

PROPOSED REGULATIONS

Title of Regulation: **18 VAC 85-110-10 et seq.** (VR 465-11-01) Licensed Acupuncturists

Statutory Authority: § 54.1-2400 and Chapter 29 (§ 54.1-2900 et.seq.) of Title 54.1 of the
Code of Virginia

Effective Date:

Summary: These regulations protect the health, safety and welfare of the citizens of the Commonwealth by establishing requirements and fees for licensure, renewal of license, reinstatement of a lapsed license, and for foreign educated graduates practicing as licensed acupuncturists.

**Part I.
General Provisions.**

18 VAC 85-110-10. Definitions.

A. The following words and terms, when used in this chapter, shall have the meanings ascribed to them in § 54.1-2900 of the Code of Virginia.

Acupuncturist

Board

Licensed acupuncturist

Practice of acupuncture

B. The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

"*ACAOM*" means the Accreditation Commission for Acupuncture and Oriental Medicine.-ACAOM replaces the National Accreditation Commission for Schools and Colleges of Acupuncture and Oriental Medicine

"*CCAOM*" means the Council of Colleges of Acupuncture and Oriental Medicine, and replaces the "*NCASC*" designation for the National Council of Acupuncture Schools and Colleges.

"*CNT course*" means a Clean Needle Technique Course as administered by the CCAOM.

"*NCCAOM*" means the National Certification Commission for Acupuncture and Oriental Medicine. NCCAOM replaces the National Commission for the Certification of Acupuncturists.

**18 VAC 85-110-30. ~~Nonrestriction of doctors of medicine, osteopathy, chiropractic and podiatry.~~
[Repealed]**

~~Nothing in this chapter shall be construed to prohibit or restrict the practice of doctors of medicine, osteopathy, chiropractic or podiatry who are qualified by regulation to practice acupuncture.~~

**Part II.
Requirements for Licensure.**

18 VAC 85-110-50. Educational requirements: graduates of approved institutions or programs in the United States.

A. Requirements for acupuncture education obtained prior to July 1, 1990 shall be as provided in this subsection.

1. An applicant applying for licensure to practice as an acupuncturist on the basis of successful completion of education in a school or college of acupuncture accredited by the ACAOM or other accrediting agencies approved by the Board of Medicine, which confers a degree or certificate in acupuncture in the United States, shall submit evidence of successful completion of an acupuncture course of study in an accredited school or college for acupuncture, providing evidence of not less than 1,000 hours of schooling in not less than a continuous 18-month period.
2. The studies shall include not less than 700 didactic hours and not less than 250 clinical hours. Additional hours may be in either didactic or clinical hours based upon the school or college curriculum.

B. Requirements for acupuncture education obtained after July 1, 1990 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 three academic years in length equivalent to 90 semester credit hours or 135 quarter credit hours.

One academic year means full-time study completed in three quarters, two semesters, or three trimesters. A full-time continuous study program shall be a concentrated educational process in acupuncture which requires individual study with assigned materials in a classroom or clinical setting.

C. 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 do not meet the requirements for acupuncture education.

18 VAC 85-110-60. Requirements of graduates of non-approved educational programs in acupuncture.

A. An applicant who has completed an educational course of study in a school or college that is not approved or accredited by ACAOM or any other board approved accrediting agency shall:

1. ~~Submit evidence of successful completion of not less than two years of acupuncture study. Submit a transcript from his educational course of study in acupuncture to a foreign credential evaluation service approved by the board to determine equivalency in education and training to that required for certification by the NCCAOM.~~

2. ~~Have not less than four years of practice in the previous seven years as a licensed acupuncturist in another jurisdiction without evidence of disciplinary action.~~

3. ~~2. Meet the examination requirements as prescribed in 18 VAC 85-110-80 and 18 VAC 85-110-90.~~

B. All documents submitted to the board which are not in English must be translated into English and certified by the embassy of the issuing government;

18 VAC 85-110-70. Part-time study. [Repealed]

~~Part time study of more than five years or correspondence courses in acupuncture are excluded and do not meet the requirements for acupuncture study.~~

18 VAC 85-110-80. Examination requirements for licensure.

The examination requirements for licensure shall consist of:

1. Passing the NCCAOM comprehensive written examination, resulting in current, active certification by the NCCAOM at the time the application is filed with the board;
2. Passing the Practical Examination of Point Location Skills (PEPLS) test; and
3. Completing the CNT course as administered by the CCAOM.

**Part IV.
Renewal and Reinstatement of Licensure.**

18 VAC 85-110-150. Biennial renewal of licensure.

A. A licensed acupuncturist shall renew his license biennially during his birth month in each odd-numbered year by:

1. Paying to the board the renewal fee as prescribed in subdivision 2 of VAC 85-110-35; and
2. Attesting to having ~~documentation of~~ current, active certification by the NCCAOM.

B. A licensed acupuncturist whose license has not been renewed by the first day of the month following the month in which renewal is required shall not be licensed in Virginia.

- C. An additional fee to cover administrative costs for processing a late application shall be imposed by the board as prescribed by subdivision 3 of 18 VAC 85-110-35.

18 VAC 85-110-155. Inactive licensure.

- A. A licensed acupuncturist who holds a current, unrestricted license in Virginia shall, upon a request on the renewal application and submission of the required fee, be issued an inactive license.
1. The holder of an inactive license shall not be required to maintain current, active certification by the NCCAOM.
 2. An inactive licensee shall not be entitled to perform any act requiring a license to practice acupuncture in Virginia.
- B. An inactive licensee may reactivate his license by:
1. Submission of the required application;
 2. Payment of the difference between the current renewal fee for inactive licensure and the renewal fee for active licensure for the biennium in which in which the license is being reactivated;
 3. Submission of documentation of having maintained current certification or having been recertified by the NCCAOM; and
 4. ~~Providing information on practice and licensure in other jurisdictions for the period in which the license was inactive in Virginia.~~
- C. The board reserves the right to deny a request for reactivation to any licensee who has been determined to have committed an act in violation of § 54.1-2914 of the Code of Virginia or any provisions of this chapter.

18 VAC 85-110-160. Reinstatement.

- A. A licensed acupuncturist who allows his license to lapse for a period of two years or more and chooses to resume his practice shall submit to the board a reinstatement application, information on practice and licensure in other jurisdictions for the period in which the license was lapsed in Virginia, proof of current, active certification by the NCCAOM, and the fee for reinstatement of his license as prescribed in subdivision 4 of 18 VAC 85-110-35.
- B. A licensed acupuncturist whose license has been revoked by the board and who wishes to be reinstated must make a new application to the board, hold current, active certification by the NCCAOM, and pay the fee for reinstatement of his license as prescribed in subdivision 6 of 18 VAC 85-100-35.