

**Vermont Secretary of State
Office of Professional Regulation
ADMINISTRATIVE RULES FOR LICENSED ACUPUNCTURISTS**

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PART 1. GENERAL INFORMATION ON LICENSURE OF ACUPUNCTURISTS

1.1 THE PURPOSE OF LICENSURE

The Secretary of State and the Director of the Office of Professional Regulation (Office) have been given certain powers by Vermont law to protect the public health, safety, and welfare by setting standards, licensing applicants, and regulating licensed acupuncturists and their practices.

1.2 LAWS THAT GOVERN LICENSURE

Licensure is governed by a specific state law that establishes responsibilities for setting standards, issuing licenses, and regulating the profession. The law is the Acupuncturists Act, 26 V.S.A. §§ 3401-3411. In addition, the Director of Professional Regulation is obligated to comply with several other state laws, such as the Administrative Procedure Act, 3 V.S.A. §§ 801-849, the Open Meeting Law, 1 V.S.A. §§ 311- 314, the Law of Professional Regulation, 3 V.S.A. §§ 121-131, and the Access To Public Records Law 1 V.S.A. §§ 315-320. These laws set forth the rights of an applicant, licensed acupuncturist, or member of the public. The complete text of these laws is available at most libraries and town clerks' offices. "Vermont Statutes Online" are also available on the Internet at <http://www.leg.state.vt.us>.

PART 2. INFORMATION FOR APPLICANTS

2.1 DEFINITIONS

Terms defined in the Acupuncturists Act have the same meaning when used in these rules. In addition, when used in these rules:

- A. **SUPERVISED CLINICAL PRACTICE**, by an applicant, means acupuncture practice under the supervision of a licensed acupuncturist who is a qualified preceptor and who is present in the clinic at all times in which supervisees are engaged in the practice of acupuncture. No more than eight students may be supervised at one time. A minimum of 250 student-performed treatments must be included in the 800 hours of supervised clinical practice.
- B. **ACCREDITED EDUCATIONAL INSTITUTION** means a school which has been approved by the National Accreditation Commission for Schools and Colleges of Acupuncture and Oriental Medicine or its successor organization.
- C. **PRECEPTOR** means a licensed acupuncturist, licensed in the State of Vermont, or a person licensed in another state or country with standards substantially equivalent to Vermont standards. "Preceptor" does not include a spouse or family member, or an employer, partner or shareholder in the same enterprise.
- D. **EDUCATION AND SUPERVISED PRACTICE REQUIREMENTS FOR PRECEPTORS PRIOR TO JANUARY 1, 1996** means the preceptor must furnish satisfactory proof that his or her training is equivalent to qualifications for Vermont licensure. For supervision provided prior to January 1, 1996, by an acupuncturist, no license is required at the time of supervision if the supervising acupuncturist had met the education and supervised practice requirements of these rules and subsequently passed the examination and was granted licensure.
- E. **SUPERVISION REPORT** means a report submitted by a supervisor containing sufficient detail to evaluate an applicant's supervised practice, including:
 - 1. Applicant's name;
 - 2. Supervisor's name, signature, address, certification or license number, state where granted, date granted, and area of specialization;
 - 3. Name and nature of the practice setting, and a description of the client population served;
 - 4. Specific dates of practice covered in the report;
 - 5. Number of practice hours during this period (to include all duties);
 - 6. Applicant's specific duties;
 - 7. Number of one-to-one supervisory hours and student-performed treatments;
 - 8. Detailed assessment of the applicant's performance;
 - 9. Skills supervised;

10. Ethical practices reviewed; and
11. Verification of certification or licensure of the supervisor if the supervisor is certified or licensed in another state. The verification must be provided directly to the Director of Professional Regulation from the other state.

2.2 APPLICATION FOR LICENSURE

An applicant for licensure must:

- A. submit a completed application form with all supporting documentation;
and
- B. pay the required fee.

Examination applicants must submit the application and the fee by the deadline date in order to be allowed to sit for the examination, although the additional required documentation may be submitted after that date. The Office reviews applications only after the supporting documentation is received, including evidence of a certificate or diploma, supervised practice and examination results, as required in Rule 2.3, or evidence of a license in another jurisdiction and its licensing standards, as required in Rule 2.4. Application forms may be downloaded from the Acupuncturists Web site at <http://www.vtprofessionals.org>.

2.3 QUALIFICATIONS FOR LICENSURE AS AN ACUPUNCTURIST

As set forth in the Acupuncturists Act, the basic qualifications for licensure are (1) completing a program in acupuncture and Oriental medicine, or (2) completing a training program, and (3) passing the examination.

- A. **Program in Acupuncture:** Certificate or diploma from a school or college of acupuncture or oriental medicine accredited by the National Accreditation Commission for Schools and Colleges of Acupuncture and Oriental Medicine or as approved by the Director. That education must:
 1. be able to document at least a three-year comprehensive curriculum providing a minimum of 1725 hours of entry-level acupuncture education. The program must include a minimum of 800 hours of supervised clinical practice in which there must be a minimum of 250 student-performed treatments. The program must also include 700 hours of oriental medical theory and 225 hours of biomedical sciences and
 2. consist of no less than 27 months of attendance in classroom and clinic. The diploma must be awarded only after attendance in classroom and clinic. Correspondence programs do not qualify. A year of school is defined as 450 clock-hours in nine months. This may be extended over a period of more than one calendar year. Points will then be given for study equivalent to one year of school. Formal schooling must be documented through the Verification of Education form provided by the Office.

or

- B. **Training Program:** Completion of a training program which must include earning a minimum of 40 points in any one of the following categories or combination of categories.
 1. apprenticeship -- 10 points for each 1,000 documented contact hours, up to a maximum of 13.5 points per year.
 - a. An applicant must have completed an apprenticeship of at least 4,000 contact hours with a minimum of 250 student-performed treatments and complete the program in no less than three years and no more than six years.
 - b. Apprenticeship is defined as on-going work with a tutor or preceptor who assumes responsibility for the theoretical and practical education and training of the apprentice. "Contact hours" is the time the apprentice spends under the direct supervision of the preceptor. Off-site supervision is not included.
 - c. During the apprenticeship, the preceptor's practice must have included a minimum of 500

acupuncture patient visits with no less than 100 different patients per year during the program. Patient visits must be in general health care practice. Specialized limited practice such as smoking withdrawal, alcoholism, etc., may be included in the practice, but must be in addition to the basic 500 visits of general practice per year. After the first year, the apprentice must have been given increasing responsibilities in patient contact up to and including the final stage of complete diagnosis and treatment under the preceptor's supervision. This increasing responsibility must be documented through the Verification of Training form provided by the Office.

2. completed academic work -- five points for each half-semester (minimum of 250 hours) completed with at least a C or passing grade in the field of acupuncture or oriental medicine, up to a maximum of four periods or 20 points.
 - a. Ten (10) points may be earned for each full year (450 hours) of schooling.
 - b. An official transcript is required, showing academic and clinical work completed, the number of class hours for every class taken in the entire program, and the number of months in the program.
 3. self-directed study -- 10 points for study equivalent to one year of full-time academic work in acupuncture and oriental medicine, for a maximum of two years or 20 points. Self-directed study is limited to certified correspondence courses that are approved by the Director and that grant certificates of completion.
- C. **Examination:** Successful completion of the "Acupuncture Portion" (ACP) of the Comprehensive Written Examination (CWE) in Acupuncture administered by the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) or its successor organization, or a substantially equivalent examination approved by the Director, and the "Clean Needle Technique" (CNT) course offered by the Council of Colleges of Acupuncture and Oriental Medicine (CCAOM) or its successor organization.

2.4 LICENSURE WITHOUT EXAMINATION

- A. To qualify to be licensed as an acupuncturist based on credentials, an applicant must be licensed or certified in good standing in another jurisdiction in which the standards and qualifications required for regulation in that jurisdiction are at least equal to those required by this chapter.
- B. An applicant must also complete the application and send it to the Office with the correct fee.

2.5 FOREIGN-TRAINED APPLICANTS

An applicant must have completed an acupuncture and oriental medicine educational program equivalent to the standards of accredited educational institutions, as defined in Rule 2.1(B). The Director may use a credentials evaluation service to establish academic standing. Applicants should contact the Office of Professional Regulation for a current list of acceptable services. Applicants are responsible for the costs of this evaluation. Upon approval, an applicant may then be eligible for licensure under Rules 2.3 or 2.4.

2.6 RIGHT TO A WRITTEN DECISION AND APPEAL

If the Director denies an applicant licensure, the Director will give specific reasons in writing and inform the applicant of the right to appeal this decision to an administrative law officer. After giving the applicant an opportunity to present the application and any additional information, the administrative law officer will affirm, reverse, or modify the Director's preliminary decision. Decisions of the administrative law officer may be appealed to the Washington Superior Court.

PART 3. INFORMATION FOR LICENSED ACUPUNCTURISTS

3.1 RENEWING LICENSURE BIENNIALY

Licenses renew on a fixed biennial schedule: January 31 of the even-numbered years. Initial licenses issued

within 90 days of the renewal date will not be required to renew and pay the renewal fee. The license will be issued through the next full license period. Applicants issued an initial license more than 90 days prior to the renewal expiration date will be required to renew and pay the renewal fee. Before the expiration date, the Office will mail a renewal application and notice of the renewal fee. Licensure will expire automatically if the renewal application and fee are not returned to the Office by the expiration date.

3.2 CONTINUING EDUCATIONAL REQUIREMENTS

A. "Continuing education" means the direct participation of a licensed acupuncturist as a learner in a structured educational program directly related to competency in acupuncture and oriental medicine or protection of clients from harm, or both.

B. Every licensed acupuncturist must complete 30 continuing education credits in the two years immediately preceding the renewal period in order to renew licensure. The continuing education requirement does not apply for the renewal period during which a person initially obtained licensure. It will begin with the first full two-year renewal period.

C. The Office will provide a form upon which all credits must be recorded. The name and date of the activity, the number of credits requested, and the names of the instructors and sponsor must be clearly indicated on the form. The form must be submitted with the biennial licensure renewal forms. The Director or the Director's designee may randomly audit licensees to ensure compliance.

D. Credits will be granted only for actual time spent as a learner. Breaks and lunches must be deducted.

E. Licensees must maintain records showing attendance and participation in the continuing education activities claimed, such as pamphlets, certificates of attendance received during the instruction, registration receipts, program announcements, facilitators, or brief summaries of work content. These records are subject to inspection and verification by the Office upon request during reasonable business hours. A licensee who is audited will be notified in writing by the Director or the Director's designee and will be required to produce written documentation verifying successful completion of the 30 hours of continuing education during the two-year period at issue.

F. Continuing education credits are calculated in the following manner:

1. **Research and Writing for Publication**- one credit for each two hours of documented research. Acceptable research projects include those that relate to the knowledge and/or practice of acupuncture and oriental medicine. No more than 10 credits in this category may be applied toward the continuing education requirement in a single renewal period. Ten credits for each acupuncture and oriental medicine-related article; 15 credits for an acupuncture and oriental medicine-related book or major work. Credit for publication includes any book, or article, study, report, etc., published in a generally recognized journal which relates to the knowledge or practice of acupuncture and oriental medicine. No more than 10 credits in this category may be applied toward the continuing education requirement in a single renewal period except that 15 credits may be applied toward an acupuncture and oriental medicine related book or major work that is published.
2. **Teaching** - One credit for each clock hour of instruction. Teaching means the on-going responsibility for the theoretical and/or practical education of acupuncturists. No more than 10 credits in this category may be applied toward the continuing education requirement in a single renewal period. Credit for teaching a course will be granted for a first-time instructor teaching a course. This does not apply to a preceptor.
3. **Continuing Education** - One credit for each clock hour of continuing education. Continuing education includes programs or courses which directly enhance an acupuncturist's knowledge and/or practice of acupuncture and oriental medicine. A minimum of 15 credits must be

earned in this category for each renewal period.

4. **Distance Learning Programs** - Distance learning programs may be eligible for continuing education credits. Such programs are subject to review by the Director. Requirements for eligibility include:

A. Course is accepted for NCCAOM continuing education hours, or

B. Course meets the following criteria:

1. Certified instructors.
2. Written course outline and goals for completion submitted for approval before completion of the coursework.
3. Course includes material that is corrected or reviewed by the instructor.
4. Course format contains audio or videotapes or other media presented by instructor that follow the outline of the course.
5. Course credit hours apply based on the actual number of hours of media-based instruction presented by instructor.
6. Student keeps records of all coursework and related instructional material.

G. Continuing education courses must be comparable to those that are offered during acupuncture and oriental medicine training by acupuncture and oriental medicine schools and colleges or relevant to the practice of acupuncture and oriental medicine, as determined by the Director.

H. Points will be granted for courses ranging from Oriental medical theory and techniques such as massage, nutrition, and herbology to western sciences such as anatomy, physiology, pathology, biochemistry, microbiology, psychology, nutrition, medical terminology and medical ethics.

3.3 CONTINUING EDUCATION PROGRAM APPROVAL

A. An educational activity shall be eligible for approval as satisfying the continuing education requirements of these rules if it has significant intellectual and practical content directed at increasing the professional competence of acupuncturists, and the activity consists of classroom style instruction, clinical and hands-on style of instruction, or educational seminars with substantial written material available, whether conducted by speakers, lecturers, or panel members, in an approved classroom setting. Seminars, classes, and other learning experiences must be planned around a well-documented lesson plan to qualify for continuing education credit.

B. The activity may be approved by the Office upon filing an application form. The name of the activity, the number of credits requested and the names of the instructors and sponsors must be clearly indicated on the form. An application may be filed by the sponsoring agency or group or by any participant. An application for advance approval must be filed 90 days before the educational activity has commenced. All applications for approval must be filed within 30 days after the activity is completed.

C. The Office shall assign a maximum number of credit hours to each approved activity.

D. The Office may refuse to approve any activity which it finds is not eligible for accreditation pursuant to paragraphs (A) or (B) of this section or which it finds is sponsored by a group or individual lacking the ability or intention to produce a continuing educational activity of sufficiently high quality to improve or maintain an acupuncturist's professional competence, or which it finds is not offered in a sufficiently organized fashion or under otherwise adequate circumstances to fulfill the objectives of these rules.

E. When the Office has approved an activity, the sponsor may so state and may include the number of credits for which the activity has been approved.

3.4 FAILURE TO MEET CONTINUING EDUCATION REQUIREMENT

A licensee who fails to comply with the continuing education requirement may be required to develop and

complete a specific corrective action plan of remedial coursework within 90 days, prior to license renewal. The Office will extend the license during the 90-day corrective period but will not renew it if the licensee fails to complete the plan and associated coursework.

3.5 REINSTATING LICENSURE

If a license has expired because it was not renewed on time, the license may be renewed if the applicant meets the renewal requirements and pays the renewal fee for the current renewal period and a late fee.

If a license has lapsed for more than three years, the applicant must apply for reinstatement on forms provided by the Office and demonstrate, to the satisfaction of the Director, that he or she is professionally qualified for licensure.

3.6 CHANGE OF NAME OR ADDRESS

A licensed acupuncturist is responsible for notifying the Office immediately if he or she changes name, mailing address or business address. Acceptable documentation of change of name includes a notarized copy of a marriage certificate, instrument of change of name from a probate court, or other court order. Acceptable documentation of change of name also includes a notarized copy of current identification, such as a driver's license or Social Security card, in both the former and present names. The Director may require additional documentation at his or her discretion.

3.7 COMPLAINT PROCEDURE

The Director has a procedure for receiving, investigating and acting on complaints of unprofessional conduct. Copies of the procedure are available from the Office.

3.8 DISCLOSURE STATEMENTS FOR LICENSED ACUPUNCTURISTS

Each licensed acupuncturist shall disclose to each client before the first treatment the following information, printed or typed in easily readable format:

- A. The licensed acupuncturist's professional qualifications and experience, including (1) all relevant formal education programs attended and all degrees and certificates earned, including the full legal name of the granting institution, (2) all relevant training programs completed and all credentials awarded, including the full legal name of the granting institution, and (3) a brief description of any special qualifications and areas of practice.
- B. A copy of the statutory definition of unprofessional conduct (26 V.S.A. § 3410).
- C. Information on the process for filing a complaint with, or making a consumer inquiry to, the Director. Sample information cards are available from the Office.

Disclosure means, at a minimum, (1) posting the information and informing the client where the information is posted, or (2) having the information printed, displaying the printed information in an easily accessible location, and informing the client where the information is displayed, or (3) having the information printed and directly handing a copy of the information to the client.

Not later than the third office visit, the licensed acupuncturist shall present to the client for signature a document stating that the information required to be disclosed in paragraphs A, B, and C above has been disclosed to the client. The acupuncturist shall also sign the document and shall retain the signed original. If, by the third visit, disclosure cannot be made or the client declines to sign, the acupuncturist shall prepare and sign a written statement explaining the omission, which shall be retained in place of the signed copy.

When the client is not able to understand the disclosure, as in the case of an institutionalized person, a minor, or an adult who is under the supervision of a guardian, the disclosure shall be made to a suitable patient or

guardian.

The Director may audit a licensed acupuncturist's records of information disclosure. Individuals to be audited may be selected at random.

Part 4: Certification of Acupuncture Detoxification Technicians

4.1. The titles "Acupuncture Detoxification Technician" ("ADT") and "Certified Acupuncture Detoxification Technician" ("CADT") may only be used by persons certified pursuant to the Act and these rules who practice auricular (ear) detoxification therapy. Certification as an ADT does not entitle a person to use the title "Acupuncturist" or "Licensed Acupuncturist."

4.2. As used in these rules "Auricular Acupuncture" means the insertion of disposable single use acupuncture needles at a specified combination of points, on the surface of the outer ear, according to the protocol of the National Acupuncture Detoxification Association, for the purpose of facilitating the detoxification treatment and rehabilitation of substance abusers.

4.3. An acupuncture detoxification technician shall insert disposable single use acupuncture needles in the auricle of the ear only. **Under no condition is any needle to be used more than one time.** These rules prohibit the use of reusable needles which have been re-sterilized. The points where a technician shall insert needles are limited specifically to the points known as Shen Men, Lung, Liver, Kidney, and Sympathetic as described and located by the National Acupuncture Detoxification Association (NADA) or other national entity approved by the Director of the Office of Professional Regulation ("Director").

4.4. A certified acupuncture detoxification technician (ADT) shall provide auricular detoxification acupuncture services only in state, federal or Director approved sites. For purposes of these rules, a state or federal "approved site" is an alcoholism, drug or chemical dependency treatment program which receives federal or state funds. Acupuncture detoxification technicians may practice acupuncture detoxification therapy only under the supervision of an acupuncturist licensed under this chapter and certified by the National Acupuncture Detoxification Association.

4.5. Practitioners certified as ADT's shall keep records of patient care which at a minimum shall include the dates of treatment, the purpose for the treatment, the name of the patient, the points used, and the name, signature, and title of the certificate-holder.

4.6. An alcoholism, substance abuse, or chemical dependency program which receives federal or state funds, or is approved by the Vermont Department of Health for treatment of alcoholism, substance abuse, or chemical dependency, or which works in collaboration with any of the aforementioned programs will be acceptable to the Director as a site where acupuncture detoxification may be performed.

4.7. Supervision:

- (a) No Acupuncture Detoxification Technician shall practice acupuncture detoxification therapy except under the supervision of an acupuncturist who is:
 - A. licensed and in good standing under Chapter 75 of Title 26 and;
 - (2) certified by the National Acupuncture Detoxification Association.
- (b) Supervision. The Director may approve a Vermont licensed acupuncturist to supervise a certified ADT if the acupuncturist:
 - (1) Has been a licensed acupuncturist for at least 2 years;
 - (2) Is certified by the National Acupuncture Detoxification Association;
 - (3) Submits to the Director a completed supervision agreement on a form provided by the Director.

4.8. Supervision of Acupuncture Detoxification Technicians:

- (a) A licensed acupuncturist supervising an ADT shall be available in person, by phone, or electronically during normal working hours, and shall meet onsite with certificate holders as appropriate to assess compliance with these laws and rules.
- (b) The licensed acupuncturist must exercise professional judgment when determining the number of technicians he or she can safely and effectively supervise to ensure that quality care is provided at all times.
- (c) The licensed supervising acupuncturist is responsible for the professional conduct of a technician functioning in the acupuncture setting and performing procedures as permitted by these rules.

4.9. Limitations:

Duties or functions that an acupuncture detoxification technician may not perform include, but are not limited to:

- (A) Interpretation of referrals or prescriptions for acupuncture services;
- (B) Evaluative procedures;
- (C) Development, planning, adjusting or modification of acupuncture treatment procedures;
- (D) Acting on behalf of the acupuncturist in any matter related to direct patient care that requires judgement or decision making; and
- (E) Any acupuncture service performed independently for any purpose, or detoxification therapy for the treatment of alcoholism, substance abuse or chemical dependence performed with no supervision from a licensed acupuncturist.

4.10. Application for Acupuncture Detoxification Technician Certificate:

- (a) To qualify as an acupuncture detoxification technician, an applicant shall work in, or in collaboration with, a comprehensive addiction treatment program, and have successfully completed the NADA acupuncture protocol or one which meets or exceeds NADA standards of training.
- (b) To be certified as an acupuncture detoxification technician to provide auricular acupuncture detoxification therapy in alcoholism, substance abuse, or chemical dependency programs, an applicant shall submit an application packet to the Director which shall include:
 - (1) An application, on a form provided by the Director;
 - (2) A Supervision Agreement on a form provided by the director containing the name, address, telephone number and Vermont license number of the licensed acupuncturist in good standing who will supervise the applicant, signed by the supervising Acupuncturist indicating acceptance of the terms of supervision according to these rules and acupuncture statutes, Chapter 75 of Title 26.
 - (3) The appropriate application fees prescribed by subsection 125(b) of Title 3; (4) Documentation of successful completion of a Director-approved training program in auricular acupuncture for the treatment of alcoholism, substance abuse, or chemical dependency which meets or exceeds standards of training established by the National Acupuncture Detoxification Association.

4.11. Denial of Certification

If the Director denies an application for acupuncture detoxification certification, the Director will give specific reasons in writing and inform the applicant of the right to appeal this decision to an Administrative Law Officer. After giving the applicant an opportunity to present the application and any additional information, the Administrative Law Officer will affirm, reverse, or modify the Director's preliminary decision. Decisions of the Administrative Law Officer may be appealed to the Washington Superior Court.

4.12. Certificate:

The certificate shall be posted in a conspicuous place accessible to the public.

- (a) The certificate shall be posted in a conspicuous place accessible to the public.
- (b) The certificate holder shall notify the Office prior to any change in the facility name or change in the ADT's name, address or telephone number.
- (c) The certificate holder shall notify the Office in writing of any proposed change of site at least 30 days prior to the effective date of such proposed change.
- (d) Every person who holds an ADT certificate shall inform the Office of any change of address or any other change of information, including but not limited to a change of employment, required for certification pursuant to the Act and these Rules.

- (e) No person certified under these rules shall practice acupuncture detoxification therapy until the Director has approved the ADT's supervisor and program.

4.13. Disclosure of Information Before Treatment:

- (a) An Individual practicing as an ADT under the provisions of this chapter shall ensure that any patient receiving such treatment is notified in writing of
 - (1) the qualifications of the individual providing the acu-detox treatment, and
 - (2) the process for filing complaints with the Office of Professional Regulation. (b) The ADT shall ensure that a copy of the notification is retained in the patient's record.
- (b) Any person who undergoes auricular (ear) detoxification must indicate in writing prior to such a procedure that he or she has been advised of the following:
 - (1) that the acupuncture detoxification technician is not licensed to practice medicine in the State of Vermont;
 - (2) that the acupuncture detoxification technician is not licensed to practice acupuncture in the State of Vermont;
 - (3) that the acupuncture detoxification technician is not making a diagnosis of the person's disease or medical condition; and
 - (d) An acupuncture detoxification technician is strictly limited to five ear points treatment for detoxification for substance abuse, chemical dependency, or both.
 - (e) Persons licensed to practice acupuncture or auricular (ear) detoxification must use a Director approved, standardized "disclosure of information" form for each person treated. The form shall be signed and dated by both practitioner and patient prior to the rendering of services.

4.14. Unauthorized Practice of Acupuncture and Auricular Detoxification Therapy Prohibited. Exemptions:

- (a) No person shall:
 - (1) Practice acupuncture in Vermont without a license or practice auricular detoxification therapy without a certificate issued under Chapter 75 of Title 26; or
 - (2) Represent himself or herself to be an Acupuncture Detoxification Technician if he or she is not certified under the Act.
- (b) The following persons are exempt from licensure to practice acupuncture or auricular detoxification therapy in Vermont:
 - (1) Persons who are licensed or certified to perform acupuncture in any other jurisdiction where such persons are doing so in Vermont in the course of regular instruction in a Director-approved educational program of acupuncture or in an educational seminar of a Director-approved professional organization of acupuncture; provided that in the latter case, the practice is supervised directly by a person licensed to practice acupuncture pursuant to the Act;

4.15. Disposal of Biohazard Material and Clean Needle Inventory Records and Used Needle Inventory Records

- (a) Disposable single use acupuncture needles are to be used in all acupuncture detoxification therapy. Disposable single use acupuncture needles are considered biohazard waste materials and must be disposed of in accordance with all applicable federal and state laws, rules and regulations. To further ensure the public health and safety of the citizens of Vermont, persons certified under these rules must keep accurate medical and office records that reflect the following detailed information:
 - (1) Documented disposal of all needles and method of disposal.
- (b) Acupuncture detoxification technicians shall ensure that disposable single use needles are stored safely and disposed of in compliance with state and federal laws.

4.16. Renewal of Certification Biennially:

Certificate holders renew on a fixed biennial schedule: January 31 of the even-numbered years. Initial certificates issued within 90 days of the renewal date will not be required to renew and pay the renewal fee. The certificate will be issued through the next full license period. Applicants issued an initial certificate more than 90 days prior to the

renewal expiration date will be required to renew and pay the renewal fee. Before the expiration date, the Office will mail a renewal application and notice of the renewal fee. Certification will expire automatically if the renewal application and fee are not returned to the Office by the expiration date.

4.17. Unprofessional Conduct and Complaints:

- (a) No person certified under this section shall engage in unprofessional conduct as defined in 26 V.S.A. ' 3410 and 3 V.S.A. § 129a, or as defined elsewhere in Vermont Statutes which may apply to him or her, through another professional license, certification or registration.
- (b) The Office of Professional Regulation will investigate any complaint filed against an ADT or the supervising licensed acupuncturist.

4.18 Other Resources and Suggestions:

In addition to familiarity with Exposure Control Procedures which are part of ADT training, practitioners should to refer to the Centers for Disease Control's "Exposure to Blood: What Every Health Care worker needs to know" found at http://www.cdc.gov/ncidod/hip/Blood/Exp_to_Blood.pdf for the most up to date information on exposure procedures. Note: If information differs from information contained in the NADA protocol, follow these guidelines.

Suggestion from the Department of Health: Gloves shall be worn when it can be reasonably anticipated that the employee may have hand contact with blood, other potentially infectious materials, mucous membranes, and non-intact skin.

Effective date: May 24, 2003