



## **Economic Impact Analysis Virginia Department of Planning and Budget**

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### **18 VAC 85-110 – Regulations Governing the Practice of Licensed Acupuncturists Department of Health Professions December 2, 2003**

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The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.G of the Administrative Process Act and Executive Order Number 21 (02). Section 2.2-4007.G requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic impacts.

### **Summary of the Proposed Regulation**

The Board of Medicine (board) proposes to enable individuals who graduated from an acupuncture program that was at the time in accreditation-candidacy status, but within three years became fully accredited, to become licensed.

### **Estimated Economic Impact**

Under the current regulations individuals may obtain licensure only if they have successfully completed an education program that is accredited by the Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM) or any other accrediting agency approved by the board. The board proposes to permit applicants "from an acupuncture program in a school or college that has achieved candidacy status for accreditation by ACAOM [to] be eligible for licensure provided the program has subsequently been [accredited] within three years of the applicant's graduation." In order to achieve accreditation-candidacy status acupuncture programs must meet substantial initial standards. If a program gains full accreditation within

three years of the licensure applicant's graduation, then the program will have been under scrutiny and meeting ACAOM standards while the student was being educated.<sup>1</sup> Also, all applicants must pass the national certification examination in acupuncture in order to gain licensure, regardless of where they obtained their education.

Given these factors, it seems reasonable to conclude that individuals who successfully finished their education at programs that were in accreditation-candidacy status at the time of their graduation, and that obtained full accreditation within three years of the student's graduation, have demonstrated substantively equivalent skills to those individuals who are already permitted to obtain licensure under the current regulations. The Board is aware of persons who graduated from programs that were in candidacy status by ACAOM at the time of their graduation who would like to practice acupuncture in Virginia, but cannot be qualified for licensure due to the current regulatory language. These persons will be permitted to become licensed and practice under the proposed regulations. The Commonwealth will benefit by enabling additional competent practitioners to provide services in the state.

## **Businesses and Entities Affected**

The proposed regulations affect consumers of acupuncture services, all licensed acupuncturists, and individuals seeking or considering licensure to provide acupuncture services in the Commonwealth. In fiscal year 2002 there were 47 licensed acupuncturists in Virginia.<sup>2</sup> The department anticipates about five new license applications each year.

## **Localities Particularly Affected**

The proposed regulations affect all Virginia localities.

## **Projected Impact on Employment**

The proposed amendments will permit a small number of new individuals to gain employment as acupuncturists.

## **Effects on the Use and Value of Private Property**

The proposed amendments will enable a small number of new individuals to obtain licensure and to start offering acupuncture services. These individuals will have the opportunity

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<sup>1</sup> Source: Department of Health Professions.

<sup>2</sup> Ibid.

to increase their (financial) net worth. Permitting additional persons to offer acupuncture services could potentially bring new competitive pressures to existing licensed acupuncturists. But given the very small number of current and anticipated licensed acupuncturists compared to the state population, most existing licensed acupuncturists will likely not be significantly affected.