web1.ky.gov/gensearch/LicenseSearch.aspx?AGY=26>

Louisiana



Name of Law: Practice of Acupuncture

Statute Location: Title 37, Part IV, 1356

Statute URL:

<http://www.lsbme.la.gov/Laws/Practice%20Acts%207%2009%20PDF/Acupuncture%20Practice%20Act%207%2009.pdf>

Rule: Title 46, Part XLV, Subpart 1, Chapter 1, Subchapter H

Rule URL:

<http://www.lsbme.la.gov/Rules/Board%20Rules%205%201%202013/Board%20Rules%205%201%202013.htm>

License/Registration Required: Yes

Definition of Acupuncture: "Acupuncture" means treatment by means of mechanical, thermal or electrical stimulation effected by the insertion of needles at a point or combination of points on the surface of the body predetermined on the basis of the theory of the physiological interrelationship of body organs with an associated point or combination of points, or the application of heat or electrical stimulation to such point or points, for the purpose of inducing anesthesia, relieving pain, or healing diseases, disorders and dysfunctions of the body, or achieving a therapeutic or prophylactic effect with respect thereto.

Scope of Practice: The practice of acupuncture shall be construed to be the practice of medicine as defined by R.S. 37:1261.

Notes: N/A

Prohibitions: The board shall certify as an acupuncturist's assistant any of the following:

- (1) An individual to practice in Louisiana who has successfully completed thirty-six months' training in a school or clinic of traditional Chinese acupuncture approved by the board.
- (2) An individual who has been appointed or employed at a licensed or accredited Louisiana hospital, medical school, or clinic to perform acupuncture for research purposes.
- (3) An individual who has successfully passed the certification examination given by the National Certification Commission for Acupuncture and Oriental Medicine.

B. The acupuncturist's assistant shall work under the direction, control, and supervision of a physician and shall perform such duties, services, and functions pertaining to acupuncture as assigned by the supervising physician.

Disclosures: No

Chinese Herbal Requirement: No

Education Requirement: The board shall certify as an acupuncturist of traditional Chinese acupuncture a physician licensed to practice medicine in Louisiana who has successfully completed either of the following:

- (1) Six months' training in traditional Chinese acupuncture in a school or clinic approved by the board.
- (2) Three hundred credit hours of continuing medical education in acupuncture designated as category one continuing medical education hours by the American Medical Association.

Testing Requirement: No

NCCAOM Certification Requirement: No

Continuing Education Requirement: No

Bond/Insurance Requirement: No

Notes: N/A

License Application Fee: \$200

License Investigation Fee: N/A

Background Check: Yes

Fingerprint Check: Yes

License Renewal Fee: \$100

License Term: Annual at the last day of the licensee's birth month

Enforcement Department: State Board of Medical Examiners

Enforcement Agency URL: <http://www.lsbme.la.gov/index-contactus.html>

Enforcement Agency Contact: Lydia Favorite

Enforcement Agency Contact Email: lfavorite@lsbme.la.gov

Agency Address: 630 Camp Street

Agency City, State, Zip: New Orleans, LA 70130

Agency Phone: (504) 568-7483

Application URL: <http://www.lsbme.la.gov/Accupuncturepuncturist%20assistants.htm>

Web List of Licensees: <http://www.lsbme.la.gov/apps/verifications/lookup.aspx>

Maine



Name of Law: Complementary Health Care Providers

Statute Location: Title 32, Chapter 113-B

Statute URL: <http://www.mainelegislature.org/legis/statutes/32/title32ch113-Bsec0.html>

Rule: 02 502 - formerly Acupuncture Licensing Board

Rule URL: <http://www.maine.gov/sos/cec/rules/02/chaps02.htm#502>

License/Registration Required: Yes

Definition of Acupuncture: "Acupuncture" means the insertion of fine metal needles through the skin at specific points on or near the surface of the body with or without the palpation of specific points on the body and with or without the application of electric current or heat to the needles or skin, or both. The practice of acupuncture is based on traditional oriental theories and serves to normalize physiological function, treat certain diseases and dysfunctions of the body, prevent or modify the perception of pain and promote health and well-being.

Scope of Practice: N/A

Prohibitions: Gross negligence, incompetence or misconduct in the practice of acupuncture or naturopathic medicine includes, but is not limited to:

Failing to practice acupuncture in accordance with the Clean Needle Technique Manual for Acupuncturists;

Paying, accepting or soliciting any payment or consideration for the referral of a client or patient;

Exercising undue influence on the client or patient, including the promotion for sale of goods, services or drugs, so as to exploit the client or patient for the financial gain of the acupuncturist or naturopathic doctor;

Failing to maintain professional boundaries in relationships with patients or engaging in a dual relationship that impairs treatment, exploits practitioner/patient trust, or fosters an undue dependency of the patient on the practitioner;

Failing to report an incident of child or adult abuse or neglect as mandated by state law;

Engaging in sexual misconduct with a patient;

Engaging in a sexual relationship with a former patient within the 6 month period following the end of the professional relationship;

Engaging in a sexual relationship with a former patient after the 6 month period following the end of the professional relationship that exploits the trust established during the professional relationship.

Licensed acupuncturists and naturopathic doctors shall abide by the code of ethics. Licensees shall:

Respect the rights and dignity of each person treated;

Accept and treat those seeking services in a nondiscriminatory manner;

Keep the patient informed by explaining treatments and outcomes;

Render the highest quality of care and make timely referrals to other health care professionals as may be appropriate;

Clearly and fully explain alternative treatments available when appropriate, including potential referral to other health care professionals;

Refrain from making public statements on the efficacy of Oriental or naturopathic medicine that are not supported by the generally accepted experience of the professions;

Respect the integrity of other forms of health care and other medical traditions and seek to develop collaborative relationships to achieve the highest quality of care for individual patients;

Report to the board a licensed acupuncturist or naturopathic doctor whose judgment or competency while treating patients is impaired by chemical dependency or physical or mental incapacity;

A licensee who offers medicines, medical devices, supplements or pre-made herbal formulations to patients shall offer alternative sources for obtaining such items as long as those alternative sources do not compromise safety or clinical effectiveness;

Refrain from recommending medicines or treatments of a secret nature, and adequately disclose the contents of medicines or the nature and description of treatments recommended to a patient;

Provide or recommend only those services that are medically necessary or deemed to be beneficial to an individual patient;

Transfer a patient's records to another health care provider at the request of the patient, in accordance with appropriate and applicable legal guidelines, in a reasonable and timely fashion, and at reasonable cost; and

Not accept gifts from any individual or entity that may be deemed to influence the licensee's professional clinical judgment.

Disclosures: Disclose to a patient any financial interests that may conflict with the provision of appropriate care by the licensee;

Disclose any compensation from or ownership interest in a company that sells specific products as to which the licensee has made written or oral public statements;

Chinese Herbal Requirement: No

Education Requirement: Method #1 -- Applying With Baccalaureate Degree:

- ☐ Baccalaureate Degree;
- ☐ Official Acupuncture School Transcript of 1,000 acupuncture classroom hours;
- ☐ Official verification of 300 acupuncture hours of clinical experience; and
- ☐ Official copy of the NCCAOM Certification.

Method #2 – Applying As Registered Nurse Or Physician's Assistant:

- ☐ Verification of Licensure as Registered Professional Nurse, or
- ☐ Verification of Completion of Training Program and Examination as Physician's Assistant, and
- ☐ Official Acupuncture School Transcript of 1,000 acupuncture classroom hours
- ☐ Official verification of 300 acupuncture hours of clinical experience
- ☐ Official copy of the NCCAOM Certification

Testing Requirement: Yes

NCCAOM Certification Requirement: Yes

Continuing Education Requirement: 30 hours of continuing education during the preceding two year. The continuing education cycle begins on October 1 of each even numbered year and ends on September 30 of the next even numbered year on a continuing basis thereafter. To be eligible for credit, a continuing education activity must—

- A. Directly relate to the knowledge or clinical practice of acupuncture or Oriental medicine; and
- B. Be either sponsored or presented by a pre-approved organization.

This continuing education requirement does not apply to the first renewal of an initial license.

All continuing education activities must be completed during the license term(s) of the designated continuing education cycle for which credit is claimed. Continuing education hours earned in excess of the required hours for a license term may not be carried forward to a subsequent license term.

Continuing education credit will not be given for activities which in substantial part promote a specific company, individual or product or continuing education activities which primarily focus on practice economics;

Bond/Insurance Requirement: No

Notes: N/A

License Application Fee: \$195

License Investigation Fee: N/A

Background Check: Yes

Fingerprint Check: No

License Renewal Fee: \$291.00 (includes application, license and criminal records check fee)

License Term: Renew annually on October 31st

Enforcement Department: Board of Complementary Health Care Providers

Enforcement Agency URL:

<http://www.maine.gov/pfr/professionallicensing/professions/complementary/staff.htm>

Enforcement Agency Contact: James D. Liddell

Enforcement Agency Contact Email: comphealth.lic@maine.gov

Agency Address: 35 State House Station

Agency City, State, Zip: Augusta, ME 04333

Agency Phone: (207) 624-8689

Application URL:

<http://www.maine.gov/pfr/professionallicensing/professions/complementary/pdf/CHCP%20Acupuncture.pdf>

Web List of Licensees: http://www.maine.gov/pfr/professionallicensing/license_search.htm

Maryland



Name of Law: Maryland Acupuncture Act

Statute Location: Health Occupations 1A-101

Statute URL: <http://dhmh.maryland.gov/bacc/Documents/law%202005.pdf>

Rule: Title 10, Subtitle 26, Chapter 02 General Regulations

Rule URL: <http://dhmh.maryland.gov/bacc/Documents/general%20813.pdf>

License/Registration Required: Yes

Definition of Acupuncture: "Acupuncture" means a form of health care, based on a theory of energetic physiology that describes the interrelationship of the body organs or functions with an associated point or combination of points.

Scope of Practice: "Practice acupuncture" means the use of oriental medical therapies for the purpose of normalizing energetic physiological functions including pain control, and for the promotion, maintenance, and restoration of health.

(2) "Practice acupuncture" includes:

- (i) Stimulation of points of the body by the insertion of acupuncture needles;
- (ii) The application of moxibustion; and
- (iii) Manual, mechanical, thermal, or electrical therapies only when performed in accordance with the principles of oriental acupuncture medical theories.

Prohibitions: Although some believe that the removal of needles by assistants in China and other countries or states may be common practice, the Board considers the insertion and the removal of needles as part of the practice of acupuncture, for which a Maryland acupuncture license is required. Delegation of the removal of needles may result in your being charged for aiding and abetting the unlicensed practice of acupuncture.

Licensee cannot refuse, withhold from, deny, or discriminate against an individual with regard to the provision of professional services based on race, religion, age, gender, sexual orientation, national origin, disability or because the individual is HIV positive.

Although acupuncturists have a legal, ethical and professional duty to keep information about their patients confidential, there are certain circumstances under which they must report particular events or conditions to the Board.

As a licensed acupuncturist, you must notify the Board if you have reasonable grounds to believe that another acupuncturist has sexually abused or is mistreating a patient or has violated any sections of the Maryland Acupuncture Practice Act. If you obtain information from a patient about another health professional, you should advise the patient of your requirement to file the report.

If the patient is an adult, you must retain the medical record for 5 years from the date the record was created. For a record created about a minor patient, the record must be maintained until the patient reaches the age of majority plus three years (i.e., $18 + 3 = 21$ years of age) or 5 years after the record was created, whichever is later.

An acupuncturist should mail a copy of requested medical record within 21 business days. A reasonable time is no more than 21 working days after the date a person in interest requests the disclosure.

At no time would the Board consider it appropriate for a practitioner to establish an intimate relationship with a patient. An acupuncturist must maintain professional boundaries, even when the patient initiates crossing the boundaries during your professional relationship.

If a licensed acupuncturist and his/her patient mutually desire a personal relationship, the professional relationship must be terminated and the acupuncturist must refer the patient to another health care practitioner. Both parties must wait before engaging in an intimate relationship for a time when it is reasonably certain that the professional relationship will have no further influence on the personal relationship.

A licensee shall:

Decline to administer treatment if the licensee believes that the treatment is contraindicated or unjustified;

Terminate a professional relationship with patient in an appropriate manner, such as:

Providing the patient with sufficient notice to permit the patient to obtain the services of another professional,

Assisting the patient by providing referrals if appropriate, or

Continuing to provide emergency treatment to the patient if treatment is required before a reasonable time has passed to allow the patient to obtain the services of another health care provider;

Make arrangements for another professional to provide for the needs of the patient during an anticipated absence when the licensee is unavailable to a patient;

A licensee may not:

Receive remuneration from, or split a fee for, either making or accepting a referral of the patient to another health care practitioner;

Make a guarantee or promise about the efficacy of a particular treatment, the licensee's practice, or the result of a treatment unless supported by scientific principles accepted by the profession;

Disclosures: Provide sufficient information to a patient to allow the patient to make an informed decision regarding treatment, including:

- (1) The purpose and nature of an evaluation or treatment regimen,
- (2) Alternatives to treatment,
- (3) Side effects and benefits of a treatment regimen proposed and alternatives to that treatment,
- (4) The estimated cost of treatment and alternatives to treatment,
- (5) The right of the patient to

If an acupuncturist is engaged in the private practice of acupuncture in this State, the acupuncturist shall display the notice developed under § 1-207 of this article conspicuously in each office where the acupuncturist is engaged in practice.

When advertising in a local newspaper, telephone directory, on radio or television, you must list the current address and telephone number of your office(s).

Chinese Herbal Requirement: No

Education Requirement: Graduation from a course of training of at least 1,800 hours, including 300 clinical hours, that is:

Approved by the Maryland Higher Education Commission,

Approved by the ACAOM, or

Found by the Board to be equivalent to a course approved by the ACAOM; OR

2. Achievement of a: Diplomate in Acupuncture from the NCCAOM; or

Passing score on an examination that is determined by the Board to be equivalent to the examination given by the NCCAOM.

3. An applicant must also demonstrate proof of proficiency in the written and oral communication of the English language.

Testing Requirement: No

NCCAOM Certification Requirement: No

Continuing Education Requirement: The Board's regulations require that you earn 30 hours of continuing education within the 2-year period of your renewal cycle. The Board requires that you earn a minimum of 20 hours in formally organized programs that are relevant to the practice of acupuncture.

The CEU breakdown is as follows:

At least 20 hours in formally organized programs which are relevant to the practice of acupuncture and Oriental medicine and are approved by the Board or sponsored by, but not limited to, the following organizations and their member organizations:

- (i) American Academy of Medical Acupuncture;
- (ii) American Association of Acupuncture and Oriental Medicine (AAAOM);
- (iii) Council of Colleges of Acupuncture and Oriental Medicine (CCAOM);
- (iv) Colleges and universities accredited by the Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM);
- (v) National Commission for the Certification of Acupuncture and Oriental Medicine (NCCAOM);
- (vi) Society for Acupuncture Research; or
- (vii) The National Acupuncture Detoxification Association.

Not more than 10 hours of training in accredited programs which will assist a licensee to carry out the licensee's professional responsibilities such as management courses, computer training, CPR, western medicine, massage, foreign language training for translators of relevant texts, or educational methodology for teachers of acupuncture.

Not more than 10 hours teaching acupuncture and related oriental medical therapies in an accredited school or in a program approved for acupuncture continuing education.

Not more than 4 hours for writing peer review articles which are peer-reviewed research or peer-reviewed clinically relevant articles in acupuncture and Oriental medicine; and limited to 5 hours per article.

Not more than 7 credit hours in pro bono activity. One credit hour for each 3 hours of pro bono activity is allowed per renewal cycle. Pro bono work shall be for the provision of acupuncture services provided through an organization offering humanitarian services such as, but not limited to:

- (i) Domestic or international victims in an emergency situation or disaster area;
- (ii) Low income or underserved areas or populations;
- (iii) Special needs populations; or
- (iv) United States military personnel.

Bond/Insurance Requirement: No

Notes: After the first treatment, a person becomes a patient, and requires that the following procedures be followed:

1. Informed consent form
2. History and evaluation
3. Follow up care
4. Treatment rendered in a private place
5. Record of individual is maintained for 5 years

6. HIPPA
7. Sanitation/hygiene
8. Contact information is provided in case of adverse reaction

Notes: Published Policies URL, http://dhmh.maryland.gov/bacc/Documents/board_policies2006.pdf

License Application Fee: \$525

License Investigation Fee: N/A

Background Check: No

Fingerprint Check: No

License Renewal Fee: \$525

License Term: Licenses are renewed every two years. Renewal expiration dates are May 31st and November 30th.

Enforcement Department: Board of Acupuncture

Enforcement Agency URL: <http://dhmh.maryland.gov/bacc/SitePages/Home.aspx>

Enforcement Agency Contact: Penny K. Heisler

Enforcement Agency Contact Email: penny.heisler@maryland.gov

Agency Address: 4201 Patterson Avenue, Room 311

Agency City, State, Zip: Baltimore, MD 21215

Agency Phone: 410-764-4766

Application URL: <http://dhmh.maryland.gov/bacc/SitePages/applications.aspx>

Web List of Licensees: <https://mdbnc.dhmd.gov/ACUPTVerification/default.aspx>

Massachusetts



Name of Law: Registration of Certain Professions and Occupations

Statute Location: Chapter 112, sections 148-162

Statute URL: <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVI/Chapter112/Section148>

Rule: 243 CMR 4.00 and 5.00

Rule URL: <http://www.mass.gov/eohhs/docs/borim/reg-243-cmr-5.pdf>

License/Registration Required: Yes. Massachusetts does not currently have any active reciprocal licensing agreements.

Definition of Acupuncture: The practice of acupuncture: the practice of medicine based upon traditional oriental medical theories; primarily the insertion of metal needles through the skin at certain points on the body, with or without the use of herbs, with or without the application of electric current, and with or without the application of heat to the needles, skin, or both, in an attempt to relieve pain or improve bodily function. Electroacupuncture, whether utilizing electrodes on the surface of the skin or current applied to inserted needles, and laser acupuncture are considered the practice of acupuncture.

Scope of Practice: Acupuncture shall include, but not be limited to: Auricular, hand, nose, face, foot and/or scalp acupuncture therapy;

Stimulation to acupuncture points and channels by use of any of the following:

Needles, moxibustion, cupping, thermal methods, magnets, gwua-sha, scraping techniques, acupatches, herbal poultices, ion cord linking acupuncture devices with wires, hot and cold packs, TDP (electro magnetic wave therapy), and lasers.

Manual stimulation, including stimulation by an instrument or mechanical device that does not pierce the skin); massage, acupressure, reflexology, shiatsu and tui na. Electrical stimulation including electro-acupuncture, percutaneous and transcutaneous electrical nerve stimulation.

Acupuncture diagnostic technique shall include but not be limited to the use of observation, listening, smelling, inquiring, palpation, pulses, tongue, physiognomy, five element correspondences, ryodoraku, akabani, German electro-acupuncture, Kirlian photography and thermography.

Adjunctive therapies shall include but not be limited to:

1. Oriental nutritional counseling, herbology, and the recommendation of nonprescription substances which meet the Food and Drug Administration labeling requirements as dietary supplements to promote health.
2. Recommendation of breathing techniques and therapeutic exercises; and
3. Lifestyle, behavioral, supportive, educational and stress counseling.

Prohibitions: The needles used in acupuncture shall be solid filiform instruments which shall include but not be limited to: dermal needles, plum blossom needles, press needles, prismatic needles and disposal lancets. The use of staples in the practice of acupuncture shall be prohibited.

All nondisposable needles, acupuncture equipment that comes into contact with the patient's blood or body fluids, or penetrates the skin, and equipment used to handle or store needles or other acupuncture equipment that comes into contact with the patient's blood or body fluids, or penetrates the skin shall be sterilized after each use. All equipment to be sterilized shall be thoroughly cleaned before sterilization with a disinfectant or cleansing solution. Disposable needles do not need to be sterilized after each use but must be properly discarded after each use.

Sterilized acupuncture equipment shall be clearly marked to distinguish it from unsterilized equipment. Sealed packages containing sterilized equipment shall be marked with an expiration date.

If, in the course of treatment of a patient, a licensee learns that the patient has AIDS, hepatitis, or another blood-borne highly infectious disease, or has tested positive for the HTLV-III virus, then the licensee shall use disposable needles in treating the patient.

A full licensee may advertise for patients by means that are in the public interest. Advertising that is not in the public interest includes the following:

Advertising that guarantees a cure; or

Advertising that makes claims of professional superiority that an acupuncturist cannot substantiate.

A licensee shall use the title "Licensed Acupuncturist" alongside his/her name on any advertising or other materials visible to the public which pertain to the licensee's practice of acupuncture. A full licensee shall include in an advertisement or professional notice his/her name, business address and title.

A full licensee shall maintain a complete, accurate, and reproducible version of the audio and visual contents of any advertising for a period of three years.

A licensee shall keep a complete and accurate acupuncture record of each patient the licensee treats. The record shall include: the name and address of the patient, the licensee's evaluation of the patient, the treatments given including the points needled, and the fee charged for the treatments. A licensee must maintain a patient's acupuncture record for a minimum period of seven years from the date of the last acupuncture treatment.

A licensee may not discriminate against a person seeking acupuncture services solely because the person is a recipient of public assistance.

A licensee may not include the title "Master" in any advertising that falls under the scope of practice for a licensed Massachusetts acupuncturist.

An acupuncture office must be maintained in a clean and sanitary condition. The office must have a sink for hand washing in close proximity to the office and a readily accessible bathroom facility, both of which must be maintained in a clean and sanitary condition.

Disclosures: The practitioner gives the patient information about the nature of the proposed treatment (body parts to be treated, type of treatment, possible sensations that might be felt, etc.) and duration of the treatment.

2. The practitioner gives reasoning/rationale for the proposed treatment.
3. The practitioner and the patient create and understand a shared objective for the outcome of the treatment.

A licensee is required to display conspicuously his/her license certificate in his/her office. A licensee who is approved by the Committee to employ herbs in his/her acupuncture practice shall display conspicuously his/her license certificate indicating he/she is currently approved to use herbal therapy in his/her practice.

Before beginning the first treatment on a new patient, a licensee who normally uses nondisposable needles shall inform the patient that the patient has the right, if he/she so chooses and at his/her expense, to have acupuncture performed with disposable acupuncture needles.

Chinese Herbal Requirement: No

Education Requirement: The applicant has completed two full years of undergraduate study (60 semester hours or 90 quarter hours or the equivalent) at an accredited college or university, (this accredited college or university cannot be your acupuncture school) or foreign institution, which the COA deems the equivalent.

2. The applicant has successfully completed, at an accredited college or at a COA approved acupuncture school, a three semester hour course in each of the following: general biology, human physiology, and human anatomy. Applicants entering acupuncture school must have completed a laboratory course requirement for at least one of the science courses listed above.

3. An applicant for a full acupuncture license must,
 - a) be a graduate of a COA approved acupuncture school, and
 - b) have a minimum of 1905 hours of clinical and didactic instruction in acupuncture related courses, of which a minimum of 100 hours must be in the supervised diagnosis and treatment of patients for whom the applicant is solely responsible. Coursework in general biology, human physiology, and human

anatomy are excluded from the 1905 hours of required acupuncture education. The Committee, in its discretion, may grant a waiver of this requirement for applicants who are licensed acupuncturists in another state.

4. The acupuncture school must be a COA approved school on the date the applicant graduates from the school.

5. An applicant for a full acupuncture license must have received a minimum of 30 hours of herbal medicine training from a COA approved school or COA program in order to be licensed.

Initial licensees must have NCCAOM Certification in Chinese Herbology in order to practice acupuncture with herbs and must have 660 hours in herbal training, of which 210 hours were clinical hours in acupuncture and herbology.

An applicant shall demonstrate sufficient knowledge of the English language to understand and be understood by patients, physicians, and Board and Committee personnel.

Testing Requirement: The Massachusetts licensing examination is administered by National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) and consists of four parts; 1) the NCCAOM comprehensive Written Examination (CWE) and/or The Foundations of Oriental Medicine Module (FOMM) and The Acupuncture Module (AM); 2) NCCAOM practical Examination of Point Location Skills (PEPLS) and/or The Point Location Module (PLM), 3) The Biomedicine Module and, 4) the CCAOM Clean Needle Technique/Practical (CNT) course.

NCCAOM Certification Requirement: As of January 1, 2009, an applicant for initial licensure must be NCCAOM board certified in Acupuncture, Oriental Medicine or Chinese Herbology or be licensed in another state or foreign nation with which Massachusetts has a reciprocal agreement.

Continuing Education Requirement: A full licensee is required to complete 30 hours of continuing acupuncture education per renewal period as a condition of renewal of his/her license. The renewal period is each two year period that begins on the date that a license is issued or renewed by the Committee and ends on the following renewal date.

All continuing education programs or courses must be formal learning programs relevant to the study or practice of acupuncture, which contribute directly to the professional competence of the licensee. Continuing education courses may include certain courses in Western medicine. However, at least 15 hours of the 30 hours of continuing acupuncture education shall be spent in courses directly related to acupuncture.

Licensees involved with research projects on the topics of Acupuncture and/or Chinese Herbal Therapy may receive up to five (5) continuing acupuncture education credits for their work in connection with peer-reviewed research publications.

A licensee who teaches a COA approved CAE course can earn up to 12 credits per renewal period (up to 6 per year) for teaching this COA approved CAE course as long as it is teaching that is outside his/her normal work environment. The credits will be granted only for the actual instruction time, and not for preparation time.

CAE courses (other than home study courses) sponsored by the following organizations are automatically approved by the Committee on Acupuncture in either the “directly related to” or the “indirectly related to” acupuncture category.

1. COA approved acupuncture schools
2. The Acupuncture Practitioners Association of Massachusetts (APA)
3. The Acupuncture Society of Massachusetts (ASM)
4. The American Assoc. of Acupuncture and Oriental Medicine (AAAOM)
5. The American Medical Association (AMA)
6. The American Red Cross, the American Heart Assoc., etc.
7. The Massachusetts Assoc. of Acupuncture and Oriental Medicine (MAAOM)
8. The Massachusetts Medical Society (MMS)
9. The National Acupuncture & Oriental Medicine Alliance (NAOMA)
10. The National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM)
11. The Oriental Traditional Medical Association (OTMA)
12. The MA Chinese Society of Traditional Chinese Medicine.

Bond/Insurance Requirement: No

Notes: Extensive “Code of Ethical Behavior & Checklist” at:
<http://www.mass.gov/eohhs/docs/borim/policies-guidelines/acupuncture/policy-coa-93-01.pdf>

License Application Fee: \$300

License Investigation Fee: N/A

Background Check: Full license acupuncture applicants must request a self-query profile from the National Practitioner Data Bank.

Fingerprint Check: No

License Renewal Fee: \$600 biennial

License Term: A full licensee must renew his/her license every two years. The renewal date is the licensee's birthday. The first renewal date is in the second year following the year in which the full license was granted, unless that date is within 15 months of the date the license was originally granted, in which case the first renewal date is in the third year following the year in which the license was granted.

Enforcement Department: Executive Office of Health and Human Services, Board of Registration in Medicine, Committee on Acupuncture

Enforcement Agency URL:
<http://www.mass.gov/eohhs/provider/licensing/occupational/acupuncture/>

Enforcement Agency Contact: N/A

Enforcement Agency Contact Email: full.licensing@massmail.state.ma.us

Agency Address: 200 Harvard Mill Square, Suite 330

Agency City, State, Zip: Wakefield, MA 01880

Agency Phone: (781) 876-8210

Application URL: <http://www.mass.gov/eohhs/docs/borim/kits/acupuncture-kit.pdf>

Web List of Licensees: N/A

Michigan



Name of Law: Public Health Code - Acupuncture Section

Statute Location: 368-1978-15-165

Statute URL:

[http://www.legislature.mi.gov/\(S\(oew43daefddy0zntrshoxsqx\)\)/mileg.aspx?page=getObject&objectName=mcl-368-1978-15-165](http://www.legislature.mi.gov/(S(oew43daefddy0zntrshoxsqx))/mileg.aspx?page=getObject&objectName=mcl-368-1978-15-165).

Rule: R 338.13001

Rule URL: http://www7.dleg.state.mi.us/orr/Files/AdminCode/105_07_AdminCode.pdf

License/Registration Required: Yes. Reciprocity permitted.

Definition of Acupuncture: “Acupuncture” means the insertion and manipulation of needles through the surface of the human body at specific locations on the human body for the prevention or correction of disease, injury, pain, or other condition.

Scope of Practice: N/A

Prohibitions: Prohibited conduct includes, but is not limited to, the following acts or omissions by any individual covered by these rules:

- (a) Refusing to provide professional service to a person because of the person's race, creed, color, national origin, age, sex, sexual orientation, or disability.
- (b) Being involved in a situation that creates a conflict of interest that interferes with the exercise of professional discretion or makes a patient's interests secondary.
- (c) Being involved in or soliciting a sexual relationship with a current patient or a member or members of the current patient's immediate family.

An individual covered by these rules shall retain a patient record for the following time periods:

At least 7 years from the date of the last acupuncture service.

- (b) For a minor client, at least 7 years from the date of the last acupuncture service, or until the minor client reaches the age of 19, whichever is later.

Disclosures: No

Chinese Herbal Requirement: No

Education Requirement: An acupuncture educational program shall be at least 3 academic years and not less than 27 calendar months in duration. The curriculum shall consist of a minimum of 1,900 hours, or its equivalent, of didactic and clinical instruction that is composed of at least all of the following:

(i) 790 hours, or its equivalent, in theory and treatment techniques in acupuncture and related studies. Topics shall include, but shall not be limited to, the following:

(A) History of acupuncture.

(B) Basic theory.

(C) Point location and channel (median) theory.

(D) Acupuncture treatment.

(E) Treatment techniques.

(F) Ethics.

(G) Practice management.

(ii) 660 hours, or its equivalent, in clinical training. The program shall require each student to participate in a minimum of 500 hours of supervised care of patients that includes the performance of acupuncture. Of the remaining 160 hours of clinical training, 150 hours shall be acquired by an individual's observation of the performance of acupuncture.

(iii) 450 hours, or its equivalent, in biomedical clinical sciences, including but not limited to, clean needle technique.

(b) An applicant

A master's level program in acupuncture and oriental medicine that is accredited by the accreditation commission for acupuncture and oriental medicine is an educational program that is acceptable to the board.

Testing Requirement: Yes

NCCAOM Certification Requirement: Must have a current certification that was conferred either by NCCAOM or by an organization with equivalent certification standards as determined by the board.

Continuing Education Requirement: N/A

Bond/Insurance Requirement: No

Notes: An acupuncturist shall practice under the delegation of an allopathic physician or osteopathic physician and surgeon

License Application Fee: \$275

License Investigation Fee: N/A

Background Check: Yes

Fingerprint Check: Yes

License Renewal Fee: \$400

License Term: Two years. Your initial Acupuncturist registration is only good until the next expiration date of your profession (anywhere from 4 months to 1 year). After your first renewal, your registration will be valid for 2 years.

Enforcement Department: Bureau of Health Professionals; Department of Licensing & Regulatory Affairs (LARA); Michigan Board of Acupuncture

Enforcement Agency URL:
http://www.michigan.gov/lara/0,4601,7-154-35299_63294_27529_45354---,00.html

Enforcement Agency Contact: N/A

Enforcement Agency Contact Email: bhpinfo@michigan.gov

Agency Address: P.O. Box 30670

Agency City, State, Zip: Lansing, MI 48909

Agency Phone: (517) 335-0918

Application URL:
http://www.michigan.gov/documents/lara/Acupuncture_Full_355490_7.pdf?20140106141946

Web List of Licensees: <http://w3.lara.state.mi.us/free/>

Minnesota



Name of Law: Acupuncture Practitioners

Statute Location: Stats. 147B

Statute URL: <https://www.revisor.mn.gov/statutes/?id=147B>

Rule: N/A

Rule URL: N/A

License/Registration Required: Yes. Reciprocity permitted.

Definition of Acupuncture: "Acupuncture practice" means a comprehensive system of health care using Oriental medical theory and its unique methods of diagnosis and treatment. Its treatment techniques include the insertion of acupuncture needles through the skin and the use of other biophysical methods of acupuncture point stimulation, including the use of heat, Oriental massage techniques, electrical stimulation, herbal supplemental therapies, dietary guidelines, breathing techniques, and exercise based on Oriental medical principles.

"Oriental medicine" means a system of healing arts that perceives the circulation and balance of energy in the body as being fundamental to the well-being of the individual. It implements the theory through specialized methods of analyzing the energy status of the body and treating the body with acupuncture and other related modalities for the purpose of strengthening the body, improving energy balance, maintaining or restoring health, improving physiological function, and reducing pain.

Scope of Practice: The scope of practice of acupuncture includes, but is not limited to, the following:

- (1) Using Oriental medical theory to assess and diagnose a patient;
- (2) Using Oriental medical theory to develop a plan to treat a patient. The treatment techniques that may be chosen include:
 - (i) Insertion of sterile acupuncture needles through the skin;
 - (ii) Acupuncture stimulation including, but not limited to, electrical stimulation or the application of heat;
 - (iii) Cupping;
 - (iv) Dermal friction;
 - (v) Acupressure;
 - (vi) Herbal therapies;
 - (vii) Dietary counseling based on traditional Chinese medical principles;

- (viii) Breathing techniques;
- (ix) Exercise according to Oriental medical principles; or
- (x) Oriental massage.

Prohibitions: Before treatment of a patient, an acupuncture practitioner shall ask whether the patient has been examined by a licensed physician or other professional with regard to the patient's illness or injury, and shall review the diagnosis as reported.

The practitioner shall inquire whether the patient has a pacemaker or bleeding disorder.

Referral to other health care practitioners is required when an acupuncturist practitioner sees patients with potentially serious disorders including, but not limited to:

- (1) Cardiac conditions including uncontrolled hypertension;
- (2) Acute, severe abdominal pain;
- (3) Acute, undiagnosed neurological changes;
- (4) Unexplained weight loss or gain in excess of 15 percent of the body weight in less than a three-month period;
- (5) Suspected fracture or dislocation;
- (6) Suspected systemic infections;
- (7) Any serious undiagnosed hemorrhagic disorder; and
- (8) Acute respiratory distress without previous history.

The acupuncturist shall request a consultation or written diagnosis from a licensed physician for patients with potentially serious disorders.

An acupuncturist shall maintain a patient record for each patient treated, including:

- (1) A copy of the informed consent;
- (2) Evidence of a patient interview concerning the patient's medical history and current physical condition;
- (3) Evidence of a traditional acupuncture examination and diagnosis;
- (4) Record of the treatment including points treated; and
- (5) Evidence of evaluation and instructions given to the patient.

Disclosures: The practitioner shall obtain informed consent from the patient, after advising the patient of the following information which must be supplied to the patient in writing before or at the time of the initial visit:

- (1) The practitioner's qualifications including:
 - (i) Education;
 - (ii) License information; and
 - (iii) Outline of the scope of practice of acupuncturists in Minnesota; and
- (2) Side effects which may include the following:
 - (i) Some pain in the treatment area;
 - (ii) Minor bruising;
 - (iii) Infection;
 - (iv) Needle sickness; or

(v) Broken needles.

The practitioner shall obtain acknowledgment by the patient in writing that the patient has been advised to consult with the patient's primary care physician about the acupuncture treatment if the patient circumstances warrant or the patient chooses to do so.

Chinese Herbal Requirement: No

Education Requirement: Current Certification by the National Certification Commission for Acupuncturists and Oriental Medicine in acupuncture or NCCAOM certification in Oriental medicine.

Testing Requirement: No

NCCAOM Certification Requirement: Current Certification by the National Certification Commission for Acupuncturists and Oriental Medicine (NCCAOM) in acupuncture or NCCAOM certification in Oriental medicine.

Continuing Education Requirement: Each licensee is required to meet the NCCAOM professional development activity requirements to maintain NCCAOM certification. These requirements may be met through a board approved continuing education program.

Continuing education program topics may include, but are not limited to, Oriental medical theory and techniques including Oriental massage; Oriental nutrition; Oriental herbology and diet therapy; Oriental exercise; western sciences such as anatomy, physiology, biochemistry, microbiology, psychology, nutrition, history of medicine; and medical terminology or coding.

Practice management courses are excluded under this section.

Bond/Insurance Requirement: No

Notes: "Acupuncture needle" means a needle designed exclusively for acupuncture purposes. It has a solid core, with a tapered point, and is 0.12 mm to 0.45 mm in thickness. It is constructed of stainless steel, gold, silver, or other board-approved materials as long as the materials can be sterilized according to recommendations of the National Centers for Disease Control and Prevention.

License Application Fee: \$330 - Includes initial application fee, annual fee, and e-licensing surcharge.

License Investigation Fee: N/A

Background Check: No

Fingerprint Check: No

License Renewal Fee: \$165

License Term: All acupuncture licenses expire June 30th of each year

Enforcement Department: Board of Medical Practice

Enforcement Agency URL: http://mn.gov/elicense/licenses/licensedetail.jsp?URI=tcm:29-2620&CT_URI=tcm:27-117-32

Enforcement Agency Contact: Robert Leach

Enforcement Agency Contact Email: Rob.Leach@state.mn.us

Agency Address: 2829 University Ave. S.E., Suite 500

Agency City, State, Zip: Minneapolis, MN 55414-3246

Agency Phone: (612) 617-2130

Application URL:
<http://mn.gov/health-licensing-boards/medical-practice/applicants/apply/index.jsp>

Web List of Licensees: <http://mn.gov/health-licensing-boards/medical-practice/public/find-practitioner/>

Mississippi



Name of Law: Acupuncture Practice Act

Statute Location: 73-71-1

Statute URL:

[http://www.msbml.ms.gov/msbml/web.nsf/webpageedit/Licensure_LAinfo_Exam/\\$FILE/JP%20Study%20Guide.pdf?OpenElement](http://www.msbml.ms.gov/msbml/web.nsf/webpageedit/Licensure_LAinfo_Exam/$FILE/JP%20Study%20Guide.pdf?OpenElement)

Rule: Title 30, Part 2625: Chapter 1

Rule URL:

[http://www.msbml.ms.gov/msbml/web.nsf/webpageedit/Licensure_LAinfo_Exam/\\$FILE/JP%20Study%20Guide.pdf?OpenElement](http://www.msbml.ms.gov/msbml/web.nsf/webpageedit/Licensure_LAinfo_Exam/$FILE/JP%20Study%20Guide.pdf?OpenElement)

License/Registration Required: Yes. Reciprocity permitted.

Definition of Acupuncture: "Acupuncture" means the insertion and manipulation of needles to the body, and the use of Oriental medicine and other modalities and procedures at specific locations on the body, for the prevention or correction of any disease, illness, injury, pain or other condition.

"Techniques of acupuncture" includes acupuncture, moxibustion or heating modalities, cupping, magnets, ion pumping cords, electroacupuncture including electrodermal assessment, application of cold packs, dietary, nutritional and lifestyle counseling, manual therapy (Tui Na), massage, breathing and exercise techniques, the administration of any herb and nutritional supplement and meridian therapy.

Scope of Practice: "Practice of acupuncture" means: To treat, correct, change, alleviate or prevent disease, illness, pain, deformity, defect, injury or other physical or mental conditions by the techniques of acupuncture, including:

1. The administering or applying of an apparatus or other therapeutic technique as defined in this chapter;
or
2. The using of complementary and integrative therapies as defined in this chapter

"Complementary and integrative therapies" means a heterogeneous group of preventive, diagnostic and therapeutic philosophies and practices, which at the time they are performed may differ from current scientific knowledge, or whose theoretical basis and techniques may diverge from western medicine

routinely taught in accredited medical colleges, or both. These therapies include, but are not limited to, acupuncture, acupressure and acupressure.

Prohibitions: The acupuncturist shall obtain informed consent from the patient after advising them of potential risks and benefits of acupuncture treatment plan.

The acupuncturist shall obtain a written prescription from the patient's licensed physician.

The acupuncturist shall obtain a detailed medical history that would identify contraindications to acupuncture such as a bleeding disorder.

A licensed acupuncturist shall maintain a complete and accurate record of each patient that they treat. The record shall include:

- A. Name and address of the patient and other appropriate identifying information
- B. Written referral from physician
- C. The acupuncturist's evaluation of the patient including patient history examination and diagnosis
- D. Informed consent
- E. Documentation of treatment including points treated
- F. Evidence of instructions given to patient

Patient records must be maintained for a period of seven years from the date of last treatment.

All license holders shall comply with the Code of Ethics adopted by the NCCAOM except to the extent that they conflict with the laws of the State of Mississippi or the rules of the Board. If the NCCAOM Code of Ethics conflicts with state law or rules, the state law or rules govern the matter. Violation of the Code of Ethics or state law or rules may subject a license holder to disciplinary action.

Acupuncturists shall not use the terms "board certified" unless the advertising also discloses the complete name of the board which conferred the referenced certification.

Disclosures: Before treating a patient, the acupuncturist shall advise the patient that acupuncture is not a substitute for conventional medical diagnosis and treatment and shall obtain the informed consent of the patient.

On initially meeting a patient in person, the acupuncturist shall provide in writing the acupuncturist's name, business address, and business telephone number, and information on acupuncture, including the techniques that are used.

Acupuncturists should make available disclosure information with the sale of any goods in order to inform patients of their financial interests.

Posting his or her license in a conspicuous location in his or her place of practice at all times.

Chinese Herbal Requirement: No

Education Requirement: Successful completion of an educational program for acupuncturists that are in candidacy status or accredited by ACAOM, NCCAOM or its predecessor or successor agency that is at least three (3) years in duration and includes a supervised clinical internship to ensure that applicants with an education outside the US are recognized because of the NCCAOM review process for foreign applicants.

Pass the certification examinations administered by the NCCAOM and have current NCCAOM Diplomate status in Acupuncture or Oriental Medicine that is consistent with one of the following: 1. If taken before June 1, 2004, pass the Comprehensive Written Exam (CWE), the Clean Needle Technique portion (CNTP), and the Practical Examination of Point Location Skills (PEPLS).

2. If taken on or after June 1, 2004, and before January 1, 2007, pass the NCCAOM Foundations of Oriental Medicine Module, Acupuncture Module, Point Location Module and Biomedicine Module.

3. If taken on or after January 1, 2007, pass the NCCAOM Foundations of Oriental Medicine Module, Acupuncture Module with Point Location Module, and the Biomedicine Module.

Successful completion of a CCAOM-approved clean needle technique course sent directly from the course provider to the Board.

Current cardiopulmonary resuscitation (CPR) certification from either the American Heart Association or the American Red Cross.

Standards shall provide that as a prerequisite to graduation, a program of study of at least two thousand five hundred (2,500) hours, meet the minimum requirements of a Board approved national accrediting body, require participation in a carefully supervised clinical or internship program and confer a certificate, diploma or degree in acupuncture only after personal attendance in classes and clinics.

Testing Requirement: Yes

NCCAOM Certification Requirement: Yes

Continuing Education Requirement: Every acupuncturist must earn or receive not less than thirty (30) hours of acupuncture related continuing education courses as precedent to renewing their license for the next fiscal year. The thirty (30) hours is per two-year cycle. Excess hours may not be carried over to another two-year cycle. Continuing education courses must be sponsored and/or approved by one of the following organizations:

1. Mississippi Council of Advisors in Acupuncture

2. Mississippi Oriental Medicine Association
3. American Association of Acupuncture and Oriental Medicine
4. National Certification Commission for Acupuncture and Oriental Medicine
5. American Acupuncture Council

Acupuncturists receiving their initial license to perform acupuncture in Mississippi after June 30 are exempt from the minimum continuing education requirement for the two-year period following their receiving a license. The thirty hour continuing education certification will be due within the next two-year cycle.

Bond/Insurance Requirement: Malpractice insurance with a minimum of \$1 million dollars in coverage.

Notes: The rules pertain to acupuncture practitioners performing the technique of acupuncture for a patient only if the patient has received a written referral or prescription for acupuncture from a Mississippi currently licensed physician. If the patient has received a written referral or prescription for the treatment of infertility, the referral or prescription must be issued by a currently licensed Mississippi physician whose primary practice specialty is obstetrics and gynecology.

The practitioner shall perform the technique of acupuncture under the general supervision of the patient's referring or prescribing physician. General supervision does not require that the acupuncturist and physician practice in the same office.

Before treatment of a patient the acupuncturist shall be sure that the patient has been examined and referred by a licensed physician and shall review the diagnosis for which the patient is receiving treatment.

Before making the referral or prescription for acupuncture, the physician shall perform a medical diagnostic examination of the patient or review the results of a medical diagnostic examination recently performed by another physician.

The physician shall make the referral or prescription in writing and specify in the referral or prescription all of the following:

- A. The physician's diagnosis of the ailment or condition that is to be treated by acupuncture;
- B. A time by which or the intervals at which the acupuncturist must provide reports to the physician regarding the patient's condition or progress in treatment; and
- C. The conditions or restrictions placed on the acupuncturist's course of treatment.

Notes: An applicant must appear for a personal interview in the office of the Mississippi State Board of Medical Licensure, pass the Jurisprudence Examination as administered by the Board and submit for a criminal background check.

License Application Fee: \$400

License Investigation Fee: N/A

Background Check: Yes

Fingerprint Check: Yes

License Renewal Fee: The payment of the annual license renewal fee shall be optional with all acupuncturists over the age of seventy (70) years.

License Term: Annual by June 30th

Enforcement Department: Mississippi Board of Medical Licensure

Enforcement Agency URL:

http://www.msbml.ms.gov/msbml/web.nsf/webpages/Licensure_LAcInfo?OpenDocument&Page=Licensure_LAc

Enforcement Agency Contact: Rhonda Freeman

Enforcement Agency Contact Email: mboard@msbml.ms.gov

Agency Address: 1867 Crane Ridge Drive, Suite 200-B

Agency City, State, Zip: Jackson, MS 39216

Agency Phone: (601) 987-3079

Application URL:

[http://www.msbml.ms.gov/msbml/web.nsf/webpageedit/Licensure_LAcinfo_App/\\$FILE/application.pdf?OpenElement](http://www.msbml.ms.gov/msbml/web.nsf/webpageedit/Licensure_LAcinfo_App/$FILE/application.pdf?OpenElement)

Web List of Licensees: <http://www.msbml.ms.gov/msbml/medical.nsf>

Missouri



Name of Law: Acupuncturist Advisory Committee

Statute Location: 324.475

Statute URL: <http://www.moga.mo.gov/statutes/C300-399/3240000475.HTM>

Rule: 20 CSR 2015-1.010

Rule URL: <http://www.sos.mo.gov/adrules/csr/current/20csr/20c2015-1.pdf>

License/Registration Required: Yes. Reciprocity permitted.

Definition of Acupuncture: "Acupuncture", the use of needles inserted into the body by piercing of the skin and related modalities for the assessment, evaluation, prevention, treatment or correction of any abnormal physiology or pain by means of controlling and regulating the flow and balance of energy in the body so as to restore the body to its proper functioning and state of health.

Scope of Practice: N/A

Prohibitions: No

Disclosures: No

Chinese Herbal Requirement: No

Education Requirement: Actively certified as a Diplomate in Acupuncture by the National Commission for the Certification of Acupuncture and Oriental Medicine; or

Is actively licensed, certified or registered in a state or jurisdiction of the United States which has eligibility and examination requirements that are at least equivalent to those of the National Commission for the Certification of Acupuncture and Oriental Medicine, as determined by the committee and approved by the board

Testing Requirement: No

NCCAOM Certification Requirement: No

Continuing Education Requirement: (30) hours of continuing education within the two (2)-year licensure period. Continuing education shall be related to the practice of acupuncture and include universal precautions/ infection control and cardiopulmonary resuscitation (CPR) certification. For the first year of licensure continuing education hours shall not be required.

Bond/Insurance Requirement: No

Notes: All governmental entities issuing professional licenses, certificates, registrations, or permits shall provide the director of revenue with the name and Social Security number of each applicant for licensure with or licensee of such entities within one month of the date the application is filed or at least one month prior to the anticipated renewal of a licensee's license. If such licensee is delinquent on any state taxes or has failed to file state income tax returns in the last three years, the director shall then send notice to each such entity and licensee. In the case of such delinquency or failure to file, the licensee's license shall be suspended within ninety days after notice of such delinquency or failure to file, unless the director of revenue verifies that such delinquency or failure has been remedied or arrangements have been made to achieve such remedy.

License Application Fee: \$200

License Investigation Fee: N/A

Background Check: No

Fingerprint Check: No

License Renewal Fee: Biennial renewal fee \$200.00

License Term: Licenses shall expire every other year

Enforcement Department: Division of Professional Registration; Acupuncturist Advisory Committee

Enforcement Agency URL: <http://pr.mo.gov/acupuncturist.asp>

Enforcement Agency Contact: Loree V. Kessler

Enforcement Agency Contact Email: loree.kessler@pr.mo.gov

Agency Address: 3605 Missouri Boulevard

Agency City, State, Zip: Jefferson City, MO 65102-1335

Agency Phone: 573-526-1555

Application URL: <http://pr.mo.gov/acupuncturist.asp>

Web List of Licensees: <https://renew.pr.mo.gov/licensee-search.asp>

Montana



Name of Law: Acupuncture Practice Act of 1974

Statute Location: 37-13-101

Statute URL: http://leg.mt.gov/bills/mca_toc/37_13.htm

Rule: 24.156.14

Rule URL: <http://www.mtrules.org/gateway/Subchapterhome.asp?scn=24.156.14>

License/Registration Required: Yes

Definition of Acupuncture: "Acupuncture" means the diagnosis, treatment, or correction of human conditions, ailments, diseases, injuries, or infirmities by means of mechanical, thermal, or electrical stimulation effected by the insertion of solid needles. The term includes the use of acupressure and the use of oriental food remedies and herbs.

Scope of Practice: N/A

Prohibitions: An acupuncturist is obligated to report suspected or known impairment of other health care providers to the appropriate licensing board, agency, or in lieu of the board or agency, may report to the endorsed professional assistance program.

An acupuncturist shall not engage in sexual contact with a current patient if the contact commences after the practitioner/patient relationship is established.

An acupuncturist shall not engage in sexual contact with a former patient, unless a reasonable period of time has elapsed since the professional relationship ended and unless the sexual contact does not exploit the trust established during the professional relationship.

An acupuncturist shall not make a false or misleading statement regarding the licensee's skill or the effectiveness or value of the medicine, treatment or remedy prescribed by the licensee or at the licensee's direction, in the treatment of a disease or other condition of the body or mind.

An acupuncturist shall not obtain a fee or other compensation, either directly or indirectly, by the misrepresentation that a manifestly incurable disease, injury or condition of a person can be cured.

Disclosures: No

Chinese Herbal Requirement: No

Education Requirement: Must be a graduate of an acupuncture school that is approved by the National Accreditation Commission for Schools and Colleges of Acupuncture and Oriental Medicine and offers a course of at least 1,000 hours of entry-level training in recognized branches of acupuncture or an equivalent curriculum approved by the board. ·

Must meet the requirements for and pass the examination prepared and administered by the National Commission for the Certification of Acupuncturist and Oriental Medicine (NCCAOM).

Applicants for licensure must pass the examination in clean needle technique administered by the Council of Colleges for Acupuncture and Oriental Medicine.

Testing Requirement: Yes

NCCAOM Certification Requirement: Yes

Continuing Education Requirement: Each acupuncture licensee of the Board of Medical Examiners shall earn 15 clock hours of accredited continuing acupuncture education each year. Clock hours or contact hours shall be the actual number of hours during which instruction was given.

(2) A maximum of eight clock hours may be given for the first-time preparation of a new course, in-service training workshop, or seminar which is related to the enhancement of acupuncture practice, values, skills, and knowledge; or a maximum of eight clock hours credit may be given for the preparation by the author or authors of a professional acupuncture paper published for the first time in a recognized professional journal; or given for the first time at a statewide or national professional meeting.

(3) If a licensee completes more than 15 hours of continuing education in a year, excess hours in an amount not to exceed 15 hours may be carried forward to the next year.

(4) Any licensee may apply for a hardship exemption from the continuing acupuncture education requirements of these rules by filing a statement with the board setting forth good faith reasons why he or she is unable to comply with these rules and an exemption may be granted by the board.

(5) Acupuncture applicants licensed after May 1 are required to obtain one-half of the 15-hour requirement; and those licensed after August 1, will not be required to obtain continuing education credits for renewal. Acupuncture applicants licensed between November 1 and April 30 are required to meet the 15-hour requirement.

Courses accredited by the National Commission for the Certification of Acupuncture and Oriental Medicine shall be preapproved by the board.

Bond/Insurance Requirement: No

Notes: N/A

License Application Fee: \$65

License Investigation Fee: N/A

Background Check: National Practitioner Data Bank (NPDB)

Fingerprint Check: NO

License Renewal Fee: \$100

License Term: Two years: Regular renewal by Oct.31st

Enforcement Department: Montana Board of Medical Examiners

Enforcement Agency URL: http://bsd.dli.mt.gov/license/bsd_boards/med_board/acu.asp

Enforcement Agency Contact: Ian Marquand

Enforcement Agency Contact Email: dlibsmed@mt.gov

Agency Address: 301 South Park, 4th Floor

Agency City, State, Zip: Helena, MT 59620-0513

Agency Phone: (406) 841-2360

Application URL: http://bsd.dli.mt.gov/license/bsd_boards/med_board/pdf/app2.pdf

Web List of Licensees: <https://ebiz.mt.gov/pol/>

Nebraska



Name of Law: Practice of Acupuncture

Statute Location: 71-1,344 transferred to section 38-2006

Statute URL: <http://uniweb.legislature.ne.gov/laws/statutes.php?statute=38-2006>

Rule: 172 NAC 89

Rule URL:

http://www.sos.ne.gov/rules-and-regs/regsearch/Rules/Health_and_Human_Services_System/Title-172/Chapter-089.pdf

License/Registration Required: Yes

Definition of Acupuncture: Acupuncture means the insertion, manipulation, and removal of acupuncture needles and the application of manual, mechanical, thermal, electrical, and electromagnetic treatment to such needles at specific points or meridians on the human body in an effort to promote, maintain, and restore health and for the treatment of disease, based on acupuncture theory.

Scope of Practice: Acupuncture may include the recommendation of therapeutic exercises, dietary guidelines, and nutritional support to promote the effectiveness of the acupuncture treatment. Acupuncture does not include manipulation or mobilization of or adjustment to the spine, extraspinal manipulation, or the practice of medical nutrition therapy.

Prohibitions: Use of untruthful or improbable statements, or flamboyant, exaggerated, or extravagant claims concerning such licensee's professional excellence or abilities, in advertisements;

Disruptive behavior as manifested by an acupuncturist's aberrant behavior which interferes with patient care or could reasonably be expected to interfere with patient care, including, but not limited to, the following:

- a. Outbursts of rage or violent behavior;
- b. Repeated failure to respond to calls;
- c. Throwing instruments, charts, or objects;
- d. Insulting comments to a patient, patient's family, acupuncturist, or healthcare staff;
- e. Striking or assaulting a patient, patient's family, acupuncturist, or healthcare staff;
- f. Poor hygiene.

Refusing to provide professional service to a person because of such person's race, creed, color or national origin.

Charging a fee for services not rendered or dividing a professional fee for patient referrals among health care providers or health care institutions or between these providers and institutions or a contractual arrangement which has the same effect;

Commission of any act of sexual misconduct, or exploitation related to the person's practice of acupuncture.

Failure to keep and maintain adequate records of treatment or service; adequate records means legible medical records containing, at a minimum, sufficient information to identify the patient, support the diagnosis, justify the treatment, accurately document the results, indicate advice and cautionary warnings provided to the patient and provide sufficient information for another practitioner to assume continuity of the patient's care at any point in the course of treatment; and, when investigative or unproven therapies are utilized, the records must include written informed patient consent.

Unprofessional conduct includes all acts specified in Neb. Rev. Stat. §71-148 (transferred to section 38-179).

Receipt of fees on the assurance that an incurable disease can be permanently cured;

Division of fees, or agreeing to split or divide the fees, received for professional services with any person for bringing or referring a consumer

Performing, procuring, or aiding and abetting in the performance or procurement of a criminal abortion;

Commission of any act of sexual abuse, misconduct, or exploitation related to the practice of the profession of the applicant or credential holder.

Disclosures: The practice of acupuncture must not be performed upon any person except with the voluntary and informed consent of such person.

Information provided in connection with obtaining such informed consent must include, but not be limited to, the following:

1. The distinctions and differences between the practice of acupuncture and the practice of medicine;
2. The disclosure that an acupuncturist is not licensed to practice medicine or to make a medical diagnosis of the person's disease or condition and that a physician should be consulted for such medical diagnosis;
3. The nature and the purpose of the acupuncture treatment; and
4. Any medical or other risks associated with such treatment.

The licensee must present to each patient treated a voluntary informed consent form. Each patient treated must sign and date such form stating that they have read and understood the information on the form and that they agree to acupuncture treatment. The voluntary informed consent form must be retained in the each patient's records for a period of at least five years after termination of the treatment.

Chinese Herbal Requirement: No

Education Requirement: A formal, full-time acupuncture program at a university, college or school of acupuncture which includes at least 1,725 hours of entry-level acupuncture education consisting of a minimum of 1,000 didactic and 500 clinical hours, and is accredited or a candidate for accreditation by the Accreditation Commission for Acupuncture and Oriental Medicine or is accredited by another accrediting body that is recognized as such by the United States Secretary of Education.

A course in clean needle technique approved by the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) or an equivalent course.

Testing Requirement: The NCCAOM Acupuncture Comprehensive Written and Point Location examinations.

Approved Acupuncture Examination means the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) Acupuncture Comprehensive Written Examination which is a comprehensive written examination including acupuncture theory, diagnosis and treatment technique and the NCCAOM Point Location Examination.

NCCAOM Certification Requirement: Yes

Continuing Education Requirement: On or before May 1 of each odd-numbered year thereafter, each acupuncturist who is licensed in the State of Nebraska must, as a condition for renewal of his/her license, earn one of the following in order to meet the continuing competency requirement:

1. 50 hours of continuing education approved by the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM);

a. Hours are to be earned within the 24 months immediately preceding the date of expiration, except that a licensee, who has earned more than the 50 hours required for license renewal for one 24 month renewal period, is allowed to carry over up to 25 hours to the next 24 month renewal period.

or

2. 50 hours of Category 1 continuing education approved by the Accreditation Council for Continuing Medical Education (ACCME) or the American Osteopathic Association (AOA);

a. Hours are to be earned within the 24 months immediately preceding the date of expiration, except that a licensee who has earned more than the 50 hours required for license renewal for one 24 month renewal period, is allowed

or

3. Active certification or active recertification of diplomate status with the NCCAOM earned within the 24 months immediately preceding the date of expiration.

Bond/Insurance Requirement: No

Notes: In order to practice acupuncture on a person, the acupuncturist must have been presented by the patient with a prior letter of referral from or a medical diagnosis and evaluation completed by a practitioner licensed to practice medicine and surgery or osteopathic medicine and surgery within 90 days immediately preceding the date of an initial acupuncture treatment.

A copy of this letter of referral or medical diagnosis and evaluation is to be retained in the patient's file for a period of at least five years after termination of the treatment.

It is a prohibited practice to fail to obtain a prior letter of referral from or a medical diagnosis and evaluation completed by a practitioner licensed to practice medicine and surgery or osteopathic medicine and surgery within ninety days immediately preceding the date of an initial acupuncture treatment;

License Application Fee: \$200 and the Licensee Assistance Program fee of \$1 for each year remaining during the current biennial renewal period. For issuance of a license that will expire within 180 days after its initial issuance date, a fee of \$50 and the Licensee Assistance Program fee of \$1.

License Investigation Fee: N/A

Background Check: No

Fingerprint Check: No

License Renewal Fee: \$75 and the Licensee Assistance Program fee of \$2

License Term: All licenses expire on May 1 of each odd-numbered year

Enforcement Department: Department of Health and Human Services, Regulation and Licensure

Enforcement Agency URL: http://dhhs.ne.gov/publichealth/Pages/crl_profindex1.aspx

Enforcement Agency Contact: N/A

Enforcement Agency Contact Email: N/A

Agency Address: 301 Centennial Mall South

Agency City, State, Zip: Lincoln, NE 68509-4986

Agency Phone: (402) 471-2118

Application URL:

http://www.sos.ne.gov/rules-and-regs/regsearch/Rules/Health_and_Human_Services_System/Title-172/Chapter-089.pdf

Web List of Licensees: <http://www.nebraska.gov/LISSearch/search.cgi>

Nevada



Name of Law: Oriental Medicine

Statute Location: NRS 634A.010

Statute URL: <http://www.leg.state.nv.us/NRS/NRS-634A.html#NRS634A>

Rule: NAC-634A

Rule URL: <http://www.leg.state.nv.us/nac/nac-634a.html#NAC634ASec001>

License/Registration Required: Yes

Definition of Acupuncture: “Acupuncture” means the insertion of needles into the human body by piercing the skin of the body to control and regulate the flow and balance of energy in the body and to cure, relieve or palliate:

- (a) Any ailment or disease of the mind or body; or
- (b) Any wound, bodily injury or deformity.

Scope of Practice: “Oriental medicine” means that system of the healing art which places the chief emphasis on the flow and balance of energy in the body mechanism as being the most important single factor in maintaining the well-being of the organism in health and disease. The term includes the practice of acupuncture and herbal medicine and other services approved by the Board.

Prohibitions: The Board considers the following acts to be unethical and unprofessional conduct warranting appropriate disciplinary action:

1. The division or “splitting” of fees with another licensee, unless the other licensee has actually rendered services, other than referral, to the first licensee in connection with one or more of his or her patients. A person licensed by this Board shall not:
 - (a) Employ another to solicit or obtain, or remunerate another for soliciting or obtaining, professional employment for the licensee.
2. Use any testimonial, whether paid for or not, to solicit or encourage use of the licensee’s services by members of the public.

Performing, assisting or advising in the injection of any liquid silicone substance into the human body

Disclosures: Every license must be displayed in the office, place of business or place of employment of the holder thereof.

Chinese Herbal Requirement: Yes

Education Requirement: Successfully complete an accredited 4-year program of study, or its equivalent, in Oriental medicine at a school or college of Oriental medicine which is approved by the Board.

2. If the application is submitted pursuant to subsection 1 of NRS 634A.140, the applicant must submit evidence showing that he or she has earned a bachelor's degree from an accredited college or university in the United States.

3. If the application is submitted pursuant to subsection 2 of NRS 634A.140, the applicant must submit evidence that he or she has lawfully practiced Oriental medicine in another state or foreign country for at least 4 years.

4. For the purposes of subsection 1, the Board may approve an accredited 4-year program of study, or its equivalent, in Oriental medicine at a school or college of Oriental medicine if the Board finds that:

(a) The program of study includes training or instruction in the subjects of acupuncture, moxibustion, herbology, Oriental physiology, Oriental pathology, Oriental diagnosis, tuina, biology, physics, chemistry, biochemistry, anatomy, Western physiology, Western pathology, Western diagnosis, pharmacology, laboratory and radiology; and

The program of study:

(1) Required the completion of at least 2,800 hours of instruction, including not less than 2,500 didactic hours, for a student to have graduated before November 25, 2002;

or

(2) Requires the completion of at least 3,000 hours of instruction, including not less than 2,500 didactic hours, for a student to graduate on or after November 25, 2002.

Testing Requirement: Must pass the examinations for acupuncture and Chinese herbology administered by a national organization approved by the Board.

As a part of any practical examination, the Board may examine an applicant as to his or her basic knowledge of the following subjects:

(a) Needling. The Board may require a demonstration of needling on a patient or on the applicant himself or herself.

(b) Skills pertaining to sterilization.

(c) Skills pertaining to the use of herbs.

(d) Basic medical science concerning anatomy, physiology, pathology, biochemistry, bacteriology and communicable diseases.

(e) Applicable laws and regulations pertaining to health and safety.

(f) Use of the English language

NCCAOM Certification Requirement: No

Continuing Education Requirement: A licensee shall complete, during each calendar year, at least 10 hours of continuing education.

A licensee may only receive credit for hours of continuing education in courses that have been approved by the Board.

Beginning with the 2003 calendar year, a licensee who earns more than 10 hours of credit for continuing education in any calendar year may carry forward up to 10 hours of excess credit and apply such excess credit to the educational requirements for the next calendar year if the licensee indicates in writing, at the time he or she submits the form for renewal of his or her license that the licensee intends to carry forward such excess credit.

Bond/Insurance Requirement: No

Notes: A license may not be issued or renewed by the Board pursuant to this chapter if the applicant indicates on the statement submitted that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

License Application Fee: \$1,000

License Investigation Fee: Yes

Background Check: Yes

Fingerprint Check: Yes

License Renewal Fee: \$700

License Term: Annually by February 1st

Enforcement Department: Nevada State Board of Oriental Medicine

Enforcement Agency URL: http://oriental_medicine.state.nv.us/

Enforcement Agency Contact: Farolyn McSweeney

Enforcement Agency Contact Email: execdirector_bom@yahoo.com

Agency Address: 7231 S. Eastern Ave Ste B-107

Agency City, State, Zip: Las Vegas, NV 89119

Agency Phone: (702) 837-8921

Application URL: http://oriental_medicine.state.nv.us/forms/Application.pdf

Web List of Licensees: http://oriental_medicine.state.nv.us/qry-licensees_name_new.asp

New Hampshire



Name of Law: Acupuncture

Statute Location: RSA328-G

Statute URL: <http://www.gencourt.state.nh.us/rsa/html/NHTOC/NHTOC-XXX-328-G.htm>

Rule: Acp 100-600

Rule URL: http://www.gencourt.state.nh.us/rules/state_agencies/acp.html

License/Registration Required: Yes

Definition of Acupuncture: "Acupuncture" means primarily the insertion of needles through the skin at certain points on the body, with or without the application of electric current and/or heat, for the purpose of promoting health and balance as defined by the principles of oriental medicine.

It also includes the allied techniques and modalities of oriental medicine, both traditional and modern.

"Oriental medicine" means the distinct system of health care that diagnoses and treats illness, injury, pain, or other conditions by controlling and regulating the flow and balance of energy to restore and maintain health.

Scope of Practice: The scope of practice of acupuncture shall include the allied techniques and modalities of oriental medicine, both traditional and modern. The scope of practice shall include: diagnostic procedures; electrical and magnetic stimulation; moxibustion and other forms of heat therapy; cupping and scraping techniques; dietary, nutritional, and herbal therapies; lifestyle counseling; accupressure; and massage.

The scope of practice of licensed acupuncturists shall include but is not to be limited to the following services:

- (a) Acupuncture and related techniques, including:
 - (1) Percutaneous techniques, such as:
 - a. The temporary stimulation of acupuncture points by means of conventional acupuncture needles;

- b. Insertion and retention, for days or weeks, of intradermal needles or press tacks in acupuncture points;
 - c. Traditional therapeutic bleeding; and
 - d. Ion cord or by-pass cord therapy linking acupuncture needles with wires; and
- (2) Transcutaneous acupuncture techniques, such as:
- a. Non-penetrating surface stimulation with needles or related surface stimulation devices;
 - b. Surface stimulation with magnets, rhythmic tapping devices, pieces of metal, or seeds; and
 - c. Cupping, the application of suction devices on the skin;
- (b) Moxibustion and other treatments using heat, light, color, sound, electromagnetism, and herbs, such as:
- (1) Burning of herbs on or near the skin;
 - (2) Warming with an electrical or non-electrical heating device held near the skin;
 - (3) Herbal poultices or compresses;
 - (4) Infrared therapy;
 - (5) Electromagnetic therapies;
 - (6) Ultraviolet therapy;
 - (7) Ultrasound therapy;
 - (8) Low energy laser acupuncture utilizing non-surgical lasers classified as class III b by the FDA; and
 - (9) Hot and cold packs;
- (c) Electroacupuncture, with or without needles, for detection of acupuncture points, diagnosis of energetic imbalances, or treatment with devices such as:
- (1) Transcutaneous electrical nerve stimulation (TENS) units, Piezo quartz devices, and other similar electro-stimulation units;

- (2) Pointer, Ito, AWQ and other similar electroacupuncture point detection and treatment units;
 - (3) Ryodo-Raku meters and other similar diagnostic and treatment devices;
 - (4) Vega machines and other similar diagnostic systems; and
 - (5) Ion pumping cords, triple by-pass cords, Pachi Pachi Pana sparkers and other similar electronic, treatment-enhancing devices;
- (d) Body work, including massage and oriental manipulation of skeletal and soft tissue for the correction of blockages of energy in the acupuncture channels and the surrounding tissue, such as:
- (1) Tuina;
 - (2) Shiatsu;
 - (3) Acupressure;
 - (4) Amma;
 - (5) Gua sha;
 - (6) Jin shin jitsu;
 - (7) Jin shin do;
 - (8) Polarity therapy;
 - (9) Reiki;
 - (10) Therapeutic touch;
 - (11) Zero Balancing; and
 - (12) Craniosacral therapies;
- (e) Diagnostic and physical examination procedures, such as:
- (1) Muscle testing;
 - (2) Body palpation; and
 - (3) Pulse palpation;

- (f) Therapeutic exercise, martial arts, and breathing techniques, such as:
 - (1) Qi gong;
 - (2) T'ai chi;
 - (3) Pakua; and
 - (4) Sotai;
- (g) Dietary counseling including the therapeutic use of food and supplements;
- (h) The prescribing of herbs, oriental patent medicines, and homeopathically prepared substances;
- (i) Stress reduction through such methods as meditation and relaxation techniques; and
- (j) Life style counseling towards achieving physical, mental, emotional and spiritual balance in daily life.

Prohibitions: All licensees must adhere to the Code of Ethics of the NCCAOM.

A licensee shall maintain, for a minimum of 7 years from the date of the last acupuncture treatment, complete and accurate records of each patient treated, including:

- (1) Name and address of patient;
- (2) Dates of treatment;
- (3) Treatments given; and
- (4) Fees charged.

A licensee shall report evidence of professional misconduct on the part of another licensee, when that conduct poses a potential threat to life, health, or safety.

A licensee shall maintain sexual boundaries by refraining from any behavior that exploits the practitioner-patient relationship in a sexual way and avoiding any behavior that is sexual, seductive, suggestive, or sexually demeaning, or could be reasonably interpreted as such, even when initiated by or consented to by the patient,

A licensee shall be truthful in publicly representing or advertising him or herself by avoiding the following:

Unreasonable or exaggerated claims of success;

Guarantees of success;

Claims or implications of professional superiority or of training that cannot be substantiated.

Disclosures: A licensee shall display his or her current New Hampshire acupuncture license at his or her principal place of business and a copy at any other place of business.

A licensee shall know and have available in his or her office information regarding how patients may contact the board regarding complaints.

Chinese Herbal Requirement: No

Education Requirement: An applicant shall:

- Hold current, active NCCAOM certification through examination or Credentials Documentation Review.
- Have successfully completed an NCCAOM approved Clean Needle Technique Course.
- Possess a baccalaureate, registered nurse, or physician's assistant degree from an accredited institution.
- Have completed acupuncture education from an ACAOM accredited US school.

The only acupuncture education automatically approved is from a US post-secondary school that was ACAOM accredited or in candidacy at the time the applicant graduated. All applicants who attended foreign schools, or those who attended US schools that were not ACAOM accredited must apply for a "Waiver of Acupuncture Education Requirement".

The board of acupuncture licensing will review on a case by case basis valid apprenticeship programs that demonstrate a balanced approach of clinical training and fundamental sciences and that conform to NCCAOM standards.

The board shall waive the requirement of a baccalaureate or higher, RN or PA degree for an applicant provided that the applicant:

- (1) Has a current valid acupuncture license from another state whose requirements are substantively equal to or exceed the requirements of RSA 328-G:9, II, verified directly from the state or states involved;
- (2) Meets all other requirements of licensure; and
- (3) Can prove at least 40 points based on the following:
 - a. Every 3 credit hours earned at an accredited post-secondary institution, verified by original transcripts from the colleges attended, shall equal 2 points;

- b. Each year the applicant has held a valid acupuncture license in another state, verified directly from the state or states involved, shall equal 5 points; and
- c. Each semester of teaching acupuncture or acting as a clinical supervisor in an acupuncture school that is accredited by the Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM) or in candidacy for accreditation, verified by documentation of such activity directly from the institutions involved, shall equal 5 points.

Testing Requirement: No

NCCAOM Certification Requirement: An applicant shall hold current, active NCCAOM certification through examination or Credentials Documentation Review.

Continuing Education Requirement: Each licensee shall complete 30 board approved units of PDAs for each 2 year renewal period. Any units in excess of the 30 unit requirement earned during a 2 year renewal period shall be applied to fulfill the continuing education requirement of the following renewal period. Any excess PDAs carried forward shall not be carried forward into subsequent biennia.

The following shall be considered board approved continuing education units:

1. Continuing Education Courses which meet the criteria specified above, including Distance learning continuing education courses via CD-ROM, teleconference and Internet-based programs.
- or
2. Professional Development Activities which include:
 - a. Research related to the knowledge and/or practice of oriental medicine;
 - b. Publication which relates to the knowledge and/or practice of oriental medicine;
 - c. Teaching courses in acupuncture, oriental medicine or related topics in a preceptorship (formal apprenticeship program), formal school, or approved independent seminar;
 - d. Supervising students of acupuncture or oriental medicine in the clinic of a preceptorship (formal apprenticeship program) or formal school;
 - e. Supervised clinical experience in oriental medicine done by you under a senior acupuncturist, including observation of patient treatments, case discussion, and/or supervised practice;
 - f. Giving talks to the public does not count as professional development activities, as this is done to promote your practice or the general knowledge of acupuncture to the public or other health professionals who are not acupuncturists; and
 - g. Having a student observer or assistant in your office (even if they are required to do so by a school) does not count as official teaching or clinic supervision. It is at your regular office practice and is not paid teaching at a formal school. Only a formal apprenticeship program is otherwise allowed.

PDA/CEU points shall be valued according to the following schedule:

1. Each clock hour of a continuing education course is equivalent to one CEU point;
2. Every 2 clock hours of documented research shall be equivalent to one PDA point;
3. Each acupuncture article published shall be equivalent to 10 PDA points;
4. Each acupuncture book or major work published shall be equivalent to 30 PDA points;
5. Each clock hour spent in teaching acupuncture shall be equivalent to one PDA point;
6. Each clock hour spent in the clinical supervision of acupuncture or oriental medicine students shall be equivalent to one PDA point;

Each clock hour of supervised clinical experience done by you under a senior acupuncturist shall be equivalent to one and a half PDA points.

All courses shall be relevant to the practice of acupuncture and oriental medicine and provide skills and knowledge that enhance an acupuncturist's practice including:

1. Oriental medical theory, techniques, nutrition, and herbology;
2. Western sciences such as:
 - a. Anatomy;
 - b. Physiology;
 - c. Pathology;
 - d. Biochemistry;
 - e. Microbiology;
 - f. Psychology;
 - g. Nutrition;
 - h. History of medicine;
 - i. Medical terminology; and
 - j. Medical ethics.
3. The study of Oriental languages, t'ai chi, and qi gong; and
4. Any area of expertise covered in Acp 601.03 Scope of Practice for Licensed Acupuncturists

Courses in business, management, insurance billing and practice building are not allowed for CEUs in New Hampshire for Acupuncturists (even if these courses are allowed by NCCAOM for NCCAOM recertification).

The board shall automatically approve all courses related to acupuncture, Oriental medicine, and general medical education that meet the requirements listed above and are:

1. Taught at schools that are ACAOM accredited (or in candidacy) at the time the course is taught;
2. Offered for credit at accredited colleges or universities;
3. Approved by the NCCAOM review service;
4. Approved by Continuing Education committees of the American Association of Oriental Medicine or the National Acupuncture and Oriental Medicine Alliance; or

5. Approved by other state licensing boards including those offered through state professional organizations following state licensing board requirements.

Courses offered by any sponsor or teacher other than those identified above shall be approved only if the course sponsor or instructor applies to the NHBAL prior to the course

Bond/Insurance Requirement: No

Notes: Needles used in acupuncture practice shall be sterile, disposable, one-use needles.

License Application Fee: \$275

License Investigation Fee: N/A

Background Check: No

Fingerprint Check: No

License Renewal Fee: \$225

License Term: All licenses shall expire 2 years from the date of issue.

Enforcement Department: New Hampshire Board of Acupuncture Licensing, Department of Health and Human Services, Licensing and Regulation Services

Enforcement Agency URL: <http://www.nh.gov/acupuncture/index.htm>

Enforcement Agency Contact: Connie Beliveau

Enforcement Agency Contact Email: nhbal.info@dhhs.state.nh.us

Agency Address: 121 South Fruit Street

Agency City, State, Zip: Concord NH 03301

Agency Phone: (603) 271-9254

Application URL: <http://www.nh.gov/acupuncture/licensing/newlicenses.htm>

Web List of Licensees: <http://www.nh.gov/acupuncture/documents/licensees.pdf>

New Jersey



Name of Law: Acupuncture Examining Board Laws

Statute Location: 45:2C-1

Statute URL: <http://www.njconsumeraffairs.gov/laws/aculaws.pdf>

Rule: N.J.A.C. 13:35

Rule URL:

<http://www.njconsumeraffairs.gov/chapters/Chapter%2035%20Subchapter%209%20Acupuncture.pdf>

License/Registration Required: Yes

Definition of Acupuncture: "Acupuncture" means the practice of Oriental medicine based on traditional Oriental medical theories, including, but not limited to, the stimulation of a certain point or points on or near the surface of the body by the insertion of needles to prevent or modify the perception of pain or to normalize physiological functions, including pain control, for the treatment of diseases or dysfunctions of the body and includes the techniques of electroacupuncture, mechanical stimulation, adjunctive therapies and moxibustion.

"Acupuncture" means the stimulation of a certain point or points on or near the surface of the body by the insertion of special needles to prevent or modify the perception of pain or to normalize physiological functions including pain control and for the treatment of certain diseases or dysfunctions of the body.

"Acupuncture" includes the techniques electro-acupuncture, mechanical stimulation and moxibustion.

Scope of Practice: A license issued pursuant to this act authorizes the holder thereof to engage in the practice of acupuncture and when used in connection therewith to perform or prescribe the use of tuina, shiatsu, and other forms of Oriental massage, surface stimulation of a certain point or combination of points on the body, breathing techniques and exercise to promote health.

The holder of a license may also utilize adjunctive therapies, which include, but are not limited to: Oriental dietary therapy; lifestyle and behavioral education; laser stimulation in accordance with relevant federal law; cupping; thermal methods; magnets; gua-sha; percutaneous and transcutaneous electrical nerve stimulation.

The use of any of the following to effect the stimulation of acupuncture points and channels is within the scope of practice of certified acupuncturists:

- 1) Needles;
- 2) Moxibustion;
- 3) Teishin (pressure needles); and
- 4) Electroacupuncture (utilizing electrodes on the surface of the skin or current applied to inserted needles).

Certified acupuncturists may use any of the following methods to effect the stimulation of acupuncture points and channels as part of his or her professional practice:

- 1) Acupatches;
- 2) Acuform;
- 3) Manual acutotement (stimulation by an instrument that does not pierce the skin);
- 4) Acupressure;
- 5) Cupping;
- 6) Gwa-sha scraping techniques;
- 7) Cold laser used for needle-less acupuncture;
- 8) Tui-na;
- 9) Massage, bodywork and somatic therapy;
- 10) Ultrasonic;
- 11) Thermal methods;
- 12) Herbal applications;
- 13) Magnetic stimulation;
- 13) Magnetic stimulation;
- 14) Breathing techniques; and
- 15) Exercise to promote health and energetic balance.

Certified acupuncturists may use the following when providing acupuncture:

- 1) Solid filiform needles;
- 2) Dermal needles;
- 3) Plum blossom needles;
- 4) Intradermal/press needles;
- 5) Prismatic needles; and
- 6) Disposable lancets.

Prohibitions: Acupuncturists shall prepare contemporaneous, permanent professional treatment records. Acupuncturists shall also maintain records relating to billings made to patients and third-party carriers for professional services. All treatment records, bills and claim forms shall accurately reflect the treatment or services rendered. Treatment records shall be maintained for a period of seven years from the date of the most recent entry.

Only acupuncture devices labeled in accordance with United States Food and Drug Administration guidelines shall be used by acupuncturists.

An acupuncturist shall advise each patient as to the importance of consulting with a licensed physician regarding the patient's condition, and shall keep on file with the patient's records a form attesting to the patient's notice of that advice. The form shall be in duplicate, with one copy to be issued to the patient, and signed and dated by both the acupuncturist and the patient.

Certified acupuncturists shall not use the following when providing acupuncture:

- 1) Staples;
- 2) Hypodermic needles; and
- 3) Subcutaneous permanently implanted needles or sutures.

If a certificate holder learns that a patient has a blood-borne infectious disease, the certificate holder shall use only disposable needles in treating the patient.

Disclosures: The acupuncturist shall fully disclose to the patient such information as will enable the patient to make an evaluation of the nature of the treatment and of any attendant risks, as well as of available alternative options and the risks and likely outcomes of those alternatives. The acupuncturist shall obtain informed written consent from the patient before beginning acupuncture treatment.

An acupuncturist shall obtain informed written consent from each patient, giving each patient a full explanation of the procedure to be performed and informing each patient of the possible complications which may result therefrom, before performing acupuncture.

A certified acupuncturist shall post his or her certificate in a conspicuous location in his or her office. If a certified acupuncturist has more than one office, he or she shall obtain from the Board a duplicate certificate for each location.

Chinese Herbal Requirement: No. An acupuncturist, before employing herbology in his practice, shall submit to the board proof of current certification in either Chinese Herbology or Oriental Medicine by the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM), or its successor.

Education Requirement: New Jersey law requires that applicants hold at least a baccalaureate degree in addition to their acupuncture training.

Board regulations require graduation from an acupuncture program accredited by the Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM).

Commencing June 21, 2014, the acupuncture program required shall consist of at least 2,500 hours of instruction.

Applicants who did not graduate from a high school, college or university, or acupuncture program that was conducted exclusively in English must submit proof of passing the Test of English as a Foreign Language (TOEFL) or the results of the Test of Spoken English (T.S.E.) offered by the Educational Testing Service.

Testing Requirement: This 40-question examination is offered in the Board offices in Newark. After all of your application materials have been reviewed and approved, the Board will set you up for the next available jurisprudence examination.

NCCAOM Certification Requirement: Board regulations require applicants submit evidence of successfully passing the NCCAOM examination, taken in English, including the following modules: Foundations of Oriental Medicine; Acupuncture; Point Location; and Biomedicine.

Continuing Education Requirement: No certificate renewal shall be issued by the Board unless the acupuncturist confirms on the renewal application that he or she completed at least 30 hours of continuing education.

Credit for continuing professional education shall be granted as follows for each biennial period:

1. Publishing in a national professional journal, an article related to the practice of acupuncture: three continuing education hours per article, up to 15 hours;
2. Attending seminars and conferences related to the practice of acupuncture: one continuing education hour per contact hour;
3. Successfully completing graduate course work related to the practice of acupuncture taken beyond that required for professional certificate in a college or university that is regionally accredited or accredited by the Accreditation Commission of Acupuncture and Oriental Medicine (ACAOM): one continuing education hour per credit hour;
4. Teaching new courses or seminars related to the practice of acupuncture. "New" means that the acupuncturist has never taught or developed curriculum for that seminar or lecture in any educational setting: one continuing education hour per contact hour, up to 15 hours;
5. Acting as a clinical supervisor in an acupuncture program: one continuing education hour per each 15 hours of supervision, up to 10 hours;
6. Successfully completing a continuing education course that has been approved by NCCAOM or by boards or committees regulating acupuncture in other states: one continuing education hour for each contact hour;
7. Successfully completing a distance learning course approved by NCCAOM: one continuing education hour for each contact hour, up to 15 hours;
8. Successfully completing continuing education courses or programs that are pre-approved by the Board: one continuing education hour for each contact hour; and
9. Successfully completing a course that an acupuncturist submits for approval to the Board: one continuing education hour for each contact hour.

Bond/Insurance Requirement: An acupuncturist shall maintain medical malpractice liability insurance coverage, at appropriate amounts as set forth in regulations.

Notes: A certified acupuncturist may perform initial acupuncture treatment only on presentation by the patient of a referral by or diagnosis from a licensed physician. The referring or diagnosing physician shall provide to the treating acupuncturist a diagnosis and preevaluation of the patient.

You will not be able to obtain a license or certificate if you are delinquent in your student loan or child support obligations unless a plan for repayment has been formally established.

License Application Fee: \$100

License Investigation Fee: N/A

Background Check: Yes and National Practitioner Data Bank and the HIP Data Bank

Fingerprint Check: Yes

License Renewal Fee: License fees are currently \$270 for a two-year period. If you are licensed in the second year of a biennial period, your initial license fee will be \$135.

License Term: License periods in New Jersey run from July 1 to June 30 of odd-numbered years.

Enforcement Department: New Jersey Office of the Attorney General, Division of Consumer Affairs, Acupuncture Examining Board

Enforcement Agency URL: <http://www.njconsumeraffairs.gov/acupuncture/>

Enforcement Agency Contact: Renee Clark

Enforcement Agency Contact Email:
By form at http://www.njconsumeraffairs.gov/acupuncture/acup_contact.htm

Agency Address: 124 Halsey Street, 6th Floor

Agency City, State, Zip: Newark, NJ 07101

Agency Phone: (973) 273- 8092

Application URL: http://www.njconsumeraffairs.gov/acupuncture/apps/acup_app.pdf

Web List of Licensees: <https://newjersey.mylicense.com/verification/>

New Mexico



Name of Law: Acupuncture and Oriental Medicine Practice Act

Statute Location: 61-14A-1

Statute URL: <http://public.nmcompcomm.us/nmpublic/gateway.dll/?f=templates&fn=default.htm>

Rule: 16.2.1 NMAC

Rule URL: http://www.nmcpr.state.nm.us/nmac/_title16/T16C002.htm

License/Registration Required: Yes. Currently there are no states or countries with which the board has reciprocal licensing agreements. Unless licensed as a doctor of oriental medicine pursuant to the Acupuncture and Oriental Medicine Practice Act, no person shall practice acupuncture or oriental medicine.

Definition of Acupuncture: "Acupuncture" means the surgical use of needles inserted into and removed from the body and the use of other devices, modalities and procedures at specific locations on the body for the prevention, cure or correction of any disease, illness, injury, pain or other condition by controlling and regulating the flow and balance of energy and function to restore and maintain health;

"Doctor of oriental medicine" means a person licensed as a physician to practice acupuncture and oriental medicine with the ability to practice independently, serve as a primary care provider and as necessary collaborate with other health care providers;

"Oriental medicine" means the distinct system of primary health care that uses all allied techniques of oriental medicine, both traditional and modern, to diagnose, treat and prescribe for the prevention, cure or correction of disease, illness, injury, pain or other physical or mental condition by controlling and regulating the flow and balance of energy, form and function to restore and maintain health;

"Primary care provider" means a health care practitioner acting within the scope of the health care practitioner's license who provides the first level of basic or general health care for a person's health needs, including diagnostic and treatment services, initiates referrals to other health care practitioners and maintains the continuity of care when appropriate;

"Techniques of oriental medicine" means:

(1) The diagnostic and treatment techniques used in oriental medicine that include diagnostic procedures; acupuncture; moxibustion; manual therapy, also known as tui na; other physical medicine

modalities and therapeutic procedures; breathing and exercise techniques; and dietary, nutritional and lifestyle counseling;

(2) The prescribing, administering, combining and providing of herbal medicines, homeopathic medicines, vitamins, minerals, enzymes, glandular products, natural substances, natural medicines, protomorphogens, live cell products, gerovital, amino acids, dietary and nutritional supplements, cosmetics and

(3) The prescribing, administering and providing of devices, restricted devices and prescription devices, as those devices are defined in the New Mexico Drug, Device and Cosmetic Act.

Scope of Practice: The practice of oriental medicine in New Mexico is a distinct system of primary health care with the goal of prevention, cure, or correction of any disease, illness, injury, pain or other physical or mental condition by controlling and regulating the flow and balance of energy, form and function to restore and maintain health. Oriental medicine includes all traditional and modern diagnostic, prescriptive and therapeutic methods utilized by practitioners of acupuncture and oriental medicine.

The scope of practice of doctors of oriental medicine shall include but is not limited to:

A. evaluation, management and treatment services;

B. diagnostic examination, testing and procedures;

C. the ordering of diagnostic imaging procedures and laboratory or other diagnostic tests;

D. the surgical procedures of acupuncture and other related procedures;

E. the stimulation of points, areas of the body or substances in the body using qi, needles, heat, cold, color, light, infrared and ultraviolet, lasers, sound, vibration, pressure, magnetism, electricity, electromagnetic energy, bleeding, suction, or other devices or means;

F. physical medicine modalities, procedures and devices;

G. therapeutic exercises, qi exercises, breathing techniques, meditation, and the use of biofeedback devices and other devices that utilize heat, cold, color, light, infrared and ultraviolet, lasers, sound, vibration, pressure, magnetism, electricity, electromagnetic energy and other means therapeutically;

H. dietary and nutritional counseling and the prescription or administration of food, beverages and dietary supplements therapeutically;

I. counseling and education regarding physical, emotional and spiritual balance in lifestyle;

J. prescribing, administering, combining, providing, compounding and dispensing any non-injectable herbal medicine, homeopathic medicines, vitamins, minerals, enzymes, glandular products, natural substances, protomorphogens, live cell products, amino acids, dietary and nutritional supplements; cosmetics as they are defined in the New Mexico Drug, Device and Cosmetic Act and nonprescription drugs as they are defined in the Pharmacy Act;

K. the prescription or administration of devices, restricted devices and prescription devices as defined in the New Mexico Drug, Device and Cosmetic Act

Prohibitions: All offices shall be registered with the board. When the practice of acupuncture and oriental medicine is conducted in a building used for residential purposes, a room or rooms shall be set apart as an office for the practice and shall be used solely for this purpose. It shall be equipped with a washroom and toilet facilities readily available in the same premises.

A doctor of oriental medicine shall keep accurate records of each patient including the diagnosis and nature of treatment given and any other relevant data deemed necessary by the provider. Records shall be retained for a minimum of 10 years.

A doctor of oriental medicine shall be guilty of incompetence who fails to use pre-sterilized single use needles.

A doctor of oriental medicine shall be guilty of unprofessional conduct and attempting to attract patronage in an unethical manner who guarantees a cure will result from the performance of professional services.

A doctor of oriental medicine shall be guilty of unprofessional conduct who abandons or neglects a patient or client under and in need of immediate professional care, without making reasonable arrangements for the continuation of such care, or abandons professional employment in a group practice, hospital, clinic or other health care facility, without reasonable notice and under circumstances which seriously impair the delivery of professional care to patients or clients.

A doctor of oriental medicine shall be guilty of attempting to attract patronage in an unethical manner who engages in fee splitting. "Fee splitting" means paying or offering to pay a business or professional person or receiving or offering to receive from a business or professional person a commission, rebate, or compensation for bringing or referring a patient or dividing or offering to divide fees received for service for bringing or referring a patient. A division of fees between or among practitioners in the same practice or fee arrangements to cover patients during temporary absences is not fee splitting and is not prohibited by this provision.

A doctor of oriental medicine shall be guilty of unprofessional conduct who commits an act of sexual abuse, exploitation or misconduct. Each of the following acts constitutes sexual abuse, exploitation or misconduct:

- A. physical or verbal sexual contact or intercourse during the course of the professional relationship, whether in or out of the practitioner's place of business;
- B. failure to maintain appropriate professional boundaries even if the patient is perceived as seductive;
- C. failure to provide the patient with an opportunity to undress and dress in private;
- D. failure to provide the patient with the opportunity to wear underwear or a smock during treatment;
- E. failure to obtain informed verbal consent before undraping or treating the patient's breasts, buttocks or genitals;
- F. use of inappropriate parts of the practitioner's body to brace the patient;
- G. palpation beyond that which is necessary to accomplish a competent examination or treatment;
- H. sexual repartee, innuendo, jokes or flirtation;
- I. sexual comments about the patient's person or clothing;
- J. inquiry into the patient's sexual history or behavior beyond that which is necessary for a competent examination, diagnosis or treatment; the practitioner shall not be unnecessarily intrusive; the practitioner shall not verbalize any unprofessional comments concerning the patient's sexual history or behavior; and
- K. attempting to diagnose or treat a sexual issue beyond the practitioner's scope of training or practice.

Disclosures: A doctor of oriental medicine shall be guilty of unprofessional conduct who fails to obtain, from the patient, a written informed consent for diagnosis and treatment that gives the patient at least a description of the types of diagnostic and treatment services used and any associated potential risks and sensations. The written informed consent shall also contain an explanation that the following will be discussed orally with the patient: (1) an estimate of the number of times the patient may need to return for treatment; (2) the frequency of treatment; and (3) the possible outcome of the diagnostic procedure or treatment service. The written informed consent shall also contain a statement that the patient shall have the choice to accept or reject the proposed diagnostic procedure or treatment, or any part of it, before or during the diagnosis or treatment.

The current license shall be conspicuously displayed in all offices of the doctor of oriental medicine or temporary licensee that are registered with the board.

Chinese Herbal Requirement: No. The board shall issue certifications for expanded practice and prescriptive authority. When compounding drugs for their patients, doctors of oriental medicine certified for expanded practice and prescriptive authority shall comply with the compounding requirements for licensed health care professionals in the United States pharmacopeia and national formulary.

Education Requirement: The board shall establish by rule the criteria for board approval of educational programs in acupuncture and oriental medicine. For an educational program to meet board approval, proof shall be submitted to the board demonstrating that the educational program as a minimum:

- (1) Was for a period of not less than four academic years;
- (2) Included a minimum of nine hundred hours of supervised clinical practice;
- (3) Was taught by qualified teachers or tutors;
- (4) Required as a prerequisite to graduation personal attendance in all classes and clinics and, as a minimum, the completion of the following subjects:
 - (a) Anatomy and physiology;
 - (b) Pathology;
 - (c) Diagnosis;
 - (d) Pharmacology;
 - (e) Oriental principles of life therapy, including diet, nutrition and counseling;
 - (f) Theory and techniques of oriental medicine;
 - (g) Precautions and contraindications for acupuncture treatment;
 - (h) Theory and application of meridian pulse evaluation and meridian point location;
 - (i) Traditional and modern methods of qi or life-energy evaluation;
 - (j) The prescription of herbal medicine and precautions and contraindications for its use;
 - (k) Hygiene, sanitation and clean-needle technique;
 - (l) Care and management of needling devices; and
 - (m) Needle and instrument sterilization techniques; and
- (5) Resulted in the presentation of a certificate or diploma after completion of all the educational program requirements.

Testing Requirement: Yes - \$500. The board approved examinations shall consist of a written examination portion and a practical examination portion.

A. The written examinations approved by the board shall be:

- (1) The national certification commission for acupuncture and oriental medicine foundations of oriental medicine module;
- (2) The national certification commission for acupuncture and oriental medicine acupuncture module;
- (3) The national certification commission for acupuncture and oriental medicine Chinese herbology module;
- (4) The national certification commission for acupuncture and oriental medicine biomedicine module;
- (5) The national certification commission for acupuncture and oriental medicine approved clean needle technique course; and
- (6) The board approved and board administered jurisprudence examination covering the act and the rules.

B. The practical examinations approved by the board shall be:

- (1) The national certification commission for acupuncture and oriental medicine point location module; and
- (2) The clinical skills examination; the clinical skills examination includes examination in acupuncture, herbal medicine and biomedicine competencies.

The board shall require each qualified applicant to pass a validated, objective written examination that covers areas that are not included in other examinations approved by the board, including, as a minimum, the following subjects:

- (1) Anatomy and physiology;
- (2) Pathology;
- (3) Diagnosis;
- (4) Pharmacology; and
- (5) Principles, practices and treatment techniques of acupuncture and oriental medicine.

The board may require each qualified applicant to pass a validated, objective practical examination that covers areas that are not included in other examinations approved by the board and that demonstrates his knowledge of and skill in the application of the diagnostic and treatment techniques of acupuncture and oriental medicine.

The board shall require each qualified applicant to pass a written or a practical examination or both in the following subjects:

- (1) Hygiene, sanitation and clean-needle technique; and
- (2) Needle and instrument sterilization techniques.

The board may require each qualified applicant to pass a written examination on the state laws and rules that pertain to the practice of acupuncture and oriental medicine.

The New Mexico Board of Acupuncture and Oriental Medicine requires licensing candidates to pass a clinical skills examination that demonstrates their knowledge of and skill in the diagnostic and treatment techniques of acupuncture and oriental medicine. Candidates are evaluated on their ability to apply

generally accepted techniques of oriental medicine in examining, diagnosing and prescribing treatment for an actual “patient” (a person with a real complaint and an authentic medical history) in a simulated clinical setting.

NCCAOM Certification Requirement: The Board requires certification by the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) through achievement of a passing score on each of the following:

- (1) The NCCAOM foundations of oriental medicine module;
- (2) The NCCAOM acupuncture module;
- (3) The NCCAOM Chinese herbology module;
- (4) The NCCAOM biomedicine module; and
- (5) The NCCAOM point location module.

Continuing Education Requirement: A doctor of oriental medicine shall submit to the board at the time of license renewal either of the following:

- (1) Proof of continuing NCCAOM recertification in oriental medicine, acupuncture or Chinese herbology; or
- (2) Proof of completion of 15 hours annually, or every four years, of 60 hours of NCCAOM approved continuing education courses.

A doctor of oriental medicine who is a board approved examiner, examiner supervisor, or examiner trainer, for the clinical skills examination, shall be granted continuing education credit for time spent functioning as an examiner or training to be an examiner. This also applies to an observing board member who has completed the training. The continuing education credit is limited to six hours per year.

Bond/Insurance Requirement: No

Notes: N/A

License Application Fee: \$525

License Investigation Fee: \$800

Background Check: No

Fingerprint Check: No

License Renewal Fee: \$400

License Term: The licensing period shall run from August 1 to the following July 31. A newly licensed doctor of oriental medicine shall be issued a license that shall be required to be renewed on July 31, except that licenses initially issued after May 1 shall not expire until July 31 of the next renewal period.

Enforcement Department: Board of Acupuncture and Oriental Medicine

Enforcement Agency URL:

http://www.rld.state.nm.us/boards/Acupuncture_and_Oriental_Medicine.aspx

Enforcement Agency Contact: Barbara Maddoux

Enforcement Agency Contact Email: acuormedboard@state.nm.us

Agency Address: 2550 Cerrillos Road

Agency City, State, Zip: Santa Fe, NM 87505

Agency Phone: (505) 476-4630

Application URL:

http://www.rld.state.nm.us/uploads/FileLinks/b8c0b33a780c485590da7ee28d59890c/DOM_Application_1.pdf

Web List of Licensees: http://www.rld.state.nm.us/boards/Look_Up_A_License.aspx

New York



Name of Law: Education Law

Statute Location: Education Law, Article 160 and Rules of the Board of Regents, Part 29

Statute URL: <http://www.op.nysed.gov/prof/acu/article160.htm> and
<http://www.op.nysed.gov/prof/acu/article160.htm>

Rule: 1) Part 52.16
2) Subpart 79-2
3) Part 60

Rule URL: 1) <http://www.op.nysed.gov/prof/acu/part52-16.htm>
2) <http://www.op.nysed.gov/prof/acu/part79-2.htm>
3) <http://www.op.nysed.gov/prof/acu/part60.htm>

License/Registration Required: Yes

Definition of Acupuncture: "Profession of acupuncture" is the treating, by means of mechanical, thermal or electrical stimulation effected by the insertion of needles or by the application of heat, pressure or electrical stimulation at a point or combination of points on the surface of the body predetermined on the basis of the theory of the physiological interrelationship of body organs with an associated point or combination of points for diseases, disorders and dysfunctions of the body for the purpose of achieving a therapeutic or prophylactic effect.

Scope of Practice: N/A

Prohibitions: Directly or indirectly offering, giving, soliciting, or receiving or agreeing to receive, any fee or other consideration to or from a third party for the referral of a patient or client or in connection with the performance of professional services;

Permitting any person to share in the fees for professional services, other than: a partner, employee, associate in a professional firm or corporation, professional subcontractor or consultant authorized to practice the same profession, or a legally authorized trainee practicing under the supervision of a licensed practitioner. This prohibition shall include any arrangement or agreement whereby the amount received in payment for furnishing space, facilities, equipment or personnel services used by a professional licensee constitutes a percentage of, or is otherwise dependent upon, the income or receipts of the licensee from

such practice, except as otherwise provided by law with respect to a facility licensed pursuant to Article 28 of the Public Health Law or Article 13 of the Mental Hygiene Law.

Advertising or soliciting not in the public interest shall include, but not be limited to, advertising or soliciting that:

Makes claims of professional superiority which cannot be substantiated by the licensee, who shall have the burden of proof; or

Offers bonuses or inducements in any form other than a discount or reduction in an established fee or price for a professional service or product.

All licensees placing advertisements shall maintain, or cause to be maintained, an exact copy of each advertisement, transcript, tape or videotape thereof as appropriate for the medium used, for a period of one year after its last appearance.

A licensee shall not compensate or give anything of value to representatives of the press, radio, television or other communications media in anticipation of or in return for professional publicity in a news item;

Unprofessional conduct shall also include:

Abandoning or neglecting a patient or client under and in need of immediate professional care, without making reasonable arrangements for the continuation of such care, or abandoning a professional employment by a group practice, hospital, clinic or other health care facility, without reasonable notice and under circumstances which seriously impair the delivery of professional care to patients or clients;

Willfully harassing, abusing or intimidating a patient either physically or verbally;

Guaranteeing that satisfaction or a cure will result from the performance of professional services;

Ordering of excessive tests, treatment, or use of treatment facilities not warranted by the condition of the patient.

Disclosures: Each acupuncturist licensed pursuant to this article, shall advise each patient as to the importance of consulting with a licensed physician regarding the patient's condition and shall keep on file with the patient's records, a form attesting to the patient's notice of such advice. Such form shall be in duplicate, one copy to be retained by the patient, signed and dated by both the acupuncturist and the patient.

Chinese Herbal Requirement: No

Education Requirement: Satisfactory completion of at least 60 semester hours at an accredited college or university, including nine semester hours in the biosciences. Biosciences are defined as biological sciences and do not include chemistry or physics. Coursework completed to satisfy your professional education requirement cannot be used to also satisfy the biosciences requirement.

Satisfactory completion of an approved professional acupuncture program registered by the New York State Education Department as licensure qualifying or accredited by the Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM) or another accrediting agency accepted by the Department as a reliable authority, or the equivalent.

To be considered equivalent, a program must consist of a minimum of 4,050 hours of classroom instruction, supervised clinical experience, and out-of-classroom or out-of-clinic study assignments. Each hour of classroom instruction must require two hours of out-of-classroom study assignments and each hour of supervised clinical experience must require one-half hour of clinic study assignments. As part of the 4,050 hours, the program must include:

- at least 200 classroom instructional hours in the biosciences including anatomy, physiology and pathology;
- at least 600 classroom instructional hours in acupuncture including acupuncture principles; acupuncture channel and point theory; acupuncture physiology; acupuncture pathology; acupuncture clinical examination and diagnosis; acupuncture techniques; acupuncture treatment principles; and sterilization and precautions; and
- at least 650 hours of supervised clinical acupuncture experience in general health problems to include acupuncture diagnosis; therapeutic treatment planning; acupuncture needling technique; moxibustion; electroacupuncture; pre- and post-treatment instruction; contraindications and precautions; treatment of emergencies; when to refer to appropriate health professionals; and acupuncture hygiene.

Testing Requirement: An applicant may fulfill the examination requirement by submitting evidence of having successfully completed the examination of the National Commission for the Certification of Acupuncturists, or any other examination which the department determines to be the equivalent in terms of content, scoring, administration, security and other comparable factors which affect the validity or integrity of the examination.

NCCAOM Certification Requirement: No

Continuing Education Requirement: No

Bond/Insurance Requirement: No

Notes: Everyone applying for a professional license, permit, or registration, or any renewal thereof, must file a written statement that, as of the date of the filing, she or he is, or is not, under an obligation to pay child support. Individuals who are four months or more in arrears in child support or who have failed to comply with a summons, subpoena or warrant relating to a paternity or child support proceeding may be subject to suspension of their business, professional, drivers and/or recreational licenses and permits.

License Application Fee: \$788

License Investigation Fee: N/A

Background Check: No

Fingerprint Check: No

License Renewal Fee: A fee of two hundred fifty dollars for each triennial registration.

License Term: Triennial

Enforcement Department: State Education Department; Office of the Professions; Division of Professional Licensing Services; Acupuncture Unit

Enforcement Agency URL: <http://www.op.nysed.gov/prof/acu/acupuncontact.htm>

Enforcement Agency Contact: N/A

Enforcement Agency Contact Email: opunit2@mail.nysed.gov

Agency Address: 89 Washington Avenue

Agency City, State, Zip: Albany, NY 12234-1000

Agency Phone: (518) 474-3817, ext. 260

Application URL: <http://www.op.nysed.gov/prof/acu/acu1.pdf>

Web List of Licensees: <http://www.op.nysed.gov/opsearches.htm>

North Carolina



Name of Law: Practice of Acupuncture

Statute Location: 90-450

Statute URL: <http://www.ncalb.com/pdfs/ncalb-vMVHpD.pdf>

Rule: 21 NCAC 01 .0101

Rule URL: <http://www.ncalb.com/pdfs/ncalb-JPq4ex.pdf>

License/Registration Required: Yes. Reciprocity permitted.

Definition of Acupuncture: Acupuncture. – A form of health care developed from traditional and modern Chinese medical concepts that employ acupuncture diagnosis and treatment, and adjunctive therapies and diagnostic techniques, for the promotion, maintenance, and restoration of health and the prevention of disease.

Practice of acupuncture or practice acupuncture. – The insertion of acupuncture needles and the application of moxibustion to specific areas of the human body based upon acupuncture diagnosis as a primary mode of therapy. Adjunctive therapies within the scope of acupuncture may include massage, mechanical, thermal, electrical, and electromagnetic treatment and the recommendation of herbs, dietary guidelines, and therapeutic exercise.

"Acupuncture adjunctive therapies" include but are not limited to auricular, nose, face, hand, foot, and scalp acupuncture therapy; and stimulation to acupuncture points and channels by any of the following: needles, cupping, thermal methods, magnets, gwasha scraping techniques.

"Acupuncture diagnostic techniques" include but are not limited to the use of observation, listening, smelling, inquiring, palpation, pulse diagnosis, tongue diagnosis, hara diagnosis, physiognomy, five element correspondence, ryodoraku, akabani, and electro-acupuncture.

Scope of Practice: The following are the practice parameters for acupuncturists in North Carolina:

(1) A licensed acupuncturist shall practice within the scope of training offered by a college accredited, or in candidacy status, by the National Accreditation Commission for Schools and Colleges of Acupuncture and Oriental Medicine.

(2) A licensed acupuncturist must practice within the confines of his training. Parameters for diagnosis and treatment of patients include, Five Elements, Eight Principles, Yin Yang Theory, Channel Theory, Zang Fu Organ Theory, Six Stages and Four Aspects of Disease Progressions.

Prohibitions: Prior to treatment, a written or oral medical history shall be obtained from the patient. Oral statements shall be reflected in the practitioner's notes. Information shall include current and past illnesses, treatments, hospitalizations, current medications and allergies to medications. A social history shall include use of tobacco, alcohol, caffeine and recreational drugs.

(b) The names of current health practitioners shall be listed.

(c) The current complaints shall be outlined along with remedies and treatments tried and in progress.

(d) The possibility of pregnancy or the presence of biomedical devices, such as artificial joints or cardiac pacemaker shall be ascertained.

No guarantee or implied guarantee about the success of treatment shall be given.

Reasonable indication of the length of treatment and usual outcome shall be given.

Diagnosis shall be made utilizing methods connected with the traditions represented in Oriental medicine. Examples of diagnostic measures include the Eight Principles, Five Elements, Pulse diagnosis, and Tongue diagnosis.

The diagnostic procedures shall be recorded at each visit.

The specifics of the treatment shall be recorded at each visit.

Dated notes of each patient visit and communication shall be kept.

If a patient fails to respond to treatments, discussion about other forms of treatment or referral to another health care professional shall be made.

In the case of persistent, unexplained pain, or the unexplained worsening of any condition in the face of ongoing treatment, referral or consultation shall be made. In choosing a referral source, priority shall be given to previously seen practitioners.

Requests by the patient for information about other forms of treatment or referral shall always be honored.

Not engage in false advertising, including guaranteeing that a cure will result from an acupuncture treatment.

Not engage in dividing or agreeing to divide, a fee for acupuncture services with anyone for referring a patient.

Not engage in abandoning or neglecting a patient without making reasonable arrangements for the continuation of care.

Not engage in exercising or attempting to exercise, undue influence within the acupuncturist/patient relationship by making sexual advances or requests for sexual activity or making submission to such conduct a condition of treatment.

Disclosures: Information concerning fees shall be made available prior to treatment.

Chinese Herbal Requirement: No

Education Requirement: All U.S. trained applicants shall graduate from a threeyear postgraduate acupuncture college, accredited by or in candidacy status by the Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM) or its successor organization.

An Acupuncture program shall extend over a minimum of three academic years, six semesters, nine quarters or 27 months, which consists of a minimum of 1800 clock hours with a minimum of 900 hours of didactic and theoretical training and 650 hours of supervised clinic. A minimum of 400 hours of the 650 hours of clinical training must be actual treatments.

Proof that he or she passed the Clean Needle Technique course as offered and determined by the Council of Colleges of Acupuncture and Oriental Medicine (CCAOM) or its successor organization.

Testing Requirement: If the applicant sat for the licensing examination after June 30, 2004, the applicant shall submit proof that he or she passed, as determined by NCCAOM, the following four NCCAOM modules: Foundations of Oriental Medicine, Acupuncture, Biomedicine and Point Location.

NCCAOM Certification Requirement: Yes

Continuing Education Requirement: Applicants for license renewal shall complete 40 Continuing Education Units (CEU) every two years. One CEU is defined as one contact hour or 50 minutes. All CEUs shall be completed during the two calendar years immediately preceding the:

- (1) License renewal date, or
- (2) Date on which the license renewal is approved by the Board.

The following requirements shall apply to the total number of CEUs submitted by a licensee for license renewal:

A minimum of 25 CEUs must be obtained from formally organized courses which have content relating to the scope of practice of acupuncture;

A maximum of 15 CEUs may be obtained from teaching acupuncture diagnosis and treatment. All CEUs for teaching shall be approved by the Board prior to the date of the class and awarded for actual classroom hours taught pursuant to this Rule.

CEUs from any given course may be used to satisfy the requirements of only one biennium.

A maximum of 20 CEUs may be obtained for correspondence or on-line courses.

Bond/Insurance Requirement: No

Notes: N/A

License Application Fee: \$100

License Investigation Fee: N/A

Background Check: No

Fingerprint Check: No

License Renewal Fee: \$300

License Term: A licensee must renew his or her license by the second July 1 following initial licensure and thereafter renews his or her license prior to expiration every two years.

Enforcement Department: <http://www.op.nysed.gov/opsearches.htm>

Enforcement Agency URL: <http://www.ncalb.com/aboutus.php>

Enforcement Agency Contact: Paola Learoyd

Enforcement Agency Contact Email: paola@recanc.com

Agency Address: 11 Glenwood Ave., Ste. A

Agency City, State, Zip: Raleigh, NC 27605

Agency Phone: (919) 821-3008

Application URL: <http://www.ncalb.com/pdfs/ncalb-Epq7YQ.pdf>

Web List of Licensees: <http://www.ncalb.com/search.php>



North Carolina Acupuncture Licensing Board Position Statement
Dry Needling is Intramuscular Manual Therapy is Acupuncture

The position of the North Carolina Acupuncture Licensing Board (NCALB) is that the insertion of an Acupuncture needle into the dermis, muscular or fascia tissue with the intention of promotion, maintenance, restoration of health and the prevention of disease is indeed the practice of Acupuncture. Any individual practicing Acupuncture without proper licensure and training may pose a threat to public safety and may cause temporary or permanent bodily damage to tissues and organs, increase the risk of infection and can cause death. It is the duty of this Board to educate the public, legislators and professionals of these inherent dangers. North Carolina General Statutes 90-454 lists as a Power and Duty of this Board "to investigate violations of this Article, and otherwise administer the provisions of this Article."

In order to protect the public, the North Carolina General Assembly determines which professional groups are properly trained and skilled to practice Acupuncture in North Carolina. As defined by North Carolina General Statutes 90-452, it is unlawful to engage in the practice of Acupuncture without a license issued pursuant to this Article. Currently, there are three exemptions: 1) A physician listed under Article 1 of Chapter 90 2) A student practicing acupuncture under the direct supervision of a licensed acupuncturist as part of a course of study approved by the Board 3) A chiropractor licensed under Article 8 of Chapter 90. These two professions, physicians and chiropractors, are required to complete 200-300 hours of training in the practice of Acupuncture in addition to their post graduate academic study and clinical internship. They also must meet the requirements for North Carolina State licensure in their medical professions accordingly. A licensed Acupuncturist in North Carolina must have a minimum of 1905 hours of post graduate Master's Degree level training, 660 of which must be in clinical training in the practice of Acupuncture.

Currently, the North Carolina Board of Physical Therapy Examiners (NCBPTE) has improperly redefined the practice of Acupuncture as "intramuscular manual therapy" or "dry needling" and included it into their scope of practice without the consent of the North Carolina General Assembly. Companies or individuals that provide Continuing Education classes of "dry needling" have created this western medical terminology of "intramuscular manual therapy" in an attempt to gain monetarily by teaching Physical Therapists a skill that is improperly defined and beyond their current scope of practice. Furthermore, this renaming of the practice of Acupuncture by them and the NCBPTE is confusing to the public.

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The NCBPTE issued a Newsletter in the Summer of 2002: Issue 28, answering a question: "Is dry needling within the scope of practice of

physical therapists in North Carolina?" Answer: "NO. Dry needling is a form of acupuncture. In North Carolina, a practitioner who performs acupuncture must have a license from the NC Board of Acupuncture." More recently, September 23, 2010, the NCBPTE issued a Position Statement broadening their scope of practice to include the practice of Acupuncture. They based their justification on a resource paper published by the American Physical Therapy Association in January, 2012 and a few other states allowing this redefining of the practice of Acupuncture as "dry needling" and/or "intramuscular manual therapy". They included in this Position Statement that only 54 hours of training of an Intramuscular Manual Therapy course of study at a program approved by the NCBPTE would be required to allow a Physical Therapist to perform Acupuncture.

The position of the NCALB is that these minimum requirements are not sufficient to safely perform Acupuncture or "dry needling" or "intramuscular manual therapy". The NCALB has researched this subject carefully with much deliberation and contemplation for over a year to come to this conclusion. Anyone in this State performing Acupuncture Needling Techniques with an Acupuncture needle without complying with the requirements of the Acupuncture Practice Act (Article 30 of Chapter 90) is in violation of the law. Physical Therapists currently performing the practice of Acupuncture under the guise of "dry needling" or "intramuscular manual therapy" are, in this Board's opinion, endangering the public and should be legally enforced to discontinue these actions. Additionally, this action of the NCBPTE redefining the practice of Acupuncture is confusing to the public. These actions of the NCBPTE undermine the authority of the North Carolina General Assembly. Ultimately, the NCALB concludes that "dry needling" and/or "intramuscular manual therapy", whatever the nomenclature, is the practice of Acupuncture and only medical professionals properly credentialed may perform these procedures lawfully.

September 2012

North Dakota



North Dakota does not regulate the practice of acupuncture as a profession.

REGULATION OF ACUPUNCTURE - OPTIONS

BACKGROUND

This memorandum is in response to a request for information regarding what options exist for regulating acupuncturists who practice in North Dakota. Currently, North Dakota does not regulate the practice of acupuncture as a profession. However, the State Board of Chiropractic Examiners does make special provisions to allow qualified chiropractors to perform acupuncture within the scope of chiropractic and the State Board of Veterinary Medical Examiners does provide acupuncture is included within the scope of veterinary medicine.

Mr. David Magnuson, an acupuncturist who practices in Grand Forks, testified at the March 2, 2006, meeting of the Budget Committee on Health Care that he believes there are approximately three individuals practicing traditional acupuncture in North Dakota. Given this small number of practitioners, the committee discussion indicated the desire to consider regulation options that would not require creation of a freestanding board to regulate acupuncture.

Following the March 2, 2006, Budget Committee on Health Care meeting, Senator Judy Lee, the committee member who requested the information regarding regulation options for the practice of acupuncture, initiated discussions regarding this matter with a representative of the State Department of Health, Senator Ray Holmberg, Mr. Magnuson, and the Legislative Council staff. These individuals considered the feasibility of different regulation options, keeping in mind the limitations inherent in regulating a three-member profession. This discussion ultimately focused on having the State Health Officer regulate the practice of acupuncture.

The following list of options is a generalized list of options that may be considered when determining how best to regulate a profession.

TERMINOLOGY

The following quotations are general definitions of professional regulation terms contained in the second edition of *Questions a Legislator Should Ask* by Benjamin Shimberg and Doug Roederer, (1994), published by The Council on Licensure, Enforcement and Regulation. The Council on Licensure, Enforcement and Regulation is an affiliate organization of the Council of State Governments. This publication suggests questions a legislator should ask when considering whether to regulate a profession. Although the actual use of these terms in daily use, state laws, and court cases does not closely follow the technical definitions, the definitions do assist in illustrating the spectrum of options a state may consider when determining whether to regulate a profession.

Certification - May be granted by either a state regulatory body, or a non-governmental agency or association. Title protection is granted to persons who have met the predetermined qualifications. Those without the title may perform the services of the profession or occupation, but may not use the title.

Credentialing - A generic term for licensure, certification, and registration. Can also be used as a term for a voluntary process under the auspices of private sector associations.

Endorsement - The acceptance of a licensee's qualifications based on the fact that the requirements met initially were substantially equivalent to those required in the new state.

Licensure - The most restrictive form of state regulation. Under licensure laws, it is illegal for a person to practice a profession without first meeting the standards imposed by the state. It is illegal for unlicensed individuals to perform acts within the statutorily defined scope of practice.

Reciprocity - An arrangement through which a practitioner in one state may practice in another if the two states have a reciprocal agreement.

Registration - The least restrictive form of state regulation, usually consisting of requiring individuals to file their name, address and qualifications with a government agency before practicing the profession.

OPTIONS

Using these definitions and considering the options of certification, licensure, and registration, licensure is the only method that provides for a system under which professional standards are set and an individual is prohibited from practicing unless those standards are met. With registration an individual could be prohibited from practicing unless that individual registered with the identified state entity. Legislative history regarding attempts to regulate acupuncture, as well as the discussions initiated by Senator Lee, indicate there may be a preference toward a licensure-based regulation of the profession. If licensure is the desired method of regulation, there are a variety of ways this may be implemented.

The term reciprocity addresses the situation in which two states regulate a profession. Because reciprocity inherently requires that both states provide for regulation of a practice, it is not appropriate to consider reciprocity as an option until North Dakota establishes some method of regulation. On the same note, the term endorsement addresses the evolution of regulation of a profession within a state and is not appropriate to consider as an option in North Dakota at this point.

LICENSURE

If the state regulates a profession through licensure, one of the first determinations is what state entity will implement the regulation. Once it is determined what state entity will implement the regulation, it is necessary to determine the degree to which that profession will be regulated and the powers and duties that will be granted to the state entity for purposes of regulating the profession.

State Entity

Typically in North Dakota the regulation of a profession is provided through licensure and is conducted by a legislatively created board. Professional board members typically include practitioners and may include laypersons. Examples of this type of professional board include the State Board of Medical Examiners and the State Board of Chiropractic Examiners.

Generally North Dakota professional boards regulate a single practice, but there are some examples of boards that regulate a related but different profession. For example, in addition to licensing physicians, the State Board of Medical Examiners is also charged with regulating radiologic technologists who render fluoroscopy services; the State Board of Architecture is a board comprised of architects, but the board has been charged with regulating landscape architects; and the State Board of Dental Examiners is a board comprised of dentists and a dental hygienist, but the board has been charged with regulating dental assistants.

There are alternatives to legislatively created boards which may be used to regulate a profession. Instead of creating a new board or including a new profession under an already existing board, an existing or new executive agency of the state could be charged with the regulation of a profession. For example, the Attorney General regulates polygraph operators, the Secretary of State regulates contractors, and the State Health Council regulates the practice of electrolysis.

Powers and Duties

The licensure standards that are established to regulate a profession through licensure may fall anywhere within a broad spectrum of requirements. The less demanding the standards are, the more similar the licensure is to registration and the more exclusive or demanding the standards are, the more dissimilar the licensure is to registration.

Typical professional licensure standards of North Dakota professional boards might include legislatively created standards, administratively created standards, or administratively or legislatively designated standards of a nonstate entity. For example, North Dakota Century Code Section 43-12.1-09(2)(c)(3) provides an applicant for licensure as an advanced practice registered nurse applicant must hold a

current license as a registered nurse; Section 43-12.1-09(2)(c)(1) provides an applicant for licensure as an advanced practice registered nurse must submit an appropriate fee as established by the board; and Section 43-12.1-09(2)(a)(2) provides that for purposes of a registered nurse applicant the Board of Nursing shall establish out-of-state educational standards based upon whether the educational institution meets the standards of one of two identified private accrediting organizations.

CONCLUSION

The regulation of a profession, such as acupuncture, may range between licensure, which is the most restrictive form of state regulation, and registration, which is the least restrictive form. The actual use of these terms is academic but does give a framework in which to consider professional regulation. Typically, North Dakota regulates professions through a method more attuned to licensure. Licensure of a profession in North Dakota is typically conducted by a legislatively created board; however, there are examples of executive state agencies performing this function.

In the case of acupuncture, the feasibility of creating a new stand-alone board to regulate the single profession of acupuncture is limited if there are only three practitioners in the state. If the practice of acupuncture is to be regulated by a board, there would be fewer practicability issues if the act of regulating were charged an existing board or if a new board were created and that new board regulates more than one profession.

Instead of being regulated by a board, the practice of acupuncture could be regulated by an executive agency. The degree of expertise required of an agency charged with regulating a profession would in large part depend on the standards required. If an agency regulated acupuncture through a registry, very little expertise would be required. However, if an agency regulated acupuncture through licensure, a higher level of expertise would be required. As an illustration, in the case of a registry for acupuncture, the failure to register is a relatively basic issue to prove and enforce but in the case of licensure, the failure to meet a standard of care requires a higher level of expertise to prove and enforce.

The licensure standards established for a profession may range from very general, such as minimum age requirements and possession of a high school diploma, to very specific, such as a baccalaureate degree in specified courses of study and the ongoing requirement that the professional meet continuing education requirements. These standards may be specifically stated in statute, may be provided through administrative rule, or may be standards of a private organization which are referenced by statute or rule.

Ohio



Name of Law: Acupuncturists and Oriental Medicine Providers

Statute Location: Chapter 4762

Statute URL: <http://codes.ohio.gov/orc/4762>

Rule: N/A

Rule URL: N/A

License/Registration Required: Yes

Definition of Acupuncture: "Acupuncture" means a form of health care performed by the insertion and removal of specialized needles, with or without the use of supplemental techniques, to specific areas of the human body.

Scope of Practice: N/A

Prohibitions: The following, as applicable, apply to an individual who holds a certificate to practice as an oriental medicine practitioner or certificate to practice as an acupuncturist:

On receipt of an initial certificate to practice, the practice of the oriental medicine practitioner or acupuncturist is subject to a supervisory period. The supervisory period shall begin on the date the initial certificate is granted and end one year thereafter, except that if the oriental medicine practitioner or acupuncturist is subject during that year to disciplinary action, the supervision shall continue until the practitioner or acupuncturist has not been subject to any disciplinary action for one year.

During the supervisory period, both of the following apply to an oriental medicine practitioner's or acupuncturist's practice in addition to the applicable requirements of divisions (D) and (E) of this section:

An oriental medicine practitioner shall perform oriental medicine or acupuncture for a patient only if the patient has received a written referral or prescription for oriental medicine or acupuncture from a physician or for acupuncture from a chiropractor. An acupuncturist shall perform acupuncture for a patient only if the patient has received a written referral or prescription for acupuncture from a physician or chiropractor. As specified in the referral or prescription, the oriental medicine practitioner or acupuncturist shall provide reports to the physician or chiropractor on the patient's condition or progress

in treatment and comply with the conditions or restrictions on the practitioner's or acupuncturist's course of treatment.

The oriental medicine practitioner or acupuncturist shall perform oriental medicine or acupuncture under the general supervision of the patient's referring or prescribing physician or chiropractor, except that an oriental medicine practitioner using herbal therapy in the treatment of a patient shall not provide herbal therapy under the general supervision of a chiropractor. General supervision does not require that the oriental medicine practitioner or acupuncturist and supervising physician or chiropractor practice in the same office.

After the supervisory period has ended, both of the following apply to an oriental medicine practitioner's or acupuncturist's practice in addition to the applicable requirements of divisions (D) and (E) of this section:

Before treating a patient for a particular condition, an oriental medicine practitioner or acupuncturist shall confirm whether the patient has undergone within the past six months a diagnostic examination that was related to the condition for which the patient is seeking oriental medicine or acupuncture and was performed by a physician or chiropractor acting within the physician's or chiropractor's scope of practice. Confirmation that the diagnostic examination was performed may be made by obtaining from the patient a signed form stating that the patient has undergone the examination.

If the patient does not provide the signed form specified in division (C)(1) of this section or an oriental medicine practitioner or acupuncturist otherwise determines that the patient has not undergone the diagnostic examination specified in that division, the practitioner or acupuncturist shall provide to the patient a written recommendation to undergo a diagnostic examination by a physician or chiropractor.

In an individual's practice of oriental medicine or acupuncture pursuant to a certificate to practice issued under this chapter, all of the following apply:

Prior to treating a patient, the individual shall advise the patient that oriental medicine or acupuncture, as applicable, is not a substitute for conventional medical diagnosis and treatment.

The individual shall maintain records for each patient treated. The records shall be confidential and shall be retained for not less than three years following termination of treatment

Disclosures: On initially meeting a patient in person, the individual shall provide in writing the individual's name, business address, and business telephone number, and information on oriental medicine or acupuncture, as applicable, including the techniques that are used.

An individual who holds a certificate to practice as an oriental medicine practitioner or certificate to practice as an acupuncturist issued under this chapter shall conspicuously display at the individual's primary place of business both of the following:

(A) The individual's certificate, as evidence that the individual is authorized to practice in this state;

(B) A notice specifying that the practice of oriental medicine or acupuncture, as applicable, under the certificate is regulated by the state medical board and the address and telephone number of the board's office.

Chinese Herbal Requirement: No

Education Requirement: Formal Schooling - Graduation from a formal full-time acupuncture program that can document at least 1,725 hours of entry-level acupuncture education. Education must consist of a minimum of 1000 didactic and 500 clinical hours.

Pre-Graduation - Students who have not yet graduated may apply for eligibility after completion of a minimum of 1350 hours of education. This education must include a minimum of 1000 didactic hours and 300 clinical hours. Additional hours may be earned as either didactic or clinical. NCCAOM certification will be awarded only after graduation.

The applicant shall demonstrate to the board proficiency in spoken English by either passing the examination or submitting evidence satisfactory to the board that the applicant was required to demonstrate proficiency in spoken English as a condition of obtaining designation from the national certification commission for acupuncture and oriental medicine as a diplomate in oriental medicine, diplomate of acupuncture and Chinese herbology, or diplomate in acupuncture.

Testing Requirement: No

NCCAOM Certification Requirement: Yes

Continuing Education Requirement: To be eligible for renewal of a certificate to practice as an oriental medicine practitioner, an applicant shall certify to the board both of the following, as applicable:

(a) That the applicant has maintained a current and active designation from the national certification commission for acupuncture and oriental medicine as either a diplomate in oriental medicine or diplomate of acupuncture and Chinese herbology;

(b) That the applicant has successfully completed one six-hour course in herb and drug interaction approved by the national certification commission for acupuncture and oriental medicine in the four years immediately preceding the expiration date of the applicant's current and active designation from the commission as a diplomate in oriental medicine or diplomate of acupuncture and Chinese herbology.

(2) To be eligible for renewal of a certificate to practice as an acupuncturist, an applicant shall certify to the board that the acupuncturist has maintained a current and active designation from the national certification commission for acupuncture and oriental medicine as a diplomate in acupuncture.

Bond/Insurance Requirement: An individual who holds a certificate to practice as an oriental medicine practitioner or certificate to practice as an acupuncturist issued under this chapter shall have professional liability insurance coverage in an amount that is not less than five hundred thousand dollars.

Notes: Default on child support obligations can cancel certificate.

License Application Fee: \$100

License Investigation Fee: N/A

Background Check: Yes

Fingerprint Check: Yes

License Renewal Fee: \$100

License Term: Licensees must before the thirty-first day of January of each even-numbered year, apply for renewal of the certificate.

Enforcement Department: State Medical Board of Ohio

Enforcement Agency URL: http://www.med.ohio.gov/acu_treatment_and_compliance.htm

Enforcement Agency Contact: Danielle Bickers

Enforcement Agency Contact Email: danielle.bickers@med.state.oh.us

Agency Address: 30 East Broad Street, 3rd Floor

Agency City, State, Zip: Columbus, OH 43215-6127

Agency Phone: (614) 644-9085

Application URL: <http://www.med.ohio.gov/pdf/Applications/acu/acupuncture.pdf>

Web List of Licensees: <https://license.ohio.gov/lookup/default.asp?division=78>

Oklahoma



Oklahoma does not regulate the practice of acupuncture as a profession.

Oregon



Name of Law: Regulation of Medicine, Podiatry and Acupuncture

Statute Location: Chapter 677

Statute URL: http://www.oregonlegislature.gov/bills_laws/lawsstatutes/2011ors677.html

Rule: 847-070-0005 and 847-008-0000

Rule URL: <http://www.oregon.gov/omb/licensing/Pages/AC-Application-Requirements-and-Instructions.aspx> and http://arcweb.sos.state.or.us/pages/rules/oars_800/oar_847/847_008.html

License/Registration Required: Yes

Definition of Acupuncture: "Acupuncture" means an Oriental health care practice used to promote health and to treat neurological, organic or functional disorders by the stimulation of specific points on the surface of the body by the insertion of needles. "Acupuncture" includes the treatment method of moxibustion, as well as the use of electrical, thermal, mechanical or magnetic devices, with or without needles, to stimulate acupuncture points and acupuncture meridians and to induce acupuncture anesthesia or analgesia.

Scope of Practice: The practice of acupuncture also includes the following modalities as authorized by the Oregon Medical Board for the State of Oregon:

- (A) Traditional and modern Oriental Medical and acupuncture techniques of diagnosis and evaluation;
- (B) Oriental massage, exercise and related therapeutic methods; and
- (C) The use of Oriental pharmacopoeia, vitamins, minerals and dietary advice.

"Oriental pharmacopoeia" means a list of herbs described in traditional Oriental texts commonly used in accredited schools of Oriental medicine if the texts are approved by the Oregon Medical Board.

Prohibitions: Employing any person to solicit patients for the licensee.

Representing to a patient that a manifestly incurable condition of sickness, disease or injury can be cured.

An acupuncturist must clearly indicate that he/she is an acupuncturist to individuals being treated. The acupuncturist must wear a name tag with the designation "Acupuncturist" thereon when practicing in a hospital or clinic setting where other health care providers practice. Acupuncturists are not required to wear name tags in a private practice setting.

An acupuncturist shall not represent him/herself as a physician or permit another to so represent him/her.

Disclosures: No

Chinese Herbal Requirement: No

Education Requirement: Graduation from an acupuncture program that has been granted accreditation or candidacy status by the Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM) at the time of the applicant's graduation.

Graduation from a foreign acupuncture program approved by the foreign government's Ministry of Education, Ministry of Health, or equivalent government agency at the time of the applicant's graduation from the acupuncture program. As of September 2001, documentation of education credentials is being reviewed by a foreign credential equivalency service, approved by the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) for establishing equivalency to the ACAOM accreditation standard and curricular requirements of ACAOM in effect at the time of graduation.

English language proficiency.

Testing Requirement: Acupuncture Applicant Questionnaire on the Oregon Medical Practice Act and Administrative Rules. This open book examination pertains to the Oregon laws and administrative rules regarding acupuncturists.

see: <http://www.oregon.gov/omb/licensing/Documents/ac/ac-applicant-questionnaire.pdf>

NCCAOM Certification Requirement: Yes

Continuing Education Requirement: Licensees renewing registration for the previous registration period must demonstrate ongoing competency to practice medicine by:

Ongoing participation in the National Certification Commission for Acupuncture and Oriental Medicine;

or

30 hours of NCCAOM-approved courses per two years relevant to the licensee's current practice, or 15 hours if licensed during the second year of the biennium.

All licensees of the Oregon Medical Board must complete mandatory continuing medical education (CME) in the subjects of pain management and/or the treatment of terminally ill and dying patients as follows:

A one-hour pain management course specific to Oregon provided by the Pain Management Commission of the Department of Human Services; and

A minimum of six continuing medical education credit hours in the subjects of pain management and/or the treatment of terminally ill and dying patients. Any combination of CME coursework focusing on pain management and/or treatment of terminally ill and dying patients may be used to fulfill this requirement.

All applicants granted a license after January 2, 2009 must obtain the required CME coursework no later than 12 months after the date the Board granted licensure.

The continuing medical education hours in pain management and/or the treatment of terminally ill or dying patients may be used to fulfill the continuing medical education hours required for registration renewal under 847-008-0070.

Bond/Insurance Requirement: No

Notes: The Board may suspend or revoke the license to practice of a licensee of the Board upon notification by the Department of Justice that a child support case is being maintained and enforced and that the licensee is under judgment or order to pay monthly child support and is in arrears in an amount equal to three months of support or \$2,500, whichever occurs later.

In addition to all other requirements for licensure, an applicant may be required to appear before the Acupuncture Committee for a personal interview regarding information received in the application process

License Application Fee: \$297 (includes application and background check)

License Investigation Fee: N/A

Background Check: Yes

Fingerprint Check: Yes

License Renewal Fee: \$322 - An individual who initially becomes licensed, certified, or registered by the Board at any time during the second 12 months of the biennial registration period must pay the registration fee for one year.

License Term: The Acupuncture biennial license registration renewal cycle is July 1 to June 30 of every even-numbered year. The registration renewal form and fee for Licensed Acupuncturists must be received in the Board office during regular business hours and must be satisfactorily complete on or before June 30 of each even-numbered year.

Enforcement Department: Oregon Medical Board

Enforcement Agency URL: <http://www.oregon.gov/omb/licensing/Pages/Acupuncturist.aspx>

Enforcement Agency Contact: Kathleen Haley

Enforcement Agency Contact Email: omb.info@state.or.us

Agency Address: 1500 SW 1st Ave., Suite 620

Agency City, State, Zip: Portland, OR 97201-5847

Agency Phone: (971) 673-2700

Application URL:
<https://techmedweb.omb.state.or.us/Clients/ORMB/Private/OnlineServices/Login.aspx>

Web List of Licensees: <http://www.oregon.gov/omb/licensing/Pages/License-Verification.aspx>

Pennsylvania



Name of Law: Registration and Practice of Acupuncturists and Practitioners of Oriental Medicine

Statute Location: 18.11

Statute URL: <http://www.pacode.com/secure/data/049/chapter18/subchapbtoc.html>

Rule: Chapter 25

Rule URL: <http://www.pacode.com/secure/data/049/chapter25/chap25toc.html>

License/Registration Required: Yes

Definition of Acupuncture: The stimulation of certain points on or near the surface of the body by the insertion of needles to prevent or alleviate the perception of pain or to normalize physiological functions, including pain control, for the treatment of certain diseases or dysfunctions of the body.

Scope of Practice: The term also includes the use of supplemental techniques: The use of traditional and modern Oriental therapeutics, heat therapy, moxibustion, electrical and low level laser stimulation, acupressure and other forms of massage, and counseling that includes the therapeutic use of foods and supplements and lifestyle modifications.

Prohibitions: In relation to the acupuncture patient, the acupuncturist shall comply with the following:

- (1) Receive, in writing, from the acupuncturist supervisor, approval to initiate acupuncture treatment.
- (2) Comply strictly with conditions or restrictions that may be placed on the course of acupuncture treatment by the acupuncturist supervisor.
- (3) Not diagnose a physical or mental ailment or condition or prescribe or dispense a drug.

A medical record shall be maintained for each patient, identifying the patient, the person making the entry, the date of each contact, pertinent clinical information, diagnoses, findings, laboratory results and other diagnostic, corrective or therapeutic procedures, including prescription drug orders, arising out of the licensee's care of the patient.

(b) A patient's medical record shall be retained for at least 7 years from the last entry. In addition, for minors, the medical record shall be retained until 2 years after the patient's 18th birthday or 7 years from the last entry, whichever is later. Storage may be off-premises.

Sexual behavior that occurs with a current patient other than the Board-regulated practitioner's spouse, constitutes unprofessional conduct, is prohibited, and subjects the practitioner to disciplinary action.

An acupuncturist who is not an osteopathic physician shall wear a tag or badge with lettering clearly visible to the patient bearing his name and the title "acupuncturist."

In relation to the acupuncture patient, the acupuncturist and the practitioner of Oriental medicine:

(1) Shall perform an acupuncture or Oriental medicine evaluation and develop an acupuncture or Oriental medicine treatment plan.

(2) May treat the patient's symptoms without the condition being diagnosed by a physician, dentist or podiatrist for 60 calendar days from the date of the first treatment.

(3) May treat the patient's symptoms beyond 60 calendar days from the date of first treatment if the patient has obtained an examination and diagnosis from a physician, dentist or podiatrist.

(4) Shall promptly refer the patient to a physician, dentist or podiatrist, as appropriate to the patient's condition, if the acupuncturist or practitioner of Oriental medicine determines that further acupuncture or Oriental medicine treatment is contraindicated for the patient or determines that the patient's symptoms have worsened.

(5) Shall consult with the patient's physician, dentist, podiatrist or other health care practitioner upon request of the patient.

(6) Shall cooperate with the patient's physician, dentist or podiatrist in regard to the coordination of the patient's care, and comply with restrictions or conditions as directed by the physician, dentist or podiatrist.

(7) May not diagnose a physical or mental ailment or condition or prescribe or dispense a drug. This provision does not prohibit the use of diagnostic billing codes for billing or reimbursement purposes.

Disclosures: No

Chinese Herbal Requirement: No

Education Requirement: The Board will register as an acupuncturist a nonosteopathic physician who satisfies the following requirements:

(1) Has successfully completed an acupuncture program which includes a course in needle sterilization techniques.

(i) If the acupuncture education program is taken within the United States, the applicant shall complete 2 academic years of acupuncture training and shall complete 2 academic years of a college level educational program.

(ii) If the educational program is taken outside of the United States, an applicant shall graduate from a college with a program of study including Oriental medicine and document 300 class hours of study in acupuncture training.

(2) Has obtained a passing grade on an acupuncture examination or has been certified by NCCAOM. If the examination was not taken in English, but is otherwise acceptable and a passing score was secured, the Board will accept the examination result if the applicant has also secured a score of 550 on the test of English as a Foreign Language.

Testing Requirement: No

NCCAOM Certification Requirement: No

Continuing Education Requirement: No

Bond/Insurance Requirement: No

Notes: An osteopathic physician who intends to practice acupuncture and other individuals who intend to practice acupuncture at the direction and under the supervision of an osteopathic physician shall register with the Board as an acupuncturist.

(b) Only an osteopathic physician registered as an acupuncturist supervisor may delegate the performance of acupuncture services to an acupuncturist. An acupuncturist who is not an osteopathic physician may only perform acupuncture services under the direction and supervision of an acupuncturist supervisor, unless otherwise authorized by statute.

An acupuncturist is responsible solely for acupuncture evaluation and acupuncture treatment. The medical diagnosis is the responsibility of the acupuncturist supervisor.

(2) An acupuncturist is not required to practice acupuncture in the physical presence of the acupuncturist supervisor or at the location where the acupuncturist supervisor provides osteopathic medical services. Where the acupuncturist may provide acupuncture services without the acupuncturist supervisor being physically present, shall be determined by the acupuncturist supervisor.

An acupuncturist supervisor may not provide general supervision to more than two acupuncturists without applying for and receiving specific approval from the Board.

The nonosteopathic physician acupuncturist and the acupuncturist supervisor shall provide written notice to the Board prior to the date when the acupuncturist supervisor is to begin general supervision of the acupuncturist.

License Application Fee: \$30

License Investigation Fee: N/A

Background Check: No

Fingerprint Check: No

License Renewal Fee: \$25

License Term: An acupuncturist shall register by October 31 in even-numbered years

Enforcement Department: Pennsylvania State Board of Osteopathic Medicine

Enforcement Agency URL:

http://www.portal.state.pa.us/portal/server.pt/community/state_board_of_osteopathic_medicine/12517

Enforcement Agency Contact: Jeffrey A. Heebner

Enforcement Agency Contact Email: ST-OSTEOPATHIC@pa.gov

Agency Address: P.O. Box 2649

Agency City, State, Zip: Harrisburg, PA 17105-2649

Agency Phone: (717) 783-4858

Application URL:

http://www.portal.state.pa.us/portal/server.pt/community/state_board_of_osteopathic_medicine/12517/licensure_information/572062

Web List of Licensees: <http://www.licensepa.state.pa.us/>

Rhode Island



Name of Law: The Healing Art of Acupuncture

Statute Location: 5-37.2

Statute URL: <http://webserver.rilin.state.ri.us/Statutes/TITLE5/5-37.2/INDEX.HTM>

Rule: R5-37-.2-ACU

Rule URL: <http://sos.ri.gov/documents/archives/regdocs/released/pdf/DOH/7007.pdf>

License/Registration Required: Yes. Reciprocity permitted.

Definition of Acupuncture: "Acupuncture" means the insertion of needles into the human body by piercing the skin of the body, for the purpose of controlling and regulating the flow and balance of energy in the body.

Scope of Practice: N/A

Prohibitions: A licensee shall designate his school of practice in the professional use of his name by the term doctor of acupuncture or acupuncture assistant as the case may be.

Every person holding a license authorizing him or her to practice acupuncture or to serve as an acupuncture assistant in this state shall record his or her license with the city or town hall in the city or town where his or her office and residence are located.

Disclosures: Every licensee shall display in his or her office, place of business or place of employment his or her current license.

Chinese Herbal Requirement: No

Education Requirement: Completed an accredited program of at least thirty six months and not less than twenty five hundred hours of training and has received a certificate or diploma from an institute approved by the National Accreditation Commission for Schools and Colleges of Acupuncture and Oriental Medicine.

Completed a clinical internship training as may be designated as appropriate by the National Commission for the Certification of Acupuncture and Oriental Medicine.

Have a passing grade on all of the following modules of NCCAOM exam:

- Point location module
- Foundation of Oriental Medicine
- Biomedicine module
- Acupuncture module

Demonstrate proficiency in the English language by successfully completing the test administered by the National Commission for the Certification of Acupuncture and Oriental Medicine in English or by successfully completing the Test of English as a Foreign Language.

Testing Requirement: No

NCCAOM Certification Requirement: No person shall be licensed as a doctor of acupuncture unless he or she has passed the examination by the National Commission for the Certification of Acupuncture and Oriental Medicine.

Continuing Education Requirement: Mandatory continuing education requirements for a doctor of acupuncture licensed in this state, shall include, but not be limited to the following:

(a) Each person licensed under the Act, whether or not residing within this state, shall complete twenty hours of continuing education within each annual renewal period (i.e., each year), except during the initial annual renewal period.

(b) Continuing education hours will be accepted by the Department for course work which has been presented, accepted or approved by a nationally recognized acupuncture organization or its local chapter, or any accredited school of acupuncture.

Bond/Insurance Requirement: No

Notes: N/A

License Application Fee: \$310

License Investigation Fee: N/A

Background Check: No

Fingerprint Check: No

License Renewal Fee: \$410

License Term: Licenses expire annually on the 1st of February of each year. The application and renewal fee must be submitted to the Division on or before the first day of January in each year.

Enforcement Department: Department of Health; Office of Health Professions Regulation

Enforcement Agency URL: <http://www.health.ri.gov/programs/healthprofessionalsregulation/>

Enforcement Agency Contact: N/A

Enforcement Agency Contact Email: ridohealth@gmail.com

Agency Address: 3 Capitol Hill, Room 104

Agency City, State, Zip: Providence, RI 02908

Agency Phone: (401) 222-2828

Application URL: <http://www.health.ri.gov/applications/Acupuncturist.pdf>

Web List of Licensees: N/A

South Carolina



Name of Law: Acupuncture Act of South Carolina

Statute Location: Article 6, 40-47-700

Statute URL: <http://www.llronline.com/POL/medical/PDF/Laws/AcupAct.pdf>

Rule: N/A

Rule URL: N/A

License/Registration Required: Yes

Definition of Acupuncture: “Acupuncture” means a form of health care developed from traditional and modern oriental concepts for health care that employs oriental medical techniques, treatment, and adjunctive therapies for the promotion, maintenance, and restoration of health and the prevention of disease.

Scope of Practice: The practice of acupuncture does not include:

- (a) Osteopathic medicine and osteopathic manipulative treatment;
- (b) “Chiropractic” or “chiropractic practice”; or
- (c) “Physical therapy” or therapies allowed as part of the practice of physical therapy.

Prohibitions: Misconduct includes continuing to provide acupuncture, auricular detoxification therapy, or auricular therapy services to any patient who the licensee treats at least one time per month for three consecutive months, and has not demonstrated clinical improvement, unless the licensee provides the patient with written notice, on or before the expiration of the third month, that the patient may need to seek a medical diagnosis from a licensed medical doctor or dentist before continuing with acupuncture, auricular detoxification therapy, or auricular therapy services, unless the patient was referred to the licensee by a licensed medical doctor or dentist; knowingly allowing himself or herself to be misrepresented as a medical doctor and failing to refer to a licensed medical doctor or dentist, as appropriate, a patient whose medical condition should have been determined to be beyond their scope of practice.

Disclosures: A person who holds a license issued in accordance with this article and who is engaged in the active practice of acupuncture, or the active practice of auricular therapy or the active practice of auricular detoxification, shall display the license in an appropriate and conspicuous location in the person's place of practice.

Chinese Herbal Requirement: No

Education Requirement: Receive NCCAOM certification and complete a nationally recognized clean needle technique course

Testing Requirement: No

NCCAOM Certification Requirement: Proof of current NCCAOM certification

Continuing Education Requirement: The individual must hold an active certification from the National Commission for the Certification of Acupuncture and Oriental Medicine and satisfy the licensure and renewal requirements

Bond/Insurance Requirement: No

Notes: When your application is complete, an interview is required with a member of the committee or a designated board member before a temporary license may be issued. At the next committee meeting the entire application will be considered, and if qualified, the committee may recommend to the board that a permanent license be issued.

License Application Fee: \$111

License Investigation Fee: N/A

Background Check: No

Fingerprint Check: No

License Renewal Fee: \$150

License Term: Biennial

Enforcement Department: Board of Medical Examiners

Enforcement Agency URL:
<http://www.llronline.com/POL/medical/index.asp?file=AcupunctureInfoPage.htm>

Enforcement Agency Contact: April Koon

Enforcement Agency Contact Email: April.Koon@llr.sc.gov

Agency Address: 110 Centerview Drive

Agency City, State, Zip: Columbia, SC 29210

Agency Phone: (803) 896-4500

Application URL: <http://www.llronline.com/POL/medical/Acupuncture/Acupuncture%20App.pdf>

Web List of Licensees: <https://verify.llronline.com/LicLookup/Med/Med.aspx?div=16>

South Dakota



South Dakota does not regulate the practice of acupuncture as a profession.

Tennessee



Name of Law: Acupuncture

Statute Location: Title 63, Chapter 6, Part 10

Statute URL: <http://www.lexisnexis.com/hottopics/tncode/>

Rule: Chapter 0880-12

Rule URL: <http://www.state.tn.us/sos/rules/0880/0880.htm>

License/Registration Required: Yes. Reciprocity permitted.

Definition of Acupuncture: "Acupuncture" means a form of health care developed from traditional and modern oriental medical concepts that employs oriental medical diagnosis and treatment and adjunctive therapies and diagnostic techniques for the promotion, maintenance and restoration of health and the prevention of disease.

Scope of Practice: "Practice of acupuncture" means the insertion of acupuncture needles and the application of moxibustion to specific areas of the human body based on oriental medical diagnosis as a primary mode of therapy. Adjunctive therapies within the scope of acupuncture may include acupressure, cupping, thermal and electrical treatment and the recommendation of dietary guidelines and supplements and therapeutic exercise based on traditional oriental medical concepts.

Prohibitions: The licensee shall also affirmatively communicate the licensee's specific licensure through one of the following methods: (1) licensee shall wear a photo identification name tag during all patient encounters that contains a recent photograph of the licensee with the licensee's full name and license type; or (2) licensee shall communicate to a patient the licensee's full name and license type in writing at the patient's initial office visit after January 1, 2012. In communicating the license type, the licensee shall use one of more of these words: "Acupuncturist" for practitioners of acupuncture.

A licensee who provides information regarding healthcare services on the internet that is directly controlled or administered by the licensee or licensee's agent, shall prominently display on the internet the licensee's full name and type of license using one or more of the following words: "Acupuncturist" for practitioners of acupuncture.

All certified individuals under this part shall use only presterilized, disposable needles in their administration of acupuncture treatments. The use of staples in the practice of acupuncture is prohibited.

All certificate holders shall comply with the Code of Ethics adopted by the NCCAOM except to the extent that they conflict with the laws of the state of Tennessee or the rules of the Committee and/or Board. If the NCCAOM Code of Ethics conflicts with state law or rules, the state law or rules govern the matter.

Advertised fees shall be honored for those seeking the advertised services during the entire time period stated in the advertisement whether or not the services are actually rendered or completed within that time.

If no time period is stated in the advertisement of fees, the advertised fee shall be honored for thirty days from the last date of publication or until the next scheduled publication whichever is later whether or not the services are actually rendered or completed within that time.

All certificate holders shall not use any communication which creates an unjustified expectation concerning the potential results of any treatment.

All certificate holders shall not fail to include the corporation, partnership or individual certificate holder's name, address, and telephone number in any advertisement. Any corporation, partnership or association which advertises by use of a trade name or otherwise fails to list all certificate holders practicing at a particular location shall:

1. Upon request provide a list of all certificate holders practicing at that location; and
2. Maintain and conspicuously display at the certificate holder's office, a directory listing all certificate holders practicing at that location.

All certificate holders shall not directly or indirectly offer, give, receive, or agree to receive any fee or other consideration to or from a third party for the referral of a patient in connection with the performance of professional services.

A recording of every advertisement communicated by electronic media, and a copy of every advertisement communicated by print media, and a copy of any other form of advertisement shall be retained by the certificate holder for a period of two years from the last date of broadcast or publication and be made available for review upon request by the Board or its designee.

Disclosures: Provides that each licensed acupuncturist shall conspicuously display an original or a copy of his/her license or certification displayed in the office or place of practice and shall conspicuously display a sign in intelligible lettering and not less than one inch in height, containing the name of such licensee immediately followed by the recognized abbreviation indicating the professional degree, if any held by such licensee, and containing immediately below the licensee's name, in equal size lettering, the following words: "Acupuncturist" for practitioners of acupuncture. A licensee may substitute a specialist designation for these words for any specialized field that is recognized or approved by the appropriate board licensing that profession.

Chinese Herbal Requirement: No

Education Requirement: Current active status as a diplomate in acupuncture of the NCCAOM; or

(B) Current state licensure in good standing by another state with substantially equivalent or higher standards;

(2) Successful completion of a three-year post secondary training program or acupuncture college program that is ACAOM accredited or in candidacy status or that meets ACAOM's standards; and

(3) Successful completion of a NCCAOM-approved clean needle technique course.

Testing Requirement: No

NCCAOM Certification Requirement: Yes

Continuing Education Requirement: All certified acupuncturists must obtain thirty Professional Development Activity (PDA) points, as defined by NCCAOM, during the two calendar year (January 1 December 31) period that precedes the year in which certification is renewed.

Continuing education for new certificate holders - Submitting proof of successful completion of all education and training requirements required for certification in Tennessee, pursuant to Rule 0880-12-.04, shall be considered proof of sufficient preparatory education to constitute successful completion of continuing education requirements for the two calendar year (January 1-December 31) period in which such education and training requirements were completed.

The approved hours of any individual course or activity will not be counted more than once in a two calendar year (January 1-December 31) period toward the required point total regardless of the number of times the course or activity is attended or completed by any individual.

Acceptable Continuing Education Courses and Activities – The following professional courses and activities qualify for PDA points of continuing education:

(a) Courses – One point for each hour of courses that directly enhance an acupuncturist's knowledge and/or practice of acupuncture. Points may be earned for courses in Oriental medical theory and techniques such as bodywork, nutrition, and herbology, as well as courses in western sciences that relate to the practice of Acupuncture. Points may also be earned for the study of tai chi and qi gong.

(b) Research – One point for every two hours of documented research. Acceptable research projects include those that relate to knowledge and/or practice in acupuncture.

(c) Writing for Publication – Ten points for each article; Thirty points for a book or major work. Publications include articles, studies, reports, books, etc., that relates to knowledge and/or practice in acupuncture.

(d) Teaching/Clinic Supervision – One point for each clock hour of instruction or supervision relating to acupuncture. Teaching or supervision refers to the ongoing responsibility for theoretical and/or practical

education. Credit can be earned for a variety of teaching positions, including teaching or clinical supervision in a formal school or preceptorship, provided there is appropriate documentation.

(e) Supervised Clinical Experience – One and one-half points for each clock hour of supervised clinical experience under a senior acupuncturist who has a minimum of five years of experience in acupuncture and is an NCCAOM Diplomate in Acupuncture. The clinical experience may include observation, case discussion, and/or supervised practice.

Bond/Insurance Requirement: No

Notes: N/A

License Application Fee: \$500

License Investigation Fee: N/A

Background Check: Yes

Fingerprint Check: Yes

License Renewal Fee: \$400. Additional biennial state regulatory fee of \$10 to be submitted at the time of application.

License Term: Two years. The due date for certification renewal is its expiration date which is the last day of the month in which a certificate holder's birthday falls.

Enforcement Department: Department of Health; Board of Medical Examiners; Advisory Committee for Acupuncture

Enforcement Agency URL: <http://health.state.tn.us/boards/Acupuncture/>

Enforcement Agency Contact: Jill L. Kelly

Enforcement Agency Contact Email: tn.health@tn.gov

Agency Address: 665 Mainstream Drive, 2nd Floor

Agency City, State, Zip: Nashville, TN 37243

Agency Phone: (615) 532-3202

Application URL: <http://health.state.tn.us/boards/Acupuncture/PDFs/PH-3771.pdf>

Web List of Licensees: <http://health.state.tn.us/licensure/default.aspx>

Texas



Name of Law: Acupuncture

Statute Location: Occupations Code, Subtitle C, Chapter 205

Statute URL: <http://www.statutes.legis.state.tx.us/Docs/OC/pdf/OC.205.pdf>

Rule: Title 22, Part 9, Chapter 183

Rule URL: http://www.tmb.state.tx.us/rules/docs/Board_Rules_effective_11-7-2013.pdf

License/Registration Required: Yes. Reciprocity permitted.

Definition of Acupuncture: "Acupuncture" means:

(A)The nonsurgical, nonincisive insertion of an acupuncture needle and the application of moxibustion to specific areas of the human body as a primary mode of therapy to treat and mitigate a human condition, including evaluation and assessment of the condition; and

(B)The administration of thermal or electrical treatments or the recommendation of dietary guidelines, energy flow exercise, or dietary or herbal supplements in conjunction with the treatment.

Scope of Practice: N/A

Prohibitions: Acupuncturists licensed under the Act shall keep and maintain adequate records of all patient visits or consultations which shall, at a minimum, be written in English and include:

- (1) The patient's name and address;
- (2) Vital signs to include body temperature, pulse or heart rate, respiratory rate, and blood pressure upon initial presentation of the patient, and those vital signs as deemed appropriate by the practitioner for follow-up treatment;
- (3) The chief complaint of the patient;
- (4) A patient history;
- (5) A treatment plan for each patient visit or consultation;
- (6) A notation of any herbal medications, including amounts and forms, and other modalities used in the course of treatment with corresponding dates for such treatment;
- (7) A system of billing records which accurately reflect patient names, services rendered, the date of the services rendered, and the amount charged or billed for each service rendered;
- (8) A written record regarding whether or not a patient was evaluated by a physician or dentist, as appropriate, for the condition being treated within 12 months before the date acupuncture was performed;

(9) A written record regarding whether or not a patient was referred to a physician after the acupuncturist performed acupuncture 20 times or for two months whichever occurs first, in regard to treatment of patients upon referral by a doctor licensed to practice chiropractic by the Texas Board of Chiropractic Examiners;

(10) In the case of referrals to the acupuncturist of a patient by a doctor licensed to practice chiropractic by the Texas Board of Chiropractic Examiners, the acupuncturist shall record the date of the referral and the most recent date of chiropractic treatment prior to acupuncture treatment; and,

(11) Reasonable documentation that the evaluation was performed or, in the event that the licensee is unable to determine that the evaluation took place, a written statement signed by the patient stating that the patient has been evaluated by a physician within the required time frame.

A licensed acupuncturist shall maintain adequate medical and billing records of a patient for a minimum of five years from the anniversary date of the date of last treatment by the acupuncturist.

If a patient was younger than 18 years of age when last treated by the acupuncturist, the medical and billing records of the patient shall be maintained by the acupuncturist until the patient reaches age 21 or for five years from the date of last treatment, whichever is longer.

Disclosures: Approved English Notification Statement: “Complaints against licensees. The following notification statement in English is approved by the board for purposes of these rules and the Act: NOTICE CONCERNING COMPLAINTS, Complaints about physicians, as well as other licensees and registrants of the Texas Medical Board, including physician assistants, acupuncturists, and surgical assistants may be reported for investigation at the following address: Texas Medical Board, Attention: Investigations, 333 Guadalupe, Tower 3, Suite 610, P.O. Box 2018, MC-263, Austin, Texas 78768-2018, Assistance in filing a complaint is available by calling the following telephone number: 1-800-201-9353, For more information, please visit our website at www.tmb.state.tx.us.”

Chinese Herbal Requirement: Yes

Education Requirement: Complete 60 hours of college hours in addition to acupuncture training.

- Complete 1,800 hours of Acupuncture training from an accredited acupuncture school.
- 450 hours of the required 1,800 hours of training must be in herbal training.
- Graduation from an accredited acupuncture school.
- Take and pass the full NCCAOM examination
- Take and pass the CCAOM Clean Needle Technique Course and Practical Examination.
- Take and pass the jurisprudence examination
- Prove English Proficiency.

The 450 hours of herbal studies shall, at a minimum, include the following:

- (i) Basic herbology including recognition, nomenclature, functions, temperature, taste, contraindications, and therapeutic combinations of herbs;
- (ii) Herbal formulas including traditional herbal formulas and their modifications or variations based on traditional methods of herbal therapy;
- (iii) Patent herbs including the names of the more common patent herbal medications and their uses; and

(iv) Clinical training emphasizing herbal uses.

Testing Requirement: All applicants who apply for licensure on or after 1/1/2008 are required to pass the Texas Acupuncture Jurisprudence Examination. The jurisprudence examination shall be conducted on the licensing requirements and other laws, rules, or regulations applicable to the professional practice of acupuncture in this state.

See study guide at: <http://www.tmb.state.tx.us/professionals/acupuncturists/applicants/AC-Website-Study-Guide-6-22-12.pdf>

NCCAOM Certification Requirement: Yes. If taken on or after June 1, 2004: the NCCAOM Foundation of Oriental Medicine Module, Acupuncture Module, Point Location Module, the Chinese Herbology Module, and the Biomedicine Module.

Continuing Education Requirement: Acupuncturists need to complete at least 17 hours of continuing acupuncture education every 12 months. CAE hours should be counted from December 1 - November 30. The Approved Courses List gives four types of courses: General, Herbal, Ethics, Practice Management/General and Biomedicine. To ensure compliance with Board Rules, at least 8 hours annually must be General, 1 hour must be Ethics and at least 2 hours must be Herbal. No more than two of the remaining hours may be Practice Management/General. An acupuncturist must report on the registration permit application if she or he has completed the required CAE.

Effective for acupuncturists registering on or after November 30, 2010, one hour of Biomedicine CAE will be required.

Bond/Insurance Requirement: No

Notes: An acupuncturist may perform acupuncture on a person who has been evaluated by a physician or dentist, as appropriate, for the condition being treated within twelve months before the date acupuncture was performed.

The holder of a license may perform acupuncture on a person who was referred by a doctor licensed to practice chiropractic by the Texas Board of Chiropractic Examiners if the licensee commences the treatment within 30 days of the date of the referral. The licensee shall refer the person to a physician after performing acupuncture 20 times or for two months, whichever occurs first, if no substantial improvement occurs in the person's condition for which the referral was made.

A license holder must obtain reasonable documentation that the required evaluation has taken place. If the license holder is unable to determine that an evaluation has taken place, the license holder must obtain a written statement signed by the person on a form prescribed by the acupuncture board that states the person has been evaluated by a physician or dentist within the prescribed time. The form must contain a clear statement that the person should be evaluated by a physician or dentist for the condition being treated by the license holder.

A license holder shall refer the person to a physician after performing acupuncture 20 times or for 30 days, whichever occurs first, if substantial improvement does not occur in the person's condition for which the referral was made.

A license to practice acupuncture shall be denied or, after notice and hearing, revoked if the applicant or license holder fails to obtain physician referrals.

An acupuncturist holding a current and valid license may without an evaluation or a referral from a physician, dentist, or chiropractor perform acupuncture on a person for smoking addiction, weight loss, alcoholism, chronic pain, or substance abuse.

License Application Fee: \$305

License Investigation Fee: N/A

Background Check: Prior to application, you may request that the Texas Medical Board, Texas Physician Assistant Board, or Texas State Board of Acupuncture Examiners issue a criminal history evaluation letter regarding your eligibility to practice as a physician, physician assistant, or acupuncturist. If you have already applied for licensure, your criminal history will be evaluated as part of your application.

Fingerprint Check: Yes

License Renewal Fee: The current fee for subsequent registrations is \$318.50 per year

License Term: Annual. The Board assigns a first registration period. These vary in length from 6 to 15 months. First time registration fees are prorated accordingly. Subsequent registrations will be one year in length and will be due on the same day each year.

Enforcement Department: State Board of Acupuncture Examiners

Enforcement Agency URL: <http://www.tmb.state.tx.us/boards/acubd.php>

Enforcement Agency Contact: Mari Robinson

Enforcement Agency Contact Email: N/A

Agency Address: 333 Guadalupe, Tower 3, Suite 160

Agency City, State, Zip: Austin, TX 78701

Agency Phone: (512) 305-7030

Application URL: <https://applications.tmb.state.tx.us/AC/identification.aspx>

Web List of Licensees: http://reg.tmb.state.tx.us/OnLineVerif/Phys_NoticeVerif.asp

Utah



Name of Law: Acupuncture Licensing Act

Statute Location: 58-72-101

Statute URL: <http://www.dopl.utah.gov/laws/58-72.pdf>

Rule: R156-72-101

Rule URL: <http://www.dopl.utah.gov/laws/R156-72.pdf>

License/Registration Required: Yes

Definition of Acupuncture: "Practice of acupuncture" means the insertion of acupuncture needles and application of moxibustion to specific areas of the body based on traditional oriental medical diagnosis and modern research as a primary mode of therapy.

Scope of Practice: Adjunctive therapies within the scope of practice of acupuncture may include:

- (i) Manual, mechanical, thermal, electrical, light, and electromagnetic treatments based on traditional oriental medical diagnosis and modern research;
- (ii) The recommendation, administration, or provision of dietary guidelines, herbs, supplements, homeopathics, and therapeutic exercise based on traditional oriental medical diagnosis and modern research according to practitioner training;
- (iii) The practice described in Subsection (4)(a) and (b) on an animal to the extent permitted by:
 - (A) Subsection 58-28-307(12);
 - (B) The provisions of this chapter; and
 - (C) Division rule.
- (c) "Practice of acupuncture" does not include:
 - (i) The manual manipulation or adjustment of the joints of the body beyond the elastic barrier; or
 - (ii) The "manipulation of the articulation of the spinal column"

Prohibitions: You are required to develop and maintain an Informed Consent and Treatment Statement to enable your patients to give informed consent to treatment. In order for patients to give informed consent to treatment, a licensed acupuncturist shall have a patient chart for each patient which shall include:

- (1) A written review of symptoms; and
- (2) A statement, signed by that patient, that consent is given to provide acupuncture treatment.

A licensed acupuncturist may not use the term "physician," "physician or surgeon," or "doctor" in conjunction with the acupuncturist's name or practice. "Doctor of acupuncture" or "oriental medical doctor" may be used if the term is commensurate with the degree in acupuncture received by the practitioner.

Unprofessional conduct" includes:

- (1) Failing to maintain office, instruments, equipment, appliances, and supplies in a safe and sanitary condition;
- (2) Failing as a licensee to maintain the professional development activity requirements, as required by the NCCAOM;
- (3) Failing to abide by and meet standards of the "Code of Ethics" set by NCCAOM; and
- (4) Failing to maintain medical records for a ten-year period.

Disclosures: No

Chinese Herbal Requirement: No

Education Requirement: You are required to understand all Utah laws and rules pertaining to your practice as a licensed acupuncturist.

Testing Requirement: The examination requirement for licensure is a passing score as determined by the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) on all examinations for certification by NCCAOM, formerly National Commission for the Certification of Acupuncturists (NCCA), in acupuncture or oriental medicine.

NCCAOM Certification Requirement: Yes

Continuing Education Requirement: A licensee must complete 30 continuing education units (CEU) within the two-year renewal period. Renewal qualifications shall include:
(a) Either documentation of current and active NCCAOM certification; or
(b) Meeting the same professional development requirements as those licensed under this chapter.

Bond/Insurance Requirement: No

Notes: N/A

License Application Fee: \$110

License Investigation Fee: N/A

Background Check: No

Fingerprint Check: No

License Renewal Fee: \$63

License Term: All acupuncture licenses expire May 31 of each even-numbered year.

Enforcement Department: Division of Occupational and Professional Licensing

Enforcement Agency URL: <http://www.dopl.utah.gov/licensing/acupuncture.html>

Enforcement Agency Contact: Mark Steinagel

Enforcement Agency Contact Email: msteinagel@utah.gov

Agency Address: 160 East 300 South

Agency City, State, Zip: Salt Lake City, UT 84111

Agency Phone: (801) 530-6628

Application URL: http://www.dopl.utah.gov/licensing/forms/applications/026_acupuncture.pdf

Web List of Licensees:

<https://secure.utah.gov/llv/search/index.html;jsessionid=859213eced7d3efd9130a08a4d3a>

Vermont



Name of Law: Acupuncture

Statute Location: Title 26, Chapter 75, 3401

Statute URL: <http://www.leg.state.vt.us/statutes/fullchapter.cfm?Title=26&Chapter=075>

Rule: Administrative Rules for Licensed Acupuncturists

Rule URL: http://vtprofessionals.org/opr1/acupuncturists/rules/ACU_Rules.pdf

License/Registration Required: Yes. Reciprocity permitted.

Definition of Acupuncture: "Acupuncture" or the "practice of acupuncture" means the insertion of fine needles through the skin at certain points on the body, with or without the application of electric current or the application of heat to the needles or skin, or both, for the purpose of promoting health and balance as defined by traditional and modern Oriental theories.

Scope of Practice: Acupuncture involves the use of traditional and modern Oriental diagnostic techniques, acupuncture therapy, and adjunctive therapies, including but not limited to: nonprescription remedies, exercise, nutritional and herbal therapies, therapeutic massage, and lifestyle counselling.

Prohibitions: A licensed acupuncturist or applicant shall not engage in sexual intercourse or other sexual conduct with a patient with whom the licensed acupuncturist has had a professional relationship within the previous two years.

A licensed acupuncturist or applicant shall not fail to retain client records for a period of seven years

Disclosures: Each licensed acupuncturist shall disclose to each client before the first treatment the following information, printed or typed in easily readable format:

A. The licensed acupuncturist's professional qualifications and experience, including (1) all relevant formal education programs attended and all degrees and certificates earned, including the full legal name of the granting institution, (2) all relevant training programs completed and all credentials awarded, including the full legal name of the granting institution, and (3) a brief description of any special qualifications and areas of practice.

B. A copy of the statutory definition of unprofessional conduct.

C. Information on the process for filing a complaint with, or making a consumer inquiry to, the Director. Disclosure means, at a minimum, (1) posting the information and informing the client where the information is posted, or (2) having the information printed, displaying the printed information in an easily accessible location, and informing the client where the information is displayed, or (3) having the information printed and directly handing a copy of the information to the client.

Not later than the third office visit, the licensed acupuncturist shall present to the client for signature a document stating that the information required to be disclosed in paragraphs A, B, and C above has been disclosed to the client. The acupuncturist shall also sign the document and shall retain the signed original. If, by the third visit, disclosure cannot be made or the client declines to sign, the acupuncturist shall prepare and sign a written statement explaining the omission, which shall be retained in place of the signed copy.

Chinese Herbal Requirement: Chinese herbology education required for those licensed after January 1, 2007 who intend to employ nonprescription remedies and herbal therapies. Anyone licensed after that date who has not taken the examination in Chinese herbology is not permitted to employ nonprescription remedies and herbal remedies.

Education Requirement: The basic qualifications for licensure are (1) completing a program in acupuncture and Oriental medicine, or (2) completing a training program, and (3) passing the examination.

Program in Acupuncture: Certificate or diploma from a school or college of acupuncture or oriental medicine accredited by the National Accreditation Commission for Schools and Colleges of acupuncture and Oriental Medicine or as approved by the Director. That education must: 1. Be able to document at least a three-year comprehensive curriculum providing a minimum of 1725 hours of entry-level acupuncture education. The program must include a minimum of 800 hours of supervised clinical practice in which there must be a minimum of 250 student performed treatments. The program must also include 700 hours of oriental medical theory and 225 hours of biomedical sciences and 2. Consist of no less than 27 months of attendance in classroom and clinic. The diploma must be awarded only after attendance in classroom and clinic. Correspondence programs do not qualify. A year of school is defined as 450 clock-hours in nine months. This may be extended over a period of more than one calendar year. Points will then be given for study equivalent to one year of school.

or

Training Program: Completion of a training program which must include earning a minimum of 40 points in any one of the following categories or combination of categories.

1. apprenticeship -- 10 points for each 1,000 documented contact hours, up to a maximum of 13.5 points per year.

a. An applicant must have completed an apprenticeship of at least 4,000 contact hours with a minimum of 250 student-performed treatments and complete the program in no less than three years and no more than six years.

b. Apprenticeship is defined as on-going work with a tutor or preceptor who assumes responsibility for the theoretical and practical education and training of the apprentice.

"Contact hours" is the time the apprentice spends under the direct supervision of the preceptor.

Off-site supervision is not included.

c. During the apprenticeship, the preceptor's practice must have included a minimum of 500 acupuncture patient visits with no less than 100 different patients per year during the program.

Patient visits must be in general health care practice. Specialized limited practice such as smoking withdrawal, alcoholism, etc., may be included in the practice, but must be in addition to the basic 500 visits of general practice per year. After the first year, the apprentice must have been given increasing responsibilities in patient contact up to and including the final stage of complete diagnosis and treatment under the preceptor's supervision. This increasing responsibility must be documented through the Verification of Training form provided by the Office.

2. completed academic work -- five points for each half-semester (minimum of 250 hours) completed with at least a C or passing grade in the field of acupuncture or oriental medicine, up to a maximum of four periods or 20 points.

a. Ten (10) points may be earned for each full year (450 hours) of schooling.

b. An official transcript is required, showing academic and clinical work completed, the number of class hours for every class taken in the entire program, and the number of months in the program.

3. Self-directed study -- 10 points for study equivalent to one year of full-time academic work in acupuncture and oriental medicine, for a maximum of two years or 20 points. Self-directed study is limited to certified correspondence courses that are approved by the Director and that grant certificates of completion.

Testing Requirement: Successful completion of the "Acupuncture Portion" (ACP) of the Comprehensive Written Examination (CWE) in Acupuncture administered by the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) or its successor organization, or a substantially equivalent examination approved by the Director, and the "Clean Needle Technique" (CNT) course offered by the Council of Colleges of Acupuncture and Oriental Medicine (CCAOM) or its successor organization.

An applicant must have NCCAOM submit official proof of successful completion of the following examinations:

- a. Foundations of Oriental Medicine Module;
- b. Acupuncture with Point Location Module; and
- c. Biomedicine Module.

NCCAOM Certification Requirement: Yes

Continuing Education Requirement: Every licensed acupuncturist must complete 30 continuing education credits in the two years immediately preceding the renewal period in order to renew licensure. The continuing education requirement does not apply for the renewal period during which a person initially obtained licensure. It will begin with the first full two year renewal period.

Continuing education credits are calculated in the following manner:

1. Research and Writing for Publication- one credit for each two hours of documented research.

Acceptable research projects include those that relate to the knowledge and/or practice of acupuncture and oriental medicine. No more than 10 credits in this category may be applied toward the continuing education requirement in a single renewal period. Ten credits for each acupuncture and oriental medicine related article; 15 credits for an acupuncture and oriental medicine-related book or major work. Credit for publication includes any book, or article, study, report, etc., published in a generally recognized journal which relates to the knowledge or practice of acupuncture and oriental medicine. No more than 10 credits in this category may be applied toward the continuing education requirement in a single renewal period except that 15 credits may be applied toward an acupuncture and oriental medicine related book or major work that is published.

2. Teaching - One credit for each clock hour of instruction. Teaching means the on-going responsibility for the theoretical and/or practical education of acupuncturists. No more than 10 credits in this category may be applied toward the continuing education requirement in a single renewal period. Credit for teaching a course will be granted for a first-time instructor teaching a course. This does not apply to a preceptor.

3. Continuing Education - One credit for each clock hour of continuing education. Continuing education includes programs or courses which directly enhance an acupuncturist's knowledge and/or practice of acupuncture and oriental medicine. A minimum of 15 credits must be earned in this category for each renewal period.

4. Distance Learning Programs - Distance learning programs may be eligible for continuing education credits. Such programs are subject to review by the Director. Requirements for eligibility include:

A. Course is accepted for NCCAOM continuing education hours, or

B. Course meets the following criteria:

1. Certified instructors.

2. Written course outline and goals for completion submitted for approval before completion of the coursework.

3. Course includes material that is corrected or reviewed by the instructor.

4. Course format contains audio or videotapes or other media presented by instructor that follow the outline of the course.

5. Course credit hours apply based on the actual number of hours of media-based instruction presented by instructor.

6. Student keeps records of all coursework and related instructional material.

Points will be granted for courses ranging from Oriental medical theory and techniques such as massage, nutrition, and herbology to western sciences such as anatomy, physiology, pathology, biochemistry, microbiology, psychology, nutrition, medical terminology and medical ethics.

Bond/Insurance Requirement: No

Notes: License may be withheld for delinquent child support, criminal fines or taxes without payment plan.

License Application Fee: \$100

License Investigation Fee: N/A

Background Check: No

Fingerprint Check: No

License Renewal Fee: \$220

License Term: Licenses renew on a fixed biennial schedule: January 31 of the even-numbered years.

Enforcement Department: Office of Professional Regulation

Enforcement Agency URL: <http://vtprofessionals.org/opr1/acupuncturists/>

Enforcement Agency Contact: Danielle Rubalcaba

Enforcement Agency Contact Email: danielle.rubalcaba@sec.state.vt.us

Agency Address: 89 Main Street, 3rd Floor

Agency City, State, Zip: Montpelier, VT 05620-3402

Agency Phone: (802) 828-1501

Application URL:
http://vtprofessionals.org/opr1/acupuncturists/forms/Acupuncturist_Application.pdf

Web List of Licensees: <https://secure.vtprofessionals.org/Lookup/LicenseLookup.aspx>

Virginia



Name of Law: Virginia Code

Statute Location: 54.1-2900

Statute URL: <http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+54.1-2900>

Rule: 18 VAC 85-110-10

Rule URL: <http://www.dhp.virginia.gov/Medicine/advisory/lac/default.asp>

License/Registration Required: Yes. Reciprocity not permitted.

Definition of Acupuncture: "Practice of acupuncture" means the stimulation of certain points on or near the surface of the body by the insertion of needles to prevent or modify the perception of pain or to normalize physiological functions, including pain control, for the treatment of certain ailments or conditions of the body and includes the techniques of electroacupuncture, cupping and moxibustion.

Scope of Practice: The practice of acupuncture does not include the use of physical therapy, chiropractic, or osteopathic manipulative techniques; the use or prescribing of any drugs, medications, serums or vaccines; or the procedure of auricular acupuncture used in the context of a chemical dependency treatment program for patients eligible for federal, state or local public funds by an employee of the program who is trained and approved by the National Acupuncture Detoxification Association or an equivalent certifying body.

Prohibitions: No person regulated under this chapter shall use the title "Doctor" or the abbreviation "Dr." in writing or in advertising in connection with his practice unless he simultaneously uses a clarifying title, initials, abbreviation or designation or language that identifies the type of practice for which he is licensed.

Prior to performing acupuncture, a licensed acupuncturist shall obtain written documentation that the patient has received a diagnostic examination within the past six months by a licensed doctor of medicine, osteopathy, chiropractic, or podiatry acting within the scope of his practice or shall provide to the patient a written recommendation for such a diagnostic examination on a form specified by the board and signed by the patient. The original of the signed form shall be maintained in the patient's chart and a copy provided to the patient.

Before any acupuncture treatment or procedure is performed, informed consent shall be obtained from the patient. Practitioners shall inform patients of the risks, benefits, and alternatives of the recommended treatment that a reasonably prudent licensed acupuncturist practicing in Virginia would tell a patient. In the instance of a minor or a patient who is incapable of making an informed decision on his own behalf or is incapable of communicating such a decision due to a physical or mental disorder, the legally authorized person available to give consent shall be informed and the consent documented.

A practitioner shall accurately inform a patient or his legally authorized representative of his professional assessment and prescribed treatment or plan of care. A practitioner shall not deliberately make a false or misleading statement regarding the practitioner's skill or the efficacy or value of a treatment, or procedure prescribed or directed by the practitioner in the treatment of any disease or condition.

Practitioners shall maintain a patient record for a minimum of six years following the last patient encounter with the following exceptions:

- Records of a minor child, including immunizations, shall be maintained until the child reaches the age of 18 or becomes emancipated, with a minimum time for record retention of six years from the last patient encounter regardless of the age of the child; or
- Records that have previously been transferred to another practitioner or health care provider or provided to the patient or his personal representative; or
- Records that are required by contractual obligation or federal law may need to be maintained for a longer period of time.

Acupuncture needles shall be presterilized, prewrapped, disposable needles, for the prevention of infection, to protect the health, safety, and welfare of the patient. Such needles shall be discarded after each patient treatment.

A practitioner shall not terminate the relationship or make his services unavailable without documented notice to the patient that allows for a reasonable time to obtain the services of another practitioner.

Advertising a discounted or free service, examination, or treatment and charging for any additional service, examination, or treatment which is performed as a result of and within 72 hours of the initial office visit in response to such advertisement is unprofessional conduct unless such professional services rendered are as a result of a bonafide emergency. This provision may not be waived by agreement of the patient and the practitioner.

Advertisements of discounts shall disclose the full fee that has been discounted. The practitioner shall maintain documented evidence to substantiate the discounted fees and shall make such information available to a consumer upon request.

A practitioner shall not knowingly and willfully solicit or receive any remuneration, directly or indirectly, in return for referring an individual to a facility or institution

Sexual contact with a patient is prohibited.

Disclosures: Practitioners shall post information or in some manner inform all patients concerning the time frame for record retention and destruction.

Chinese Herbal Requirement: No

Education Requirement: Requirements for acupuncture education obtained after July 1, 1999, shall be as provided in this subsection. An applicant applying for licensure to practice as a licensed acupuncturist on the basis of successful completion of education in a school or college for acupuncture accredited by ACAOM or any other accrediting agency approved by the Board of Medicine, which confers a degree or certificate in acupuncture in the United States, shall submit evidence of having a minimum of 1,725 hours of entry-level acupuncture education to include at least 1,000 didactic hours and 500 clinical hours. Clinical hours may include observation, as well as internship or treatment hours; the remaining 225 hours may be earned as either didactic or clinical. Correspondence programs or courses in acupuncture are excluded and may not be used to meet the requirements for acupuncture education.

Requirements for acupuncture education obtained after February 1, 2011, shall be as provided in this subsection. An applicant applying for licensure to practice as a licensed acupuncturist on the basis of successful completion of education in a school or college for acupuncture accredited by ACAOM or any other accrediting agency approved by the Board of Medicine, which confers a degree or certificate in acupuncture in the United States, shall submit evidence of having a minimum of 1,905 hours of entry-level acupuncture education to include at least 1,155 didactic hours and 660 clinical hours. Clinical hours may include observation, as well as internship or treatment hours; the remaining 90 hours may be earned as either didactic or clinical hours. Correspondence programs or courses in acupuncture are excluded and may not be used to meet the requirements for acupuncture education.

Completion of the Practical Examination of Point Location Skills (PEPLS) and successful completion of the Clean Needle Technique (CNT) course.

Testing Requirement: No

NCCAOM Certification Requirement: Yes

Continuing Education Requirement: No

Bond/Insurance Requirement: No

Notes: An applicant applying for licensure to practice as an acupuncturist whose native language is not English and whose acupuncture education was also not in English shall submit evidence of having achieved a passing score as acceptable to the board on either the Test of Spoken English or the Test of English as a Foreign Language administered by the Educational Testing Services.

License Application Fee: \$130

License Investigation Fee: N/A

Background Check: No

Fingerprint Check: No

License Renewal Fee: \$135. For 2015, the fee for renewal of an active license shall be \$115.

License Term: Licenses must be renewed biennially during your birth month in each odd-numbered year.

Enforcement Department: Department of Health Professions; Board of Medicine, Acupuncture Advisory Board

Enforcement Agency URL: <http://www.dhp.virginia.gov/Medicine/advisory/lac/>

Enforcement Agency Contact: Beulah Archer

Enforcement Agency Contact Email: Beulah.Archer@dhp.virginia.gov

Agency Address: 9960 Mayland Drive, Suite 300

Agency City, State, Zip: Henrico, VA 23233-1463

Agency Phone: (804) 367-3051

Application URL: http://www.dhp.virginia.gov/Medicine/medicine_forms.htm#Acupuncturist

Web List of Licensees: https://secure01.virginiainteractive.org/dhp/cgi-bin/search_publicdb.cgi

Washington



Name of Law: East Asian Medicine Practitioners

Statute Location: Chapter 18.06 RCW

Statute URL: <http://apps.leg.wa.gov/RCW/default.aspx?cite=18.06>

Rule: Chapter 246-803

Rule URL: <http://apps.leg.wa.gov/wac/default.aspx?cite=246-803>

License/Registration Required: Yes. Reciprocity permitted.

Definition of Acupuncture: Acupuncture, including the use of acupuncture needles or lancets to directly and indirectly stimulate acupuncture points and meridians.

Scope of Practice: East Asian medicine is a health care service using East Asian medicine diagnosis and treatment to promote health and treat organic or functional disorders. East Asian medicine includes the following:

- (1) Acupuncture. Acupuncture includes the use of acupuncture needles or lancets to directly or indirectly stimulate acupuncture points and meridians;
- (2) Use of electrical, mechanical, or magnetic devices to stimulate acupuncture points and meridians;
- (3) Moxibustion;
- (4) Acupressure;
- (5) Cupping;
- (6) Dermal friction technique;
- (7) Infrared;
- (8) Sonopuncture;
- (9) Laserpuncture;
- (10) Point injection therapy (aquapuncture);
- (11) Dietary advice and health education based on East Asian medical theory, including the recommendation and sale of herbs, vitamins, minerals, and dietary and nutritional supplements. Health education. Health education is educational information directed to the patient that attempts to improve, maintain, promote and safeguard the health care of the patient. Health education consists of educating the patient on how the mind, body and spirit connect in context of imbalances, emotional patterns and tendencies as defined by and treated in East Asian medicine. Health education does not include mental health counseling;

- (12) Breathing, relaxation, and East Asian exercise techniques;
- (13) Qi gong;
- (14) East Asian massage. East Asian massage means manual techniques having originated in East Asia involving the manipulation of the soft tissues of the body for therapeutic purposes.
 - (a) East Asian massage consists of:
 - (i) Applying fixed or movable pressure;
 - (ii) Passive, resistive, and assisted stretching of fascial and connective tissue;
 - (iii) Holding or causing movement of the body; or
 - (iv) Tapping, compressions or friction.
 - (b) East Asian massage may be performed with the use of tools common to the practice and aids of superficial heat, cold, water, lubricants, salts, minerals, liniments, poultices, and herbs.
 - (c) East Asian massage does not include attempts to adjust or manipulate any articulations of the body or spine or mobilization of these articulations by the use of a thrusting force;
- (15) Tui na. Tui na is a method of East Asian bodywork, characterized by the kneading, pressing, rolling, shaking, and stretching of the body and does not include spinal manipulation; and
- (16) Superficial heat and cold therapies.

Prohibitions: Every person licensed under this chapter shall develop a written plan for consultation, emergency transfer, and referral to other health care practitioners operating within the scope of their authorized practices. The written plan shall be submitted with the initial application for licensure as well as annually thereafter with the license renewal fee to the department.

When a person licensed under this chapter sees patients with potentially serious disorders such as cardiac conditions, acute abdominal symptoms, and such other conditions, the practitioner shall immediately request a consultation or recent written diagnosis from a primary health care provider. In the event that the patient with the disorder refuses to authorize such consultation or provide a recent diagnosis from such primary health care provider, East Asian medical treatments, including acupuncture, may only be continued after the patient signs a written waiver acknowledging the risks associated with the failure to pursue treatment from a primary health care provider. The waiver must also include: (a) An explanation of an East Asian medicine practitioner's scope of practice, including the services and techniques East Asian medicine practitioners are authorized to provide and (b) a statement that the services and techniques that an East Asian medicine practitioner is authorized to provide will not resolve the patient's underlying potentially serious disorder.

Disclosures: East Asian medicine practitioners in the state of Washington must provide to each patient prior to or at the time of the initial patient visit the qualifications and scope of practice form. The form must include:

- (1) The East Asian medicine practitioner's education. The degree obtained or if the education was by apprenticeship, the dates and locations of the didactic and clinical training.
- (2) License information, including state license number and date of licensure.
- (3) A statement that the practice of East Asian medicine in the state of Washington includes the following:
 - (a) Acupuncture, including the use of acupuncture needles or lancets to directly and indirectly stimulate acupuncture points and meridians;

- (b) Use of electrical, mechanical, or magnetic devices to stimulate acupuncture points and meridians;
 - (c) Moxibustion;
 - (d) Acupressure;
 - (e) Cupping;
 - (f) Dermal friction technique;
 - (g) Infrared;
 - (h) Sonopuncture;
 - (i) Laserpuncture;
 - (j) Point injection therapy (aquapuncture);
 - (k) Dietary advice and health education based on East Asian medical theory, including the recommendation and sale of herbs, vitamins, minerals, and dietary and nutritional supplements;
 - (l) Breathing, relaxation, and East Asian exercise techniques;
 - (m) Qi gong;
 - (n) East Asian massage and Tui na (which is a method of East Asian bodywork); and
 - (o) Superficial heat and cold therapies.
- (4) A statement that side effects of the treatments listed above may include, but are not limited to, the following:
- (a) Pain following treatment;
 - (b) Minor bruising;
 - (c) Infection;
 - (d) Needle sickness; and
 - (e) Broken needle.
- (5) A statement that patients must inform the East Asian medicine practitioner if they have a severe bleeding disorder or pacemaker prior to any treatment.

Chinese Herbal Requirement: No

Education Requirement: To become an East Asian medicine practitioner an applicant must have training in basic sciences that must consist of a minimum of forty-five quarter credits or thirty semester or trimester credits. These credits shall consist of the following:

- (1) Anatomy;
- (2) Physiology;
- (3) Microbiology;
- (4) Biochemistry;
- (5) Pathology;
- (6) Survey of western clinical sciences; and
- (7) Hygiene.

In East Asian medicine sciences consisting of a minimum of seventy-five quarter credits or fifty semester or trimester credits. These credits must include the following subjects of acupuncture/East Asian medicine:

- (1) Fundamental principles;
- (2) Diagnosis;
- (3) Pathology;

- (4) Therapeutics;
- (5) Meridians/vessels and points; and
- (6) Techniques, including electro-acupuncture.

To become an East Asian medicine practitioner an applicant must complete a minimum of five hundred hours of supervised clinical training including no more than one hundred hours of observation which includes case presentation and discussion. At least four hundred hours must be patient treatment.

(1) Qualified instructors must observe and provide guidance to the student as appropriate. Instructors must be qualified to provide instruction in their areas of specialization in East Asian medicine as demonstrated by possession of the following:

- (a) Broad and comprehensive training in East Asian medicine; and
 - (b) Two years of relevant current work experience or teaching experience in East Asian medicine.
- (2) Qualified instructors must be available within the clinical facility to provide consultation and assistance to the student for patient treatments. Prior to initiation of each treatment, instructors must have knowledge of and approve the diagnosis and treatment plan.
- (3) "Patient treatment" includes:
- (a) Conducting a patient intake interview concerning the patient's past and present medical history;
 - (b) Performing East Asian medicine examination and diagnosis;
 - (c) Discussion between the instructor and the student concerning the proposed diagnosis and treatment plan;
 - (d) Applying East Asian medicine treatment principles and techniques; and
 - (e) Charting of patient conditions, evaluative discussions and findings, and concluding remarks.

Cardiopulmonary resuscitation (CPR) certification. The training in CPR shall consist of a minimum of one quarter credit or equivalent. Red Cross certification or documentation of equivalent training may be substituted for the one quarter credit.

Completion of seven clock hours of AIDS education.

Demonstrate sufficient fluency in reading, speaking, and understanding the English language to enable the applicant to communicate with other health care providers and patients concerning health care problems and treatment.

Testing Requirement: You must pass the following National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) examinations:

- Foundations of Oriental Medicine module
- Acupuncture with point location module
- Biomedicine module

NCCAOM Certification Requirement: Yes

Continuing Education Requirement: No

Bond/Insurance Requirement: No

Notes: The legislature intends to recognize that acupuncturists licensed by the state of Washington engage in a system of medicine to maintain and promote wellness and to prevent, diagnose, and treat disease drawing upon the experience, learning, and traditions originating in East Asia, which include more than acupuncture alone. To reflect this reality, the legislature intends to change the state's professional designation of acupuncturists to East Asian medicine practitioners and to incorporate current statutory provisions governing acupuncture, while recognizing treatments, methods, and techniques used in East Asian medicine.

License Application Fee: \$109

License Investigation Fee: N/A

Background Check: Washington State Department of Health conducts background checks on applicants from out-of-state and some with a criminal history in Washington. Out-of-state applicants were chosen because they are unlikely to have criminal history information in the database maintained by the Washington State Patrol. The department already uses this database to issue licenses for applicants who live in the state.

Fingerprint Check: Yes

License Renewal Fee: \$205

License Term: Your credential lists the expiration date. For most professions, it is your birthday.

Enforcement Department: Department of Health, Health Systems Quality Assurance

Enforcement Agency URL:

<http://www.doh.wa.gov/LicensesPermitsandCertificates/ProfessionsNewReneworUpdate/EastAsianMedicinePractitioner.aspx>

Enforcement Agency Contact: Martin Mueller

Enforcement Agency Contact Email: hsqa.csc@doh.wa.gov

Agency Address: P.O. Box 1099

Agency City, State, Zip: Olympia, WA 98507-1099

Agency Phone: (360) 236-4700

Application URL: <http://www.doh.wa.gov/Portals/1/Documents/Pubs/685012.pdf>

Web List of Licensees: <https://fortress.wa.gov/doh/providercredentialsearch/SearchCriteria.aspx>

West Virginia



Name of Law: Acupuncturists

Statute Location: 30-36-1

Statute URL: <http://wvacupuncture.org/TheAcupunctureAct/tabid/1709/Default.aspx>

Rule: Title 32

Rule URL: <http://wvacupuncture.org/RulesRegulations/tabid/1713/Default.aspx>

License/Registration Required: Yes. Reciprocity permitted.

Definition of Acupuncture: Acupuncture" means a form of health care, based on a theory of energetic physiology, that describes the interrelationship of the body organs or functions with an associated point or combination of points.

Scope of Practice: "Practice acupuncture" includes:

- (1) Stimulation of points of the body by the insertion of acupuncture needles;
- (2) The application of moxibustion; and
- (3) Manual, mechanical, thermal or electrical therapies only when performed in accordance with the principles of oriental acupuncture medical theories.

Prohibitions: acupuncture when he or she possesses an earned doctorate degree from an accredited, approved or authorized educational institution in acupuncture, Oriental medicine or a biological science. The use of the title "Doctor" or the abbreviation "Dr." by an acupuncturist as authorized in this subsection without further indication of the type of license, certificate or degree which authorizes that use, constitutes unprofessional conduct.

Each acupuncture office, clinic, treatment center or institution shall be maintained in a clean and sanitary condition at all times, and shall have readily accessible bathroom facilities for both male and female patients.

All acupuncture offices, clinics, treatment centers and institutions shall use only pre-sterilized disposable needles. A practitioner shall use pre-sterilized disposable needles according to "clean needle technique" and standards of practice established by the CCAOM.

All acupuncture offices, clinics, treatment centers and institutions shall have functioning sterilization equipment for sanitizing non-needle equipment which is used in the normal and regular treatment of patients, or they shall contract with a local hospital or medical service for the transportation and sterilization of the non-needle equipment. Sterilization equipment shall be inspected at least once every two years by W. Va. Department of Labor inspectors.

A practitioner shall use only pre-packaged, pre-sterilized disposable needles for acupuncture treatments. Needles may not be reused on the same patient, even during the same treatment.

Acupuncturists shall maintain written medical records justifying the course of treatment of each patient. These records shall include for each patient at least the following:

- The patient's medical history;
- Acupuncture and Oriental Medical diagnosis;
- Diagnostic testing and imaging procedures and laboratory results;
- Points used and any treatment procedures administered at each visit;
- The practitioner's prescriptions and recommendations; and
- Patient treatment plan with progress notes.

Acupuncturists shall maintain all medical records for a period of five years from the date of the last entry to the record.

Acupuncturists shall not pay or receive any commission, bonus, kickback or rebate, or engaged in any split-fee arrangement in any form whatsoever with an acupuncturist, organization, agency or person, either directly or indirectly, for patients referred to providers of health care goods and services, including, but not limited to, hospitals, nursing homes, clinical laboratories, ambulatory surgical centers or pharmacies. The provisions of this subdivision will not be construed to prevent an acupuncturist from receiving a fee for professional consultation service.

Acupuncturists shall not use advertising which is false, deceptive, misleading, sensational or flamboyant.

Acupuncturists shall not use advertising which guarantee's satisfaction or a cure.

Acupuncturists shall not impose charges or fees for any type of service rendered within forty-eight hours of the initial visit, if the licensee advertises free service, free examination or free treatment.

No professional limited liability company shall have as a member anyone other than a person who is duly licensed or otherwise legally authorized to render the professional services for which the professional limited liability company was organized.

Disclosures: An acupuncture doctor shall clearly explain to his or her patients, in writing and verbally, that he or she is not a physician licensed to practice medicine or surgery.

The practitioner shall notify patients in writing and verbally, as any treatment requires, regarding any potential complications arising from the treatment plan.

Licensed practitioners shall post the state's "Code of Ethics" in each acupuncturist office, clinic, or treatment center:

Chinese Herbal Requirement: No

Education Requirement: 1. Graduation and receipt of degree or diploma in acupuncture or Traditional Chinese Medicine or its equivalent, from a school of acupuncture or Oriental medicine of at least one thousand eight hundred hours, including three hundred clinical hours. This degree or diploma must be from a school that is:

A. Approved by ACAOM, the Accreditation Commission for Acupuncture and Oriental Medicine.

- Or, -

B. Approved by the Board of Acupuncture as being equivalent to the ACAOM standards.

2. Achievement of a passing score on an examination that is:

A. Administered by the NCCAOM, the National Commission for the Certification of Acupuncturists and Oriental Medicine. This procedure will be known as Examination and Licensure by NCCAOM Certification.

- Or, -

B. Approved by the Board of Acupuncture as being equivalent to the NCCAOM examination.

Successful completion of an apprenticeship consisting of at least two thousand seven hundred hours within a five-year period under the direction of an individual properly approved by that jurisdiction to perform acupuncture.

Applicants are required to understand the "Scope of Practice" which sets the limitations upon their practices in the State of West Virginia.

Testing Requirement: No

NCCAOM Certification Requirement: No

Continuing Education Requirement: License renewal requires a minimum of forty-eight hours of continuing education units or continuing medical education units from the following categories:

For each renewal period of two years, a licensee shall have a minimum of twenty-four hours of instruction in the area of acupuncture or oriental medicine from an approved provider, and;

For each renewal period of two years, a licensee may have up to twenty-four hours of instruction in western clinical sciences, medical practices, medical ethics, or medical research which are sponsored or accredited by, but not limited to, the following organizations, or their successor organizations:

- The World Health Organization (WHO);
- The National Institutes of Health (NIH);
- The American Medical Association (AMA);
- The American Osteopathic Association (AOA);
- The American Nurses Association (ANA);
- Local hospitals; or
- Local colleges.

For each renewal period, a licensee may have no more than twelve hours of training in accredited programs which will assist the licensee to carry out his or her professional management responsibilities, including, but not limited to:

- Office, hospital, or administrative management;
- Language training, such as Chinese or English as a foreign language; or
- Education methodology.

Bond/Insurance Requirement: As a prerequisite for licensure or license renewal every acupuncturist shall maintain medical malpractice insurance or professional liability insurance and shall provide the Board with proof of that financial responsibility. Each licensee shall have one of the following:

- Professional liability coverage in an amount not less than \$10,000 per claim, with a minimum annual aggregate of not less than \$30,000 from an authorized insurer.
- An unexpired, irrevocable letter of credit in the amount not less than \$10,000 per claim, with a minimum aggregate availability of credit of not less than \$30,000. The letter of credit shall be payable to the acupuncturist as beneficiary upon presentment of a final judgment indicating liability and awarding damages to be paid by the acupuncturist or upon presentment of a settlement agreement signed by all parties to the agreement when the final judgment or settlement is a result of a claim arising out of the rendering of, or the failure to render, acupuncture services. The letter of credit shall be nonassignable and nontransferable. The letter of credit shall be issued by any bank or savings association organized under the W. Va. Code.
- A surety bond in an amount not less than \$10,000 per claim, with a minimum annual aggregate of not less than \$30,000 written by a company licensed to do business in West Virginia.

Notes: A license shall not be granted to any person who applies for a license if there is an arrearage equal to or exceeding the amount of child support payable for six months or if it is determined that the applicant has failed to comply with a warrant or subpoena in a paternity or child support proceeding.

License Application Fee: \$75

License Investigation Fee: N/A

Background Check: No

Fingerprint Check: No

License Renewal Fee: \$425

License Term: Two years

Enforcement Department: Board of Acupuncture

Enforcement Agency URL: <http://wvacupuncture.org/ContactUs/tabid/1717/Default.aspx>

Enforcement Agency Contact: Linda Lyter

Enforcement Agency Contact Email: Linda_Lyter@frontier.com

Agency Address: 179 Summers St., Suite 711

Agency City, State, Zip: Charleston, WV 25301-2122

Agency Phone: (304) 558-1060

Application URL: <http://wvacupuncture.org/Portals/Acupuncture/docs/Application.pdf>

Web List of Licensees: <http://wvacupuncture.org/Licensees/tabid/1881/Default.aspx>

Wisconsin



Name of Law: Acupuncture

Statute Location: 451.01

Statute URL:

<http://165.189.64.111/Documents/Board%20Services/Codebooks/451D%20POD%20Acupuncture-Book%20OCTOBER%202012.pdf>

Rule: Chapter SPS 70

Rule URL:

<http://165.189.64.111/Documents/Board%20Services/Codebooks/451D%20POD%20Acupuncture-Book%20OCTOBER%202012.pdf>

License/Registration Required: Yes. Reciprocity permitted.

Definition of Acupuncture: “Acupuncture” means promoting, maintaining or restoring health or diagnosing, preventing or treating disease based on traditional Oriental medical concepts of treating specific areas of the human body, known as acupuncture points or meridians, by performing any of the following practices:

- (a) Inserting acupuncture needles.
- (b) Moxibustion.
- (c) Applying manual, thermal or electrical stimulation or any other secondary therapeutic technique.

Scope of Practice: N/A

Prohibitions: All nondisposable needles, acupuncture equipment that comes in contact with a patient’s blood or body fluids or penetrates the skin, and equipment used to handle or store needles shall be sterilized after each use.

No needle, cup, or other device shall be used on more than one point of any patient, or applied to a single point on any patient more than one time, before it is resterilized.

Before any treatment commences, a patient shall be given the option, at the patient’s own expense, to have treatment with disposable acupuncture needles, which have been sterilized and wrapped.

When a patient or acupuncturist is exposed to blood by bleeding needles, laceration, or other exposure to broken skin or mucous membrane, the acupuncturist shall stop, thoroughly wash the exposed area or wound on the patient's or acupuncturist's body with soap and water, and disinfect the exposed area or wound with a topical disinfectant. In the case of mucous membrane exposure, the acupuncturist shall wash or rinse the affected area with copious amounts of water.

If an acupuncturist learns that a patient has AIDS, hepatitis, or any other blood-borne infectious disease, or has tested positive for HIV, then the acupuncturist shall use disposable needles in treating that patient.

An acupuncturist shall obtain from each patient a medical history pertinent to the patient's chief complaints.

When an acupuncturist encounters a patient with a potentially serious disorder including, but not limited to, cardiac conditions, uncontrolled hypertension, acute abdominal symptoms, acute undiagnosed neurological changes, unexplained weight loss or gain in excess of 15% of body weight within a 3 month period, suspected fracture or dislocation, suspected systemic infection, communicable disease, any serious undiagnosed hemorrhagic disorder or acute respiratory distress without previous history or diagnosis, the acupuncturist shall:

- (a) In a non-emergency situation, request a consultation or written diagnosis from a licensed physician prior to commencing acupuncture treatment or continuing treatment if the situation is discovered in the course of treatment.
- (b) In an emergency situation, provide life support and transportation to the nearest licensed medical facility.

An acupuncturist shall have on file for each patient treated a written confirmation signed by the patient and the acupuncturist acknowledging that the patient has been advised to consult a physician regarding the conditions for which such patient seeks acupuncture treatment.

An acupuncturist shall not refuse to provide professional services to a person solely on the basis of such person's race, color, age, sex, sexual orientation, political or religious beliefs, handicap, marital status or national origin.

An acupuncturist shall not fail to maintain complete and accurate records of each patient visit, including patient histories, summaries of examinations, diagnoses, and treatments performed or prescribed, and referrals to other practitioners of acupuncture or any other healing art, for a period of 7 years past the most recent visit of the patient to whom the record refers, or the time the patient reaches the age of majority.

An acupuncturist shall not advertise acupuncture services using a title that includes the words "medical doctor" or the initials "M.D.," unless the acupuncturist meets the requirements of s. 448.03(3)(a).

Disclosures: The disclosure to the patient of the availability of all alternate, viable modes of acupuncture treatment and the benefits and risks of these treatments, including the risks and benefits associated with the use of:

1. Acupuncture needles to stimulate acupuncture points and meridians, including the specific risks of needling certain points.
2. Use of mechanical, magnetic or electrical stimulation of acupuncture points, particularly in instances where such stimulation is applied across the midline of the trunk or in patients with a history of heart trouble.
3. Moxibustion.
4. Herbal medicine.
5. Laserpuncture.
6. Acupressure.

(b) The disclosure to the patient shall involve a disclosure of the side effects including:

1. Some pain at the site of needle insertion.
2. Minor bruising.
3. Infection and the risks from needling in the vicinity of an infection.
4. Needle sickness.
5. Broken needles.

The holder shall post the certificate to practice in a conspicuous place in his or her place of business.

Chinese Herbal Requirement: No

Education Requirement: Candidates must show evidence of successful completion of a course of study and residency, the equivalent of at least 2 consecutive years of full-time education and clinical work in Oriental diagnostic and therapeutic theories and practices at a school accredited by the National Accreditation Commission for Schools and Colleges of Acupuncture and Oriental Medicine (NACSCAOM) or the NCCAOM: National Certification Commission for Acupuncture and Oriental Medicine.

Candidates must also complete the Clean Needle Technique Course offered by the Council of Colleges of Acupuncture and Oriental Medicine (CCAOM).

Testing Requirement: Examinations shall consist of written or practical tests, or both, requiring applicants to demonstrate minimum competency in services and subjects substantially related to the practice of acupuncture.

NCCAOM Certification Requirement: Yes

Continuing Education Requirement:

Bond/Insurance Requirement: No

Notes: Renewal applications may be denied for delinquent taxes.

License Application Fee: \$75

License Investigation Fee: N/A

Background Check: No

Fingerprint Check: No

License Renewal Fee: \$107

License Term: 06/30/odd year

Enforcement Department: Department of Safety and Professional Services

Enforcement Agency URL: <http://dsps.wisconsin.gov/LicensesPermitsRegistrations/Credentialing-Division-Home-Page/Health-Professions/Acupuncturist>

Enforcement Agency Contact: N/A

Enforcement Agency Contact Email: dsps@wisconsin.gov

Agency Address: PO Box 8935

Agency City, State, Zip: Madison, WI 53708-8935

Agency Phone: (608) 266-2112

Application URL:
<http://dsps.wisconsin.gov/Documents/Credentialing%20Forms/Health%20Application%20Forms/fm1715.pdf>

Web List of Licensees: N/A

Wyoming



Wyoming does not regulate the practice of acupuncture as a profession.



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