

RULE ADOPTIONS
VOLUME 42, ISSUE 12
ISSUE DATE: JUNE 21, 2010
LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE ACUPUNCTURE EXAMINING BOARD

42 N.J.R. 1216(a)

Adopted Amendments: N.J.A.C. 13:35-9

Adopted New Rules: N.J.A.C. 13:35-9.4, 9.6, 9.7, 9.10, 9.13 and 9.14

Adopted Repeals: N.J.A.C. 13:35-9.5, 9.9 and 9.16

Adopted Repeal and New Rule: N.J.A.C. 13:35-9.12

Rules of the State Acupuncture Examining Board

Proposed: July 6, 2009 at 41 N.J.R. 2617(a).

Adopted: January 13, 2010 by the State Acupuncture Examining Board, Henry McCann, President; and the State Board of Medical Examiners, Paul Mendelowitz, M.D., President.

Filed: May 20, 2010 at R.2010 d.101, **with a technical change** not requiring additional public notice and comment (see N.J.A.C. 1:30-6.3).

Authority: N.J.S.A. 45:2C-3.

Effective Date: June 21, 2010.

Expiration Date: Pursuant to Executive Order No. 1 (2010), the expiration date of N.J.A.C. 13:35 is extended from March 17, 2010, until the completion of the review of administrative regulations and rules by the Red Tape Review Group, and until such time as the extended regulation or rule is readopted pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.

Federal Standards Statement

A Federal standards analysis is not required because the adopted amendments, repeals and new rules involve no Federal standards or requirements.

Full text of the adoption follows (additions to proposal indicated in boldface with asterisks ***thus*** ; deletions from proposal indicated in brackets with asterisks *[thus]*):

[page=1217] SUBCHAPTER 9. ACUPUNCTURE

13:35-9.1 Purpose and scope

(a) (No change.)

(b) These rules shall apply to all persons certified as acupuncturists by the State of New Jersey, applicants for such

certification, guest acupuncturists granted temporary permission by the Board to perform acupuncture pursuant to N.J.A.C. 13:35-9.13, students participating in an approved course of study, school or tutorial program in acupuncture and persons licensed in New Jersey as physicians or dentists who practice acupuncture, provided that their courses of training have included acupuncture.

13:35-9.2 Definitions

For purposes of this subchapter, the following terms shall have the following meanings:

...

"Acupuncture program" means a course of study in acupuncture that is at least two years long and which is in addition to and separate from a baccalaureate degree program.

...

"Acupuncturist" means an individual certified by the Board to perform acupuncture services.

...

"Baccalaureate Degree" means a bachelor degree granted upon the conclusion of a program that consists of at least 120 credits by a college or university that is accredited by a regional accreditation agency recognized by the Council for Higher Education Accreditation (CHEA) or the United States Department of Education.

...

"Certified," "certification" and "certificate" mean Board-issued authorization that an individual possesses the qualifications to perform acupuncture services.

...

"Guest acupuncturist" means an individual legally authorized to perform acupuncture services in another state or in another country, who is not a certified acupuncturist in this State and who is permitted to perform acupuncture services pursuant to N.J.A.C. 13:35-9.14.

...

"NCCAOM" means the National Certification Commission for Acupuncture and Oriental Medicine.

...

13:35-9.3 Credentials required for certification

(a) At the time of application, an applicant shall submit to the Board:

1. A completed application form;
2. Legal proof of having attained the age of 21, evidenced by a document issued by a governmental agency;
3. Proof that the person has passed the English version of each of the following modules of the NCCAOM examination:
 - i. Foundations of Oriental Medicine;
 - ii. Acupuncture;

iii. Point Location; and

iv. Biomedicine;

4. If an applicant's entire education (high school, college or university and acupuncture program) was conducted in a language other than English, proof that the applicant has achieved a passing score on the Test of English as a Foreign Language (TOEFL) examination; and

5. Proof that the applicant has completed the education requirements of N.J.A.C. 13:37-9.4.

(b) An applicant who passed the NCCAOM examination prior to January 1, 2003 shall submit proof that he or she has passed the NCCAOM biomedicine module.

(c) Any credentials required to be submitted pursuant to (a) above, which are written in a language other than English shall be accompanied by an English translation prepared at the applicant's expense. A list of translation services shall be provided by the Board to an applicant upon request.

13:35-9.4 Education required for certification

(a) In order to qualify for certification, an applicant shall meet one of the following education requirements:

1. Obtain a baccalaureate degree, which meets the requirements of (b) below, from a school within the United States and graduate from an acupuncture program, which meets the requirements of (e) below;

2. Obtain the equivalent of a baccalaureate degree from a school in another country and complete either:

i. An acupuncture program, which meets the requirements of (e) below in the United States ; or

ii. An acupuncture program that is part of the baccalaureate degree program or its equivalent in another country;

3. Hold an unencumbered license as a physician in New Jersey or a license as a dentist in New Jersey . An applicant who qualifies for certification by this method shall submit to the Board proof that he or she holds a license to practice medicine and surgery in New Jersey or a license to practice dentistry in New Jersey; or

4. Successfully complete a tutorial program in acupuncture, which meets the requirements set forth in N.J.A.C. 13:35-9.17.

(b) An individual who obtains his or her education in the United States shall submit proof that he or she has obtained a baccalaureate degree. An applicant shall arrange for the college or university to submit a certified transcript directly to the Board.

(c) An individual who obtains his or her education in another country shall arrange for a transcript evaluating company recognized by NCCAOM to submit a credential evaluation directly to the Board.

(d) The credential evaluation required by (c) above shall demonstrate that the applicant obtained a degree:

1. That is equivalent to a combined baccalaureate degree and an acupuncture program from a college or university in another country that is accredited in that country;

2. That is equivalent to a masters degree or doctoral degree for which a baccalaureate degree or its equivalent was a prerequisite, and an acupuncture program from a college in another country that is accredited in that country;

3. From a college or university in another country that is equivalent to a baccalaureate degree. The college or university shall be accredited in the other country. An applicant who qualifies for certification by this method shall submit proof that he or she completed an acupuncture program in the United States that complies with (e) below; or

4. From a college in another country that is equivalent to a masters degree or doctoral degree for which a baccalaureate degree or its equivalent was a prerequisite. The college or university shall be accredited in the other country. An applicant who qualifies for certification by this method shall submit proof that he or she completed an acupuncture program in the United States that complies with (e) below.

(e) An acupuncture program that is required for certification shall be given by a school accredited by the Accreditation Commission for Acupuncture and Oriental Medicine, the Commission on Recognition of Post-Secondary Accreditation or the United States Department of Education. A list of accredited acupuncture schools shall be maintained by the Board and provided to an applicant upon request. An applicant shall arrange for the school of acupuncture to submit a certified transcript confirming that a diploma was awarded to the applicant directly to the Board.

(f) Commencing *[(four years from the effective date of this rule)]* ***June 21, 2014***, the acupuncture program required by (e) above shall consist of at least 2,500 hours of instruction.

(g) Any credentials required to be submitted pursuant to (a), (b) or (d) above, which are written in a language other than English shall be accompanied by an English translation prepared at the applicant's expense. A list of translation services shall be provided by the Board to an applicant upon request.

13:35-9.5 New Jersey acupuncture safety and jurisprudence examination

(a) An applicant shall pass the acupuncture safety and jurisprudence examination in English administered by the Board.

[page=1218] (b) An applicant shall complete all of the requirements set forth in N.J.A.C. 13:35-9.3 before he or she may take the Board administered acupuncture safety and jurisprudence examination.

(c) An applicant who has passed the acupuncture safety and jurisprudence examination shall become certified within six months of passing the examination. If an applicant fails to become certified within the six months, he or she shall be required to retake the examination before being issued a certificate.

13:35-9.6 Training required of a physician or dentist

(a) A physician licensed by the New Jersey Board of Medical Examiners, or dentist licensed by the New Jersey Board of Dentistry, may practice acupuncture without being certified if he or she has:

1. Graduated from an acupuncture program given by a school accredited by the Accreditation Commission for Acupuncture and Oriental Medicine, the Commission on Recognition of Post-Secondary Accreditation or the United States Department of Education; or

2. Has completed a 300-hour comprehensive acupuncture coursework or training, which qualifies for continuing medical education credits pursuant to N.J.A.C. 13:35-6.15 and which includes at least 150 hours of clinical training, taught by an instructor or instructors who are certified as acupuncturists in New Jersey, are legally authorized to perform acupuncture services in another state, are licensed physicians in New Jersey who have met the requirements of this section or are licensed dentists in New Jersey who have met the requirements of this section. The course shall include:

i. Traditional Oriental medicine, which includes the theory and practice of traditional diagnostic and therapeutic procedures;

ii. Acupuncture anatomy and physiology, which includes fundamentals of acupuncture, including point location, the meridian system, special and extra loci and auriculotherapy; and

iii. Acupuncture techniques, such as instruction in the use of needling techniques, moxibustion and electroacupuncture, including precautions, such as sterilization of needles, contraindications and complications.

(b) Coursework or training that meets the requirements of (a)2 above shall consist of at least 150 hours of didactic and clinical instruction, which the dentist, physician or surgeon is physically attending.

(c) An individual who is qualified to practice acupuncture pursuant to (a) above and who wishes to obtain documentation from the Board indicating that he or she has met the qualifications of (a) above shall submit a written request to the Board for documentation acknowledging that he or she has met the educational requirements of (a)1 or 2 above.

(d) Pursuant to N.J.S.A. 45:2C-7, an individual who is qualified to practice acupuncture pursuant to (a) above shall not use a title "acupuncturist," "certified acupuncturist" or "CA."

13:35-9.7 Prohibited titles

(a) An acupuncturist shall not represent that he or she has a doctoral degree in the field of acupuncture and/or oriental medicine, or use the title "doctor" or "Dr.," unless the educational program that awarded his or her degree is:

1. Approved by the Accreditation Commission of Acupuncture and Oriental Medicine (ACAOM) or is a college or university that is accredited by an regional accrediting agency recognized by the Council for Higher Education Accreditation (CHEA) or the United States Department of Education; or

2. Approved by the ministry of education of a foreign country to grant doctoral degrees.

(b) An acupuncturist who uses the title "doctor" or "Dr." pursuant to (a) above shall indicate that the doctoral degree is in acupuncture and/or oriental medicine.

(c) An acupuncturist shall not represent that he or she has a masters degree in the field of acupuncture and/or oriental medicine unless the educational program that awarded his or her degree is:

1. Approved by the Accreditation Commission of Acupuncture and Oriental Medicine (ACAOM) or is a college or university that is accredited by an regional accrediting agency recognized by the Council for Higher Education Accreditation (CHEA) or the United States Department of Education; or

2. Approved by the ministry of education of a foreign country to grant masters degrees.

(d) An acupuncturist who has a doctoral or masters degree in a field other than acupuncture and/or oriental medicine may, in advertising or other materials visible to the public pertaining to the acupuncturist's practice, include this degree provided that the field in which the degree was awarded is specified without using an abbreviation and the doctoral or masters degree was obtained from an educational program, which meets the requirements of (a) or (c) above.

(e) An acupuncturist who has a doctorate in a field other than acupuncture or oriental medicine shall not use the title "doctor" in advertising or other materials visible to the public pertaining to the acupuncturist's acupuncture practice.

13:35-9.8 Fee schedule; refunds

(a) The Board shall charge the following fees:

1. Application Fee \$100.00

Recodify existing 4.-11. as 2.-9. (No change in text.)

10. Continuing education sponsor fee \$100.00

(b)-(d) (No change.)

13:35-9.9 Biennial certificate renewal; certificate suspension; reinstatement of suspended certificate; inactive status; return from inactive status

(a)-(i) (No change.)

13:35-9.10 Display of certificate

A certified acupuncturist shall post his or her certificate in a conspicuous location in his or her office. If a certified acupuncturist has more than one office, he or she shall obtain from the Board a duplicate certificate for each location.

13:35-9.11 Referral; informed consent

(a) (No change.)

(b) The acupuncturist shall fully disclose to the patient such information as will enable the patient to make an evaluation of the nature of the treatment and of any attendant risks, as well as of available alternative options and the risks and likely outcomes of those alternatives. The acupuncturist shall obtain informed written consent from the patient before beginning acupuncture treatment.

13:35-9.12 Scope of practice

(a) The use of any of the following to effect the stimulation of acupuncture points and channels is within the scope of practice of certified acupuncturists and shall be performed only by acupuncturists certified by the Board, individuals permitted to practice pursuant to N.J.S.A. 45:2C-8 and N.J.A.C. 13:35-9.6, students in acupuncture programs that meet the requirements of N.J.A.C. 13:35-9.4(e), guest acupuncturists permitted to perform acupuncture in New Jersey pursuant to N.J.A.C. 13:35-9.13 or apprentices in acupuncture tutorial programs that meet the requirements of N.J.A.C. 13:35-9.17:

1. Needles;

2. Moxibustion;

3. Teishin (pressure needles); and

4. Electroacupuncture (utilizing electrodes on the surface of the skin or current applied to inserted needles).

(b) Certified acupuncturists, individuals permitted to practice pursuant to N.J.S.A. 45:2C-8 and N.J.A.C. 13:35-9.6, students in acupuncture programs that meet the requirements of N.J.A.C. 13:35-9.4(e), guest acupuncturists permitted to perform acupuncture in New Jersey pursuant to N.J.A.C. 13:35-9.13 or apprentices in acupuncture tutorial programs that meet the requirements of N.J.A.C. 13:35-9.17 may, in addition to the methods listed in (a) above, use any of the following methods to effect the stimulation of acupuncture points and channels as part of his or her professional practice:

1. Acupatches;
2. Acuform;
3. Manual acutotement (stimulation by an instrument that does not pierce the skin);
4. Acupressure;
5. Cupping;
6. Gwa-sha scraping techniques;
7. Cold laser used for needle-less acupuncture;
- [page=1219] 8. Tui-na;
9. Massage, bodywork and somatic therapy;
10. Ultrasonic;
11. Thermal methods;
12. Herbal applications;
13. Magnetic stimulation;
14. Breathing techniques; and
15. Exercise to promote health and energetic balance.

(c) Certified acupuncturists, individuals permitted to practice pursuant to N.J.S.A. 45:2C-8 and N.J.A.C. 13:35-9.6, students in

acupuncture programs that meet the requirements of N.J.A.C. 13:35-9.4(e), guest acupuncturists permitted to perform acupuncture in New Jersey pursuant to N.J.A.C. 13:35-9.13 or apprentices in acupuncture tutorial programs that meet the requirements of N.J.A.C. 13:35-9.17 may use the following when providing acupuncture:

1. Solid filiform needles;
2. Dermal needles;
3. Plum blossom needles;
4. Intradermal/press needles;
5. Prismatic needles; and
6. Disposable lancets.

(d) Certified acupuncturists, students in acupuncture programs that meet the requirements of N.J.A.C. 13:35-9.4(e), guest acupuncturists permitted to perform acupuncture in New Jersey pursuant to N.J.A.C. 13:35-9.13 or apprentices in acupuncture tutorial programs that meet the requirements of N.J.A.C. 13:35-9.17 shall not use the following when providing acupuncture:

1. Staples;
2. Hypodermic needles; and
3. Subcutaneous permanently implanted needles or sutures.

13:35-9.13 Guest acupuncturist

(a) An individual who is not a certified acupuncturist, an individual who is permitted to practice pursuant to N.J.S.A. 45:2C-8 and N.J.A.C. 13:35-9.7, a student in an acupuncture program that meets the requirements of N.J.A.C. 13:35-9.4(e) or an apprentice in an acupuncture tutorial program, which meets the requirements of N.J.A.C. 13:35-9.17, may perform acupuncture services as a guest acupuncturist if:

1. The individual receives permission from

the Board to act as a guest acupuncturist pursuant to (c) below;

2. The individual performs acupuncture services as an instructor in a baccalaureate degree program, an acupuncture program that meets the requirements of N.J.A.C. 13:35-9.4(e) or a continuing education course that meets the requirements of N.J.A.C. 13:35-9.20(d); and

3. The individual is legally authorized to perform acupuncture services in another state or in another country.

(c) An individual seeking permission to act as a guest acupuncturist shall arrange for an individual in charge of the baccalaureate degree program, acupuncture program or continuing education course in which he or she will act as an instructor to submit a request for permission to the Board, in writing, no later than 60 days prior to the guest acupuncturist's initial educational presentation in New Jersey. A resume or summary of the guest acupuncturist's credentials, written in English, shall accompany the request for approval.

(d) An individual performing acupuncture services pursuant to this section shall not:

1. Perform acupuncture services in New Jersey for more than 30 days within a calendar year; or

2. Open an office or appoint a place to meet patients or receive calls from patients in New Jersey .

13:35-9.14 Uncertified practice of acupuncture

(a) An individual is engaging in uncertified practice of acupuncture if the individual engages in any of the practices outlined in N.J.A.C. 13:35-9.12(a) and is not:

1. Certified by the Board as an acupuncturist;

2. A physician or dentist whose course of training has included acupuncture pursuant to N.J.S.A. 45:2C-8 and N.J.A.C. 13:35-9.7;

3. A guest acupuncturist permitted to perform acupuncture services pursuant to N.J.A.C. 13:35-9.13;

4. A student participating in an acupuncture program pursuant to N.J.A.C. 13:35-9.4(e); or

5. An apprentice in an acupuncture tutorial program that meets the requirements of N.J.A.C. 13:35-9.17.

13:35-9.15 Precautionary and sterilization procedures

(a)-(d) (No change.)

(e) Disposable acupuncture needles shall be placed in a rigid, puncture-proof, sealable container. The container shall be sealed and labeled as a disposal container and shall be labeled as bio-hazardous material. The disposal container shall be wiped with a disinfectant if blood or other bodily fluids are spilled on the outside of the container. The acupuncturist shall dispose of the container pursuant to the requirements of the Department of Environmental Protection implementing the Comprehensive Regulated Medical Waste Management Act, N.J.S.A. 13:1E-48.1 et seq., and N.J.A.C. 7:26-3A. The acupuncturist may delegate the responsibility to dispose the container to an agent approved by the Department of Environmental Protection.

(f)-(g) (No change.)

13:35-9.16 Preparation of patient records; computerized records; access to or release of information; confidentiality, transfer or disposal of records

(a) The following words and terms, as used in this section, shall have the following meanings unless the context clearly indicates otherwise:

1. (No change.)

2. "Patient" means any person who is the recipient of acupuncture.

(b) Acupuncturists shall prepare contemporaneous, permanent professional

treatment records. Acupuncturists shall also maintain records relating to billings made to patients and third-party carriers for professional services. All treatment records, bills and claim forms shall accurately reflect the treatment or services rendered. Treatment records shall be maintained for a period of seven years from the date of the most recent entry.

1. To the extent applicable, professional treatment records shall reflect:

i.-iii. (No change.)

iv. Progress notes;

v. Any orders for tests or consultations and the results thereof;

vi. Documentation indicating that informed consent was given by the patient;

vii. Findings from examinations; and

viii. Indication that a referral or diagnosis was made by a physician, including the name of the physician.

2. (No change.)

3. A patient record that is prepared and maintained on a personal or other computer shall be prepared and maintained as follows:

i.-v. (No change.)

vi. Where more than one acupuncturist is authorized to make entries into the computer file of any professional treatment record, the acupuncturist responsible for the acupuncture practice shall assure that each such person obtains a CPC and uses the file program in the same manner; and

vii. A copy of each day's entry, identified as preliminary or final as applicable, shall be made available to a physician responsible for the patient's care, to a representative of the Board, the Attorney General or the Division of Consumer Affairs no later than 10 days after a request for the record, or to a patient within 30 days of the request or promptly in the event of emergency.

(c) Acupuncturists shall provide access to professional treatment records to a patient or an authorized representative in accordance with the following:

1. (No change.)

2. Unless otherwise required by law, an acupuncturist may, if a patient requests, provide a summary of the record in lieu of providing a photocopy of the actual record, so long as that summary adequately reflects the patient's history and treatment. An acupuncturist may charge a reasonable fee for the preparation of a summary, which has been provided in lieu of the actual record, which shall not exceed the cost allowed by (c)3 below for that specific record.

3. Acupuncturists may require that a record request be in writing and may charge a fee for the reproduction of records, which shall be no [page=1220] greater than \$ 1.00 per page or \$ 100.00 for the entire record, whichever is less. If the record requested is less than 10 pages, the acupuncturist may charge up to \$ 10.00 to cover postage and the miscellaneous costs associated with retrieval of the record. If the acupuncturist provides a summary in lieu of the actual record, the charge for the summary shall not exceed the cost that would be charged for the actual record.

4.-5. (No change.)

(d) Acupuncturists shall maintain the confidentiality of professional treatment records, except that:

1. The acupuncturist shall release patient records as directed by a subpoena issued by the Board or the Office of the Attorney General, or by a demand for statement in writing under oath from the Board or the Office of the Attorney General, pursuant to N.J.S.A. 45:1-18. Such records shall be originals, unless otherwise specified, and shall be unedited, with full patient names. To the extent that the record is illegible, the acupuncturist, upon request, shall provide a typed transcription of the record. If the record is in a language other than English, the acupuncturist shall also provide a

translation.

2.-3. (No change.)

(e)-(f) (No change.)

Recodify existing 13:35-9.13, 9.14 and 9.15 as 9.17, 9.18 and 9.19

(No change in text.)

13:35-9.20 Continuing professional education requirements

(a) For purposes of this section, "contact hour" means at least 50 minutes of instruction.

(b) (No change in text.)

(c) No certificate renewal shall be issued by the Board unless the acupuncturist confirms on the renewal application that he or she completed at least 30 hours of continuing education.

(d) Credit for continuing professional education shall be granted as follows for each biennial period:

1. Publishing in a national professional journal, an article related to the practice of acupuncture: three continuing education hours per article, up to 15 hours;

2. Attending seminars and conferences related to the practice of acupuncture: one continuing education hour per contact hour;

3. Successfully completing graduate course work related to the practice of acupuncture taken beyond that required for professional certificate in a college or university that is regionally accredited or accredited by the Accreditation Commission of Acupuncture and Oriental Medicine (ACAOM): one continuing education hour per credit hour;

4. Teaching new courses or seminars related to the practice of acupuncture. "New" means that the acupuncturist has never taught or developed curriculum for that seminar or lecture in any educational setting: one continuing education hour per contact hour, up to 15 hours;

5. Acting as a clinical supervisor in an acupuncture program that meets the requirements of N.J.A.C. 13:35-9.4(e): one continuing education hour per each 15 hours of supervision, up to 10 hours;

6. Successfully completing a continuing education course that has been approved by NCCAOM or by boards or committees regulating acupuncture in other states: one continuing education hour for each contact hour;

7. Successfully completing a distance learning course approved by NCCAOM: one continuing education hour for each contact hour, up to 15 hours;

8. Successfully completing continuing education courses or programs that are pre-approved by the Board pursuant to (e) below: one continuing education hour for each contact hour; and

9. Successfully completing a course that an acupuncturist submits for approval to the Board pursuant to (f) below, one continuing education hour for each contact hour.

(e) Sponsors of continuing education programs or courses seeking Board approval shall obtain Board approval every biennial period prior to representing that any course, program or seminar fulfills the requirements of (c) above and shall:

1. At least 90 days prior to the commencement of the course, submit the following for each course, program or seminar offered for evaluation by the Board:

i. A detailed descriptive outline of course content and estimated hours of instruction; and

ii. The curriculum vitae of each lecturer, including specific background information, which qualifies the individual as a lecturer in the area of instruction;

2. Monitor the attendance at each approved course, program or seminar and furnish to each enrollee a written verification of attendance, which shall include at least the

following information:

- i. The title, date and location of the course, program or seminar offering;
- ii. The name and license number of the attendee;
- iii. The hours of instruction provided; and
- iv. The name and signature of the sponsor and the seal of the organization;

3. Evaluate course offerings. Evaluations shall be solicited from both the attendees and the instructors; and

4. Submit a fee pursuant to N.J.A.C. 13:35-9.8(a)11 for each submission of new courses, programs or seminars reviewed by the Board during the biennial licensing period.

(f) An acupuncturist may apply to the Board for approval of a course that does not meet the requirements of (d)2, 3, 6, 7 or 8 above. The acupuncturist shall submit to the Board the title, date and location of the course, program or seminar for which approval is being sought and the information required of a continuing professional education provider pursuant to (e)1 above.

(g) The Board may perform audits on randomly selected acupuncturists to determine compliance with continuing education requirements. An acupuncturist shall maintain the following documentation for a period of four years after completion of the hours and shall submit such documentation to the Board upon request:

1. For publication of an article: the published item, including the date of publication;

2. For attendance at seminars and conferences or completion of continuing education courses: a certificate of completion from the provider;

3. For completion of graduate course work: an official transcript;

4. For teaching a course or seminar:

documentation, including a copy of the curriculum, location, date and time of course or seminar, duration of course or seminar by hour and letter from provider confirming that the acupuncturist taught the course or seminar; and

5. For clinical supervision: documentation signed by the director of the acupuncture program indicating the number of hours of clinical supervision the acupuncturist provided.

(h) (No change in text.)

(i) The Board may waive continuing education requirements on an individual basis for reasons of hardship, such as illness, disability, active service in the military or other good cause. An acupuncturist who seeks a waiver of the continuing education requirements shall apply to the Board in writing at least 90 days prior to certificate renewal and set forth in specific detail the reasons for requesting the waiver. The acupuncturist shall provide the Board with such supplemental materials as will support the request for waiver. A waiver of continuing education requirements granted pursuant to this subsection shall be effective only for the biennial period in which such waiver is granted. If the condition(s), which necessitated the waiver continue into the next biennial period, an acupuncturist shall apply to the Board for the renewal of such waiver for the new biennial period.

(j) The Board may direct or order an acupuncturist to successfully complete continuing education credits:

1. As part of a disciplinary or remedial measure in addition to the required credits of continuing education; or

2. To correct a deficiency in the acupuncturist's continuing education requirements.

(k) Any continuing education credits completed by the acupuncturist in compliance with an order or directive from the Board as set forth in (i) above shall not be used to satisfy the minimum continuing

education requirements as set forth in this section.