

**Readopt with amendments Acp 301.01, Acp 301.02, Acp 306.01, Acp 401.02, Acp 401.04, Acp 402.03, and Acp 402.04, effective 6-27-12 (Document #10158), cited and to read as follows:**

CHAPTER Acp 300 LICENSE REQUIREMENTS, APPLICATIONS AND FEES

PART Acp 301 APPLICATION PROCEDURE

Acp 301.01 Application Process.

(a) Persons who wish to apply for a license to practice acupuncture in New Hampshire shall do so by submitting the following:

- (1) An application provided by the board which contains the information specified by Acp 301.02;
- (2) All additional supporting materials required of the applicant specified by Acp 301.02; and
- (3) The initial license fee as required by Acp 306.01(a).

(b) An application shall:

- (1) Be typewritten or legibly printed in original ink;
- (2) Be signed by the applicant, and
- (3) Have all sections complete or designated as not applicable to the applicant.

(c) Any application which is illegible, has incomplete sections, or is not signed shall be returned to the applicant.

(d) An application shall be considered to be on file with the board-on the date when the board has received:

- (1) A fully completed application form;
- (2) Proof that the applicant's check has been deposited and cleared; and
- (3) All required supporting documentation.

(e) Within 60 days of the date the application is on file with the board, the board shall request, if necessary, additional information or documentation needed to clarify the application or any materials related to the application.

(f) Unless a waiver of the following time limit has been requested by the applicant and granted by the board, the board shall approve or deny the application within a reasonable time not to exceed 120 days from:

- (1) The date the application is on file with the board; or
- (2) The date of the response to a request pursuant to Acp 301.01(e).

(g) If the application is denied, the applicant shall be provided an opportunity to request a hearing for reconsideration pursuant to Acp 214.01 on the deficiency issues identified by the board. Any such request for a hearing shall be submitted to the board within 30 days from the date of the board's notification of denial.

(h) If, within 30 days of the board's notification of denial, a request for a hearing is not made by the applicant, the application shall be closed.

(i) A pending application, awaiting information which the board has requested, shall be held open for one year from the date of filing after which it shall be closed. This time limit shall be extended upon written request to the board.

(j) All applications for licensure shall be kept as part of a permanent record.

(k) All licenses shall expire biennially ~~2 years from the date of issue.~~ **on June 30.**

Acp 301.02 Application Form. An application form for initial licensure shall be employed which requires the applicant to supply the following:

- (a) Name, including any previously used names that might appear on supporting documentation;
- (b) Residence and business addresses and telephone numbers;
- (c) Date of birth;
- (d) Gender information;
- (e) A 2" x 2" passport quality photo taken within 90 days of the date on the application;
- (f) A list of colleges and universities the applicant attended, dates of attendance, and degrees, if any received, supported by one of the following:
  - (1) An official transcript from the college or university which granted the degree;
  - (2) The original of the diploma awarded; or
  - (3) In the case of an undergraduate degree from a college or university outside the United States, supporting documents pursuant to Acp 302.03(c);
- (g) An applicant wishing to apply for a waiver of the degree requirement shall submit supporting documentation pursuant to Acp 302.03(b);
- (h) A list of acupuncture schools attended, dates attended, date of graduation and degree, certificate, or diploma awarded, supported by official transcripts from all acupuncture schools or colleges attended;
- (i) An applicant wishing to apply for a waiver of the post-secondary acupuncture college requirement shall submit supporting documentation pursuant to Acp 302.05;
- (j) A list of all other states and countries in which the applicant is currently licensed, registered, or otherwise allowed to practice acupuncture, dates of issue and expiration, and the license or certificate numbers. Documentation of the status of all current acupuncture licenses held shall be sent directly from the issuing state or country;
- (k) A list of other states and countries in which the applicant was ever previously licensed, registered, or otherwise allowed to practice acupuncture, including dates of issue and expiration;
- (l) A list of all states and countries in which the applicant was previously or is currently licensed, registered, or otherwise allowed to practice a healing art other than acupuncture, including dates of issue and expiration;

(m) Information regarding the applicant's certification by the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) supported by documentation of certification status sent to the board directly from the NCCAOM *or downloaded from the official NCCAOM website*, including:

- (1) Date of initial certification;
- (2) Date current certification expires; and
- (3) Whether the current certification is for acupuncture only or for acupuncture and herbal medicine or for oriental medicine;

(n) Disclosure, and explanation where applicable, of the following information:

- (1) If any malpractice claim has ever been made against the applicant, regardless of whether a lawsuit was filed in relation to the claim;
- (2) If the applicant has ever been denied an acupuncture license, certificate, or registration anywhere for any reason;
- (3) If the applicant ever had employment or appointment in a hospital, clinic or other health care facility suspended, or resigned from a health care facility in lieu of being subject to a disciplinary action;
- (4) If the applicant has any formal disciplinary charges pending or if any disciplinary action has been taken against the applicant by any acupuncture or medical board, any health care facility, or any professional acupuncture association;
- (5) If the applicant ever voluntarily surrendered a license to practice acupuncture or other healing art in lieu of facing disciplinary action;
- (6) If the applicant has, at any time, been convicted of a crime involving violence, abuse, fraud, dishonesty or drugs;
- (7) If the applicant ever had a professional license in a field other than acupuncture revoked, suspended, or otherwise terminated on disciplinary grounds, or if any disciplinary actions are currently pending against the applicant in relation to any professional license held; and
- (8) If the applicant has ever had or currently has an emotional disturbance or mental illness, an organic illness, or addictive disorder which impaired her or his ability to practice acupuncture or to function as an acupuncture student. If so, the applicant shall describe treatment received and the outcome of such treatment;

(o) A statement of the applicant's successful completion of the Clean Needle Technique Course supported by documentation of such directly from the NCCAOM or the Council of Colleges of Acupuncture and Oriental Medicine (CCAOM);

(p) A statement of moral character from 3 persons other than relatives of the applicant, who have known the applicant for at least 3 years, at least one of whom shall be an acupuncturist, licensed in this state or in another jurisdiction; and

(q) The applicant's signature on a statement which shall declare that the information and documentation provided is true, accurate, complete and unaltered.

#### PART Acp 306 FEES

Acp 306.01 Fee Schedule. ~~The fees required by the board shall be as set forth in Table 300-1:~~ ***Initial license application and license renewal fees shall be \$110.00 as required by RSA 328-G:9, II (d).***

Table 300-1 Fees

CATEGORY	DURATION	FEES	NOTES
Initial License	2 years	\$275.00	includes non-refundable \$75 application fee
License Renewal	2 years	\$225.00	includes non-refundable \$25 application fee
Temporary Teaching License	30 days	\$25.00	30 day duration except as specified in Acp 304.01(d)

#### Acp 401.02 Renewal of License.

(a) Any licensee wishing to renew a license shall submit the following no later than ~~30 days prior to~~ the date of license expiration:

(1) The renewal application supplied by the board which contains the information specified by Acp 401.03; and

(2) The fee specified by Acp 306.01(b).

(b) Failure to meet the requirements of Acp 401.02(a) by the prescribed date shall result in:

(1) The potential for a temporary period of lapsed licensure during which time the applicant shall not practice acupuncture provided that:

a. Such applicant has filed an application for renewal prior to the actual date of license expiration and that application is only awaiting board approval; or

b. Such applicant has filed a petition with the board pursuant to Acp 402.03; or

(2) Expiration of licensure if application for renewal has not been made prior to the actual date of license expiration.

(c) In the case of Acp 401.02(b)(2), such person shall not practice acupuncture until such time that a new license is applied for pursuant to Acp 301.01 and granted by the board.

(d) In the case of Acp 401.02(c), supporting documentation from the original application already on file with the board shall be deemed adequate.

Acp 401.04 Filing Date. An application for license renewal shall be filed no sooner than ~~90~~ **60** days and no later than ~~30 days before~~ the expiration date of the applicant's license.

Acp 402.03 Approved Continuing Education Units.

- (a) The following shall be considered board approved continuing education units:
  - (1) PDAs meeting the criteria of Acp 402.04 and Acp 402.05(a) which include:
    - a. Research related to the knowledge and/or practice of oriental medicine;
    - b. Publication which relates to the knowledge and/or practice of oriental medicine;
    - c. Teaching courses in acupuncture, oriental medicine or related topics in a preceptorship, formal school, or independent seminar;
    - d. Clinical supervision in a preceptorship or formal school;
    - e. Supervised clinical experience in oriental medicine including observation, case discussion, and/or supervised practice; and
    - f. Continuing education courses-including CD-ROM, teleconference and Internet-based programs; and
  - (2) Other continuing education courses which meet the criteria of Acp 402.04 and Acp 402.05.
- (b) PDA points shall be valued according to the following schedule:
  - (1) Every 2 clock hours of documented research shall be equivalent to one PDA point;
  - (2) Each acupuncture article published shall be equivalent to 10 PDA points;
  - (3) Each acupuncture book or major work published shall be equivalent to 30 PDA points;
  - (4) Each clock hour spent in teaching acupuncture shall be equivalent to one PDA point;
  - (5) Each clock hour spent in the clinical supervision of acupuncture students shall be equivalent to one PDA point;
  - (6) Each clock hour of supervised clinical experience under a senior acupuncturist shall be equivalent to one PDA point; and
  - (7) Each clock hour of a continuing education course is equivalent to one PDA point.
  - (8) *Each year of service on the board shall equal 5 PDA points.***

Acp 402.04 General Requirements of Continuing Education Courses.

(a) All courses shall be relevant to the practice of acupuncture and oriental medicine and provide skills and knowledge that enhance an acupuncturist's practice including:

(1) Oriental medical theory, techniques, nutrition, and herbology;

(2) Western sciences such as:

- a. Anatomy;
- b. Physiology;
- c. Pathology;
- d. Biochemistry;
- e. Microbiology;
- f. Psychology;
- g. Nutrition;
- h. History of medicine;
- i. Medical terminology; and
- j. Medical ethics.

(3) The study of Oriental languages, t'ai chi, and qi gong; and

(4) Any area of expertise covered in Acp 601.03.

**(5) Courses in business, management, insurance billing and practice building.**

**(6) Any course that is approved and accepted by NCCAOM.**

~~(b) Courses in business, management, insurance billing and practice building shall be ineligible for CEUs.~~

~~(b)~~ (b) One hour of classroom time shall be equivalent to one CEU.

~~(c)~~ (c) Attendance at all CEU courses shall be officially verified.

~~(d)~~ (d) CEU courses shall be board approved pursuant to Acp 402.05.

**Appendix**

<b>Rule</b>	<b>Statute</b>
Acp 301.01	RSA 328-G:7, I and RSA 541-A:29
Acp 301.02	RSA 328-G:7, I and RSA 541-A:16, I(b)(1)
Acp 306.01	RSA 328-G:9, IX and RSA 328-G:7, II
Acp 401.02	RSA 328-G:9, IX & X and RSA 328-G:7, II & III
Acp 401.04	RSA 541-A:30, I
Acp 402.03	RSA 328-G:9, X and RSA 328-G:7, III
Acp 402.04	RSA 328-G:9, X and RSA 328-G:7, III