

**DISTRICT OF
COLUMBIA
MUNICIPAL
REGULATIONS
for
ACUPUNCTURE**

CHAPTER 47 ACUPUNCTURE

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4700 GENERAL PROVISIONS

- 4700.1 This chapter shall apply to applicants for and holders of a license to practice acupuncture and to physicians collaborating with acupuncturists.
- 4700.2 Chapters 40 (Health Occupations: General Rules), 41 (Health Occupations: Administrative Procedures), and 46 (Medicine) of this title shall supplement this chapter.
- 4700.3 An applicant for a license under this chapter shall submit with a completed application three (3) letters of reference from physicians experienced in the practice of acupuncture or acupuncturists licensed in the United States, who have personal knowledge of the applicant's abilities and qualifications to practice acupuncture.
- 4700.4 The Board shall maintain a registry of licensed acupuncturists and shall make the registry available to the public for inspection.

4701 TERM OF LICENSE

- 4701.1 Subject to § 4701.2, a license issued pursuant to this chapter shall expire at 12:00 midnight of December 31st of each even-numbered year.
- 4701.2 If the Director changes the renewal system pursuant to § 4006.3 of Chapter 40 of this title, a license issued pursuant to this chapter shall expire in accordance with the system adopted by the Director.

4702 EDUCATIONAL AND TRAINING REQUIREMENTS

4702.1 An applicant under this section shall meet the education and training requirements for licensure by furnishing proof satisfactory to the Board that the applicant has met the requirements of §§ 4702.2, 4702.3, 4702.4, or 4702.5.

4702.2 The Board may approve the education and training qualifications of an applicant who has successfully completed 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 (3) academic years of instruction including five hundred (500) hours of clinical training in a school for acupuncture; or

(2) Two (2) academic years of instruction in a school of acupuncture; and fifteen hundred (1500) contact hours of apprenticeship under a preceptor who is a licensed acupuncturist in good standing.

4702.3 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 (3) years;

(b) Includes a minimum of forty-five hundred (4500) 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.

4702.4 The Board may approve the education and training qualifications of an applicant who, prior to October 13, 1989, meets the following requirements:

- (a) Has completed three (3) years of practice that consists of:
 - (1) Treating a minimum of one hundred (100) patients per year with a minimum of five hundred (500) patient visits;
 - (2) Treating patients with general health problems; and
- (b) Documents the practice to the satisfaction of the Board by the following evidence, keeping confidential a patient's identity:
 - (1) Patient records;
 - (2) Billing records; or
 - (3) Other credible evidence.

4702.5 The Board may approve the education and training qualifications of an applicant who meets the following requirements:

- (a) Is a physician duly licensed in good standing in the District of Columbia; and
- (b) Completes two hundred and fifty (250) hours of instruction in the practice of acupuncture in one of the following:
 - (1) A program of training and instruction accredited by an entity listed in § 4702.2(a); or
 - (2) A continuing education program that is designated as an American Medical Association Physicians Award category I program by the sponsoring organization.

4702.6 An applicant who seeks licensure based upon a formal academic program shall submit with a completed application a certified transcript and an official certificate of graduation to the Board.

4702.7 An applicant who seeks licensure based upon an apprenticeship training program under § 4702.3 shall submit with a completed application the following documentation from the applicant's preceptor:

- (a) A certified copy of the preceptor's license;
- (b) A certification from the preceptor's licensing board that the preceptor is in good standing;
- (c) An affidavit that describes the following:

- (1) The preceptor's practice, including patient hours and type of practice;
- (2) The apprenticeship, including the following:
 - (A) The starting and finishing dates;
 - (B) The total number of contact hours;
 - (C) The topics and skills covered during the training; and
 - (D) The applicant's responsibilities.

4703 APPLICANTS EDUCATED IN FOREIGN COUNTRIES

4703.1 The Board may grant a license to practice acupuncture to an applicant who has completed an educational program in a foreign country, who demonstrates to the satisfaction of the Board the following:

- (a) That the program is substantially equivalent to one of the programs required by this chapter and the Act; and
- (b) That the applicant otherwise meets all the requirements of this chapter and the Act.

4703.2 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.

4704 NATIONAL EXAMINATION

4704.1 To qualify for a license, an applicant shall pass either the examination administered by the National Commission for the Certification of Acupuncturists (NCCA) (the national examination) or a practical examination administered by the Board (the District examination).

4704.2 An applicant shall submit with a completed application the applicant's national examination results, certified by the NCCA.

4704.3 The passing score on the national examination shall be the passing score determined by NCCA.

4704.4 An applicant who fails the national examination six (6) times shall not be eligible for a license in the District of Columbia.

4704.5 An applicant who fails the District examination six (6) times shall not be eligible for a license in the District.

4705 DISTRICT EXAMINATION

4705.1 The District examination shall cover the following areas:

- (a) Acupuncture point location;
- (b) Sterilization; and
- (d) Needling and other therapeutic techniques.

4705.2 The passing score on the District examination shall be the passing score determined by the Board.

4705.3 An applicant who fails the District examination may take it two (2) additional times within a three (3) year period commencing from the date the applicant first took the District examination.

4705.4 An applicant who fails to pass the District examination within the three (3) year period commencing from the date the applicant first took the District examination shall, in order to be eligible for reexamination, complete one hundred (100) hours of additional clinical instruction in the practice of acupuncture in a program accredited by an entity listed in § 4702.2(a).

4705.5 An applicant who fails the District examination six (6) times shall not be eligible for a license in the District.

4706-4708 [RESERVED]

4709 LICENSE BY RECIPROCITY

4709.1 An applicant for a license by reciprocity under § 507 of the Act, D.C. Official Code § 3-1205.07 (1985), shall comply with the following:

- (a) The requirements of § 4700.3 of this chapter; and
- (b) The requirements of § 4014 of Chapter 40 of this title.

4710-4711 [RESERVED]

4712 ACUPUNCTURE PRACTICE

- 4712.1 An acupuncturist who is not a physician licensed by the District shall practice only in general collaboration with a physician, pursuant to an agreement registered in accordance with § 4715.
- 4712.2 An acupuncturist who is a physician licensed by the District shall be exempt from the requirements of §§ 4712.3, 4712.4 and §§ 4712.7 through 4712.10.
- 4712.3 Prior to initiating treating of a patient, an acupuncturist shall have written authorization from the collaborating physician to commence treatment.
- 4712.4 An acupuncturist shall comply with any restrictions or conditions placed on the acupuncture treatment by the collaborating physician.
- 4712.5 An acupuncturist shall be solely responsible for acupuncture evaluation and treatment of the patient.
- 4712.6 An acupuncturist shall use aseptic practices that comply with accepted standards of sterilization in the field of acupuncture.
- 4712.7 An acupuncturist shall advise a patient to consult with the collaborating physician if the patient's condition worsens, changes unexpectedly, or fails to improve after the prescribed course of treatment or if the patient develops a new ailment or condition.
- 4712.8 An acupuncturist shall immediately notify the collaborating physician, by communication devise followed by written memorandum, of any worsening in a patient's condition or ailment, new ailment, or unexpected change in a patient's condition.
- 4712.9 An acupuncturist shall provide written notice to a collaborating physician of the acupuncturist's intent to terminate the collaboration prior to terminating a collaboration.
- 4712.10 If a collaboration is terminated, an acupuncturist shall immediately cease performing acupuncture on all patients from whom the collaborating physician had agreed to provide care and consultation and assist a patient whose treatment is disrupted to find appropriate substitute care.

4713 DUTIES OF COLLABORATING PHYSICIAN TO PATIENT

- 4713.1 A collaborating physician shall take a patient's medical history and perform a physical examination, and shall advise a patient of the findings of the examination.

- 4713.2 A collaborating physician shall advise the patient of treatment alternatives for the patient's condition.
- 4713.3 A collaborating physician shall place conditions or restrictions on the course of treatment in acupuncture if the patient's condition requires them as a matter of sound medical practice.
- 4713.4 A collaborating physician shall advise a patient to return to the collaborating physician for consultation if one of the following conditions occurs:
- (a) The patient's condition worsens;
 - (b) The patient develops new symptoms; or
 - (c) The patient's condition does not improve after a prescribed course of treatment by the acupuncturist.
- 4713.5 A collaborating physician shall be available to a patient at reasonable times for consultation by appointment or telephone and shall give the patient written notice of the physician's telephone number and office address.
- 4713.6 If a collaboration is terminated by the collaborating physician, the physician shall assist the patient whose acupuncture treatment is disrupted to find appropriate substitute care.

4714 DUTIES OF COLLABORATING PHYSICIAN TO ACUPUNCTURIST

- 4714.1 A collaborating physician shall give written authorization to the acupuncturist to initiate treatment. The authorization shall contain the following:
- (a) A summary of the findings of the physician's examination of the patient; and
 - (b) Restrictions, if any, to be placed on the course of acupuncture treatment.
- 4714.2 A collaborating physician shall be available to the acupuncturist on a daily basis for consultation by a communication device regarding the patient's condition.
- 4714.3 A collaborating physician shall designate a physician to be available for consultation in the temporary absence of the collaborating physician and shall notify the acupuncturist of the following:
- (a) The name;
 - (b) The telephone number; and

(c) The office address of the back-up physician.

4714.4 For the purposes of this subsection, a collaborating physician shall be considered absent if the collaborating physician:

(a) Travels beyond a thirty (30) mile radius of the District; or

(b) Is unable to practice medicine because of illness, injury, attention to personal needs, or other conflict with the requirements of the practice.

4714.5 A collaborating physician shall provide written notice to the acupuncturist of the collaborating physician's intent to terminate the collaboration prior to terminating the collaboration.

4715 REGISTRATION OF COLLABORATING PHYSICIANS AND ACUPUNCTURISTS

4715.1 An acupuncturist and a physician shall register their collaboration with the Board on the prescribed form.

4715.2 An acupuncturist shall file a separate registration form for each physician with whom an acupuncturist collaborates.

4715.3 The acupuncturist and collaborating physician shall provide the following information on the registration form:

(a) The name, address, and telephone number of the collaborating physician and the licensed acupuncturist;

(b) An acknowledgement by the physician that the physician understands and accepts the physician's duties to the acupuncture patient and the acupuncturist as set forth in this chapter;

(c) An acknowledgement by the acupuncturist that the acupuncturist understands and accepts the acupuncturist's duties to the patient and collaborating physician as set forth in this chapter; and

(d) The signatures of the physician and acupuncturists.

4715.4 An acupuncturist shall not begin treating a patient until a registration form has been filed with the Board.

4715.5 A collaborating physician and the acupuncturist shall give the Board written notice of the termination of an agreement to collaborate within fifteen (15) days following the termination of the agreement.

4716 DUTIES OF ADVISORY COMMITTEE ON ACUPUNCTURE

- 4716.1 The Committee shall advise the Board on all matters pertaining to this chapter.
- 4716.2 The Committee shall review all applications for a license and make recommendations to the Board.
- 4716.3 The Committee shall review complaints and questions about acupuncturists and acupuncture practice referred to the Committee by the Board and make recommendations to the Board regarding what action should be taken.
- 4716.4 At the request of the Board, the Committee shall make its members available to testify at hearings and participate in settlement conferences involving an acupuncturist.
- 4716.5 The Committee shall submit to the Board an annual report of its activities.

4799 DEFINITIONS

- 4799.1 As used in this chapter, the following terms shall have the meanings ascribed:

Academic Year – an equivalent to four hundred and fifty (450) hours of classroom instruction over two (2) semesters of approximately fifteen (15) weeks or three (3) semesters of approximately ten (10) weeks.

Applicant – a person applying for a license to practice acupuncture under this chapter.

Board – the Board of Medicine, established by § 203(a) of the Act, D.C. Official Code § 3-1202.03(b) (1985)

Committee – the Advisory Committee on Acupuncture, established by § 203(b) of the Act, D.C. Official Code § 3-1202.03(b) (1985).

Contact Hour – sixty (60) minutes spent by an apprentice under the direct supervision of a preceptor who is either discussing or observing the apprentice's practice.

Physician – a person licensed to practice medicine under the Act, including an osteopath.

- 4799.2 The definitions in § 4099 of Chapter 40 of this title are incorporated by reference into and are applicable to this chapter.