

CALIFORNIA LAWS & REGULATIONS

Scope of Practice	Definition of Acupuncture: ...stimulation of a certain points or points on or near the surface of the body by insertion of needles to prevent or modify the perception of pain or to normalize physiological functions, including pain control, for the treatment of certain diseases or dysfunctions of the body and includes the techniques of electroacupuncture, cupping, and moxibustion. Activites w/in scope: acupuncture, moxa, cupping, e-stim / Asian massage / acupressure / breathing techniques / exercise / heat/cold / magnets / nutrition/diet / herbs - plants, animal, mineral products → doesn't include synthetic compounds / dietary supplements → doesn't include controlled substances																
CA Acupuncture Board	highest priority → protection of the public not the profession Acu Board 7 Members 4 yr term <u>QUORUM</u> 4 @ least 1 LAc 3 LAc apt by Governor Gov apts confirmed by Senate 4 public 2 apt by Governor 1 - Speaker of Assembly 1 - Senate Rules Committee																
Licensure	Requirements For License 18+ y/o Completion of Training: educational/training program (950 hrs) tutoring program (10 yrs experience, 5 yrs in CA) international edu up to standard Pass Written Exam Out-Of-State Guest → can practice for <6 months only @ lectures, clinics, demonstrations; *no private Pts" Expiration → last day of of birth month of licensee LICENSE FEES <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Application</td><td style="text-align: right;">\$75</td></tr> <tr> <td>Initial License</td><td style="text-align: right;">\$325</td></tr> <tr> <td>Renewal</td><td style="text-align: right;">\$325</td></tr> <tr> <td>Duplicate</td><td style="text-align: right;">\$15</td></tr> <tr> <td>Expired License renewal >3 yrs after expiration</td><td style="text-align: right;">unpaid renewal fee + \$25</td></tr> </table> DEADLINES <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Apply for License post-exam</td><td style="text-align: right;">30 days</td></tr> <tr> <td>Change of Address</td><td style="text-align: right;">30 days</td></tr> <tr> <td>Denial Appeal</td><td style="text-align: right;">15 days</td></tr> </table> EXAMS → processing of exam applications → w/in 30 calendar days → if licenses have lapsed (expired for 3+ years), required to retake and pass written exam	Application	\$75	Initial License	\$325	Renewal	\$325	Duplicate	\$15	Expired License renewal >3 yrs after expiration	unpaid renewal fee + \$25	Apply for License post-exam	30 days	Change of Address	30 days	Denial Appeal	15 days
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CALIFORNIA LAWS & REGULATIONS *continued*

Enforcement / Disciplinary Proceedings	UNLAWFUL PRACTICE			
	Type	Charge	Fine	Imprisonment
	Practicing w/o License*	misdemeanor	\$100-\$2,500	<1 year
	Fraud of License	misdemeanor	\$100-\$2,500	<1 year
	<i>*can administer acu Tx as part of educational training (1) engaged in tutorial program or (2) graduate participating in postgraduate review course (<1 year)</i>			
	LICENSE REINSTATEMENT			
	reinstatement of revoked/surrendered license		3 yrs	
	early termination of probation 3+ yrs		2 yrs	
	modification of condition of probation		2 yrs	
	early termination of probation <3 yrs		1 yr	
Continuing Education	DISPLAY OF LICENSE → must register w/in 30 days after CALE → post in conspicuous location in place of practice at all times, need duplicate for every place of practice <i>change of address/location</i> → must register change w/in 30 days			
	50 hrs every 2 years → store proof of completion for 4 yrs			
	13-16 mon	35 CEU		
	17-20 mon	40 CEU		
	21-23 CEU	45 CEU		
	only 5 hrs (10%) can be non-clinical matters			
	Inactive License → to restore inactive license:			
	2+ yrs	50 hrs CEU		
	<2 yrs	25 hrs CEU		
	Standards of Practice	Conditions of Office - accessible bathroom facility - if non-disposable needles used, need sterilization equipment - brush-scrub hands with soap & warm water before examining Pts, performing acu, b/w Pts - if needle breaks subcutaneously, immediately consult physician → do not sever/penetrate tissue - if complication (hematoma, peritonitis, pneumothorax), immediately consult physician/dentist/podiatrist - no acu with hypodermic needles		
Record Keeping → complete & accurate with Txs given & progress made				
Advertising → cannot cure Dx, cannot use title Doctor without appropriate degree				

RECORDS & CONSENT

Informed Consent	- must be signed & dated - address nature of procedure, alternatives, risks, consequences → demonstrate Pt understood
Record keeping	- use SOAP notes - do not scratch out in chart - must keep medical records for 7-10 yrs - record of daily appointment schedules - may not release Pt records without their consent

REPORTING

Child Abuse	<i>physical injury, sexual abuse, neglect, willful cruelty, unjustifiable punishment</i> - knowledge of/witnessing → report immediately by phone + written statement within 36 hrs - suspected → police department → failure to comply → misdemeanor → <6 mon county jail and/or \$1000 fine	
Elder Abuse	- knowledge of/witnessing → report immediately by phone + written report w/in 2 biz days	
	long term care facility	report to local ombudsman <i>or</i> law enforcement agency
	state mental health hospital/development center	report to investigators of State Department of Health <i>or</i> State Department of Developmental Services <i>or</i> local law enforcement
	any other place	report to adult protective services agency <i>or</i> local law enforcement

HIPAA Health Insurance Portability and Accountability Act

Safeguards	Workstation & Device Security - should be separated from general work area & password protected to allow only specific employees access to the ePHI - ensure access to computer is password protected so that unauthorized personnel can't access
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