

OREGON MEDICAL BOARD

ACUPUNCTURE ADVISORY COMMITTEE

Teleconference Meeting – June 18, 2008

**1500 SW First Avenue, Suite 620
Portland, OR 97201**

The Acupuncture Advisory Committee of the Oregon Medical Board (OMB or “Board”) held a teleconference meeting Wednesday, June 18, 2008. The meeting was called to order by Malvin Finkelstein, LAc, Chair, at 3:00 p.m.

MEMBERS PRESENT

Malvin Finkelstein, LAc, Chair
Sarojini S. Budden, MD, Board Liaison
Ellen Goldsmith, LAc, LMT
Gene G. Hong, MD
Diane Miller, MD
Debra L. Mulrooney, LAc

STAFF PRESENT

Kathleen Haley, JD, Executive Director
Diana Dolstra, Licensing Department Manager
Jennifer Lannigan, Licensing Coordinator
Michele Provinsal, Acupuncture Licensing Specialist

Agenda

EXECUTIVE SESSION:

Review Application for Licensure, Client #36284

Review Application for Licensure, Client #36648

PUBLIC SESSION:

Final Review of Administrative Rules:
OAR 847-070-0005 Definitions
OAR 847-070-0016 Qualifications

Malvin Finkelstein, LAc, Chair, called the meeting to order at 3:00 p.m.

Members present voted unanimously to pass the following motions and recommendations unless otherwise noted.

EXECUTIVE SESSION:

Review Application for Licensure, Client #36284

Review Application for Licensure, Client #36648

PUBLIC SESSION:

Review Application for Licensure, Client #36284

It was moved and seconded that:

The Acupuncture Advisory Committee recommends the Oregon Medical Board approve licensure for Client 36284.

Debra Mulrooney, LAc, recused.

Review Application for Licensure, Client #36648

It was moved and seconded that:

The Acupuncture Advisory Committee recommends the Oregon Medical Board approve licensure for Client 36648.

Final Review of Administrative Rules:

OAR 847-070-0005 Definitions

OAR 847-070-0016 Qualifications

EXHIBIT A

It was moved and seconded that:

The Acupuncture Advisory Committee recommends the Oregon Medical Board approve the final review of the above mentioned administrative rules to establish attempt limits for the NCCAOM acupuncture certification exams and to revise the licensing requirements for applicants who have graduated from institutions not accredited by ACAOM.

Other Business

Kathleen Haley, JD, informed the Committee that Gene Hong, MD, will be presenting an overview of acupuncture for Board members at their next regularly scheduled meeting, July 10, 2008. Dr. Hong agreed that if Board members had further questions, he would address them at a subsequent Board meeting with an acupuncturist member of the Committee present.

The meeting was adjourned at 3:25 p.m.

OREGON ADMINISTRATIVE RULES
CHAPTER 847, DIVISION 070 – OREGON MEDICAL BOARD
PROPOSED RULES CHANGES – JULY 2008
FINAL REVIEW BY THE BOARD

Proposed rule changes 1) establish attempt limits for the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) acupuncture certification exams and 2) delete reference to the date July 1, 1998 in the requirement that applicants for licensure by the alternate pathway must a) document five years of practice prior to July 1, 1998 and b) meet the curriculum's western medicine standards in place on July 1, 1998. Proposed language change is to require applicants to meet western medicine standards in place at the time of their graduation.

847-070-0005

Definitions

As used in the rules regulating the practice of acupuncture:

(1) "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.

(a) 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.

(2) "Licensed Acupuncturist" means an individual authorized by the Board to practice acupuncture pursuant to ORS Chapter 677.

(3) "Board" means the Oregon Medical Board for the State of Oregon.

(4) "Committee" means the Acupuncture Advisory Committee.

(5) "Physician" means an individual licensed to practice medicine pursuant to ORS Chapter 677.

(6) "Clinical training" means supervised clinical training which consists of diagnosis and actual patient treatment which includes insertion of acupuncture needles.

847-070-0016

Qualifications

~~[Effective November 21, 2001, a]~~ An applicant for licensure as an acupuncturist in the State of Oregon must have the following qualifications:

(1) Have graduated from an acupuncture program that satisfies the standards of the Accreditation Commission for Acupuncture and Oriental Medicine (A.C.A.O.M.), or its successor organization, or an equivalent accreditation body that are in effect at the time of the applicant's graduation. An acupuncture program may be established as having satisfied those standards by demonstration of one of the following:

(a) Accreditation, or candidacy for accreditation by ACAOM at the time of graduation from the acupuncture program; or

(b) Approval by a foreign government's Ministry of Education, or Ministry of Health, or equivalent foreign government agency at the time of graduation from the acupuncture program. Each applicant must submit their documents to a foreign credential equivalency service, which is approved by the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) for the purpose of establishing equivalency to the ACAOM accreditation standard. Acupuncture programs that wish to be considered equivalent to an ACAOM accredited program must also meet the curricular requirements of ACAOM in effect at the time of graduation.

(2) Current ~~[€]~~ certification in acupuncture by the National Certification Commission for Acupuncture and Oriental Medicine (N.C.C.A.O.M.). An applicant shall be deemed certified by the N.C.C.A.O.M. in Acupuncture if the applicant has passed the N.C.C.A.O.M. Acupuncture Certification Examinations, or has been certified through the N.C.C.A.O.M. Credentials Documentation Examination~~;~~

~~of~~. **The applicant has no more than four attempts to pass the NCCAOM Acupuncture Certification Examinations. If the applicant does not pass the NCCAOM Certification Examinations within four attempts, the applicant is not eligible for licensure.**

(3) An applicant who does not meet the criteria in OAR 847-070-0016(1) and (2) must have the following qualifications:

(a) Five years of licensed clinical acupuncture practice in the United States prior to ~~[prior to July 1, 1998]~~. This practice must include a minimum of 500 acupuncture patient visits per year. Documentation shall include:

(A) Two affidavits from office partners, clinic supervisors, accountants, or others approved by the Board, who have personal knowledge of the years of practice and number of patient visits per year; and

(B) Notarized copies of samples of appointment books, patient charts and financial records, or other documentation as required by the Board; and

(b) An applicant must have practiced as a licensed acupuncturist in the U.S. during five of the last seven years prior to application for Oregon licensure. Licensed practice includes clinical practice, clinical supervision, teaching, research, and other work as approved by the Board within the field of acupuncture and oriental medicine. Documentation of this practice will be required and is subject to Board approval; and

(c) Successful completion of the A.C.A.O.M. western medicine requirements in effect ~~[on July 1, 1998]~~ **at the time of graduation from the acupuncture program**; and

(d) Current certification in acupuncture by the N.C.C.A.O.M. An applicant shall be deemed certified in Acupuncture by the N.C.C.A.O.M. if the applicant has passed the N.C.C.A.O.M. Acupuncture Certification Examinations, or has been certified through the N.C.C.A.O.M. Credentials Documentation Examination~~[; of]~~. **The applicant has no more than four attempts to pass the NCCAOM**

Acupuncture Certification Examinations. If the applicant does not pass the NCCAOM Certification Examinations within four attempts, the applicant is not eligible for licensure.

(4) An individual whose acupuncture training and diploma were obtained in a foreign country and who cannot document the requirements of subsections (1) through (3) of this rule because the required documentation is now unobtainable, may be considered eligible for licensure if it is established to the satisfaction of the Board that the applicant has equivalent skills and training and can document one year of training or supervised practice under a licensed acupuncturist in the United States. ~~[- and]~~

(5) In addition to meeting the requirements in (1) and (2), or (3), or (4) of this rule, all applicants for licensure must have the following qualifications:

(a) Licensure in good standing from the state or states of all prior and current health related licensure; and

(b) Have good moral character as those traits would relate to the applicant's ability of properly engaging in the practice of acupuncture; and

(c) Have the ability to communicate in the English language well enough to be understood by patients and physicians. This requirement is met if the applicant passes the N.C.C.A.O.M. written acupuncture examination in English, or if in a foreign language, must also have passed an English language proficiency examination, such as TOEFL (Test of English as a Foreign Language), or TSE (Test of Spoken English). An applicant must obtain a TOEFL score of 500 or more for the written TOEFL exam and 173 or more for the computer based TOEFL exam, or a TSE score of 200 or more prior to July 1995, and a score of 50 or more after July 1995. An applicant who is certified through the N.C.C.A.O.M. Credentials Documentation Examination must also have passed an English proficiency examination.