

## IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

### IDAHO BOARD OF ACUPUNCTURE

#### 24.17.01 – Rules of the State Board of Acupuncture

##### **Who does this rule apply to?**

*This rule applies to applicants, trainee permit holders, license holders, and certified practitioners of acupuncture.*

##### **What is the purpose of this rule?**

*This rule governs the practice of acupuncture services in Idaho to protect the public health, safety, and welfare. These rules establish:*

- Minimum standards of competency and qualifications for applicants;
- Fees related to licensure;
- Continuing education for licensure;
- Qualifications of Supervisors; and
- Codes of ethics and standards of practice

##### **What is the legal authority for the agency to promulgate this rule?**

*This rule implements the following statute passed by the Idaho Legislature:*

Professions, Vocations, and Businesses -

- [54-4701 through 54-4713, Idaho Code](#) – Acupuncture

##### **Who do I contact for more information on this rule?**

Idaho Board of Acupuncture

Division of Occupational and Professional Licenses

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## 24.17.01 – RULES OF THE STATE BOARD OF ACUPUNCTURE

### 000. LEGAL AUTHORITY.

These rules are promulgated pursuant to Section 54-4705, Idaho Code. (3-28-23)

### 001. SCOPE.

These rules review and establish the minimum requirements for licensure/certification of acupuncturists. (3-28-23)

### 002. DEFINITIONS.

**01. Approved Acupuncture Program.** A formal full-time acupuncture educational program that has met the standards of the Accreditation Commission for Acupuncture and Oriental Medicine or an equivalent educational body. An acupuncture program may be established as having satisfied this requirement by obtaining: (3-28-23)

**a.** Accreditation; or (3-28-23)

**b.** Candidacy for accreditation; or (3-28-23)

**c.** An equivalent evaluation performed by a private, state government, or foreign government agency recognized for that purpose by the NCCAOM (National Certification Commission for Acupuncture and Oriental Medicine) Eligibility Committee. (3-28-23)

**02. Practitioner.** A person to whom a license, certification, or acupuncture trainee has been issued pursuant to Title 54, Chapter 47, Idaho Code. (3-28-23)

### 003. -- 099. (RESERVED)

### 100. QUALIFICATIONS FOR LICENSURE OR CERTIFICATION.

**01. Requirements for Licensure.** Applicants for licensure must submit a complete application on a Board approved form, required fee, and official certified documentation of either: (3-28-23)

**a.** Certification from NCCAOM or graduation from an approved full-time acupuncture program of at least one thousand seven hundred twenty-five (1,725) hours of entry-level acupuncture education which includes a minimum of one thousand (1000) hours of didactic course work and five hundred (500) clinical hours of practice; and (3-28-23)

**b.** Successful completion of an acupuncture internship, or other equivalent experience as approved by the Board. (3-28-23)

**02. Requirements for Certification.** As prescribed in Idaho Code § 54-4707. (3-28-23)

### 101. ACUPUNCTURE TRAINEE PERMIT.

The Board may issue an acupuncture trainee permit in accordance with Section 54-4708, Idaho Code. The holder of an acupuncture trainee permit may practice only under the supervision of a person licensed or certified under this chapter who meets the requirements in Section 54-4708, Idaho Code. An applicant must submit documentation demonstrating current enrollment in an Approved Acupuncture Program and actively pursuing completion of the program; or satisfaction of the requirement for certification as set forth in Section 54-4707, Idaho Code. (3-28-23)

### 102. REQUEST FOR APPROVAL OF QUALIFICATION.

**01. Course Review.** A person or entity may request approval of a course of study in acupuncture that will be offered to qualify applicants for a credential to practice acupuncture. The request must include a complete description of the hours required in Section 100, scope and extent of academic and other training and clinical experience offered through the course along with appropriate supporting documentation and course materials. (3-28-23)

**02. Individual Qualification.** An applicant may request approval of his individual qualification for licensure or certification in acupuncture. The request must include a complete description of the number of hours, scope and extent of academic and other training and clinical experience the individual has received along with available supporting documentation. (3-28-23)

**103. REINSTATEMENT OF LICENSE.**

The applicant must submit proof of having met the continuing education required as follows: (3-28-23)

**01. Expired for One Year or Less.** For licenses or certificates expired for one (1) year or less, one (1) year of continuing education; (3-28-23)

**02. Expired More than One Year.** For licenses or certificates expired for more than one (1) year, two (2) years of continuing education. (3-28-23)

**104. INACTIVE STATUS.**

A currently licensed or certified practitioner may request in writing to have their license placed on inactive status and pay the inactive status fee. Such request must be made prior to the expiration date of the license. (3-28-23)

**01. Waiving Continuing Education Requirements – Inactive Status.** All continuing education requirements will be waived for any year or portion thereof that a licensee maintains an inactive license. (3-28-23)

**02. Return to Active Status.** (3-28-23)

**a.** A licensee desiring to return to active status must complete the equivalent of one (1) year of continuing education for every year the license was inactive, up to a maximum of two (2) years of continuing education and submit a fee equivalent to the difference between the inactive fee and renewal fee for the year that the licensee returns to active status. (3-28-23)

**b.** For licenses inactive five (5) years or greater, the licensee shall complete forty-five (45) hours of continuing education and either provide proof that the licensee has actively engaged in the practice of acupuncture in another state or territory of the United States for at least three (3) of the immediately preceding five (5) years or provide proof that the licensee is competent to practice acupuncture in Idaho. (3-28-23)

**105. CONTINUING EDUCATION REQUIREMENTS.**

The content of a continuing education course must be germane to the practice of acupuncture as defined in Section 54-4702, Idaho Code. All practitioners are required to complete a minimum of thirty (30) hours of board approved continuing education within the preceding twenty-four (24) months. (3-28-23)

**01. Credit for Teaching or Supervision.** Licensees may earn up to ten (10) hours of continuing education credit by teaching Board-approved courses or supervision of trainees. (3-28-23)

**02. Board Approval.** Approved continuing education courses are those courses, programs, and activities that are approved or provided by NCCAOM, accredited acupuncture and oriental medicine schools, or other courses that may be approved by the board. Other courses may be approved based upon documentation submitted by the licensee or course provider. All requests for approval or pre-approval of educational programs are made in writing and include the name of the instructor or instructors, the course agenda, and the number of credit hours requested. (3-28-23)

**106. -- 199. (RESERVED)**

**200. RECORDS.**

A practitioner must keep accurate records of each patient the practitioner treats. The records must at a minimum include the name of the patient and the indication and nature of treatment given. (3-28-23)

**201. SUPERVISION PLAN.**

A licensed or certified acupuncturist providing supervision to trainees shall be responsible for the services provided by such individuals. Failure to adequately supervise such an individual may subject the supervisor to discipline. (3-28-23)

**01. Supervision.** For the first one hundred (100) hours of practice, the supervisor must provide supervision in the treatment room when the trainee is providing treatment. The supervisor will meet with the trainee in person at least monthly to review case studies and demonstrate acupuncture point location and needle placement

technique. Before providing treatment without in-person supervision, the trainee must successfully complete a Blood Borne Pathogen course and comprehensive examination that incorporates clean needle techniques and OSHA procedures and requirements. (3-28-23)

**02. Documentation.** Supervision document will include charting, diagnosis, and treatment plans, and will include the completion of twenty-five (25) case studies and verification and documentation of the hours of supervision and case studies. The supervisor and trainee will maintain records of supervision, including summary of case studies in progress or completed by the trainee under supervision, treatment plan for each patient, and the dates of supervision. (3-28-23)

**03. Termination of Supervision or Change in Supervisor.** A supervisor may terminate supervision at any time by submitting written notice of termination to the Board. (3-28-23)

**202. – 299. (RESERVED)**

**300. DISCIPLINE.**

**01. Civil Fine.** The Board may impose a civil fine not to exceed one thousand dollars (\$1,000) upon a licensee for each violation of Section 54-4711, Idaho Code. (3-28-23)

**02. Costs and Fees.** The Board may order a licensee to pay the costs and fees incurred by the Board in the investigation or prosecution of the licensee for violation of Section 54-4711, Idaho Code. (3-28-23)

**03. Advertising.** A practitioner who disseminates or causes the dissemination of any advertisement or performs advertising including offers, statements, or other representations, which is in any way fraudulent, false, deceptive, or misleading, may be subject to discipline by the Board. (3-28-23)

**04. Unlicensed or Unsupervised Practice.** Knowingly aided or abetted any person to practice acupuncture who is not authorized to practice acupuncture as provided in this chapter or failed to adequately supervise a trainee or auxiliary staff who have contact with patients which creates or results in an unreasonable risk of harm to the patient. (3-28-23)

**301. -- 399. (RESERVED)**

**400. FEES.**

All fees are non-refundable:

<b>License/Certification/Permit/Certification</b>	<b>Initial Fee (Not to Exceed)</b>	<b>Annual Renewal Fee (Not to Exceed)</b>
Application	\$50	n/a
License	\$150	\$75
Certification	\$150	\$75
Acupuncture Trainee	\$150	\$50
Inactive License or Certification	n/a	\$50
Reinstatement	\$250	n/a

(3-28-23)

**401. – 999. (RESERVED)**