

Readopt Acp 500, effective 6-27-12 (Document #10158), to read as follows:

Acp 501.01 Purpose and Scope. The purpose of this chapter is to define the responsibilities of licensees and to establish the parameters of professional and ethical conduct within the acupuncture profession, in order to:

- (a) Engender public confidence in and respect for the acupuncture profession; and
- (b) Foster mutual respect within the diverse acupuncture community.

Acp 502.01 Responsibilities of Licensees.

- (a) A licensee shall comply with all applicable rules adopted by the board.
- (b) A licensee shall submit only truthful and correct information, to the best of the licensee's knowledge and belief, in any application or other document filed with or statement made to the board.
- (c) A licensee shall cooperate with investigations and requests for information from the board.
- (d) A licensee shall inform the board of:
 - (1) A principal business address to which all official board communications should be directed; and
 - (2) All addresses where the licensee is practicing.
- (e) A licensee shall report to the board within 30 days any change or abandonment of a business address.
- (f) A licensee shall display his or her current New Hampshire acupuncture license at his or her principal place of business and a copy at any other place of business.
- (g) A licensee shall know and have available in his or her office information regarding how patients may contact the board regarding complaints.
- (h) A licensee shall maintain, for a minimum of 7 years from the date of the last acupuncture treatment, complete and accurate records of each patient treated, including:
 - (1) Name and address of patient;
 - (2) Dates of treatment;
 - (3) Treatments given; and
 - (4) Fees charged.
- (i) A licensee shall inform the board within 30 days of any disciplinary action taken against the licensee by a state, regional or national agency or association, including the NCCAOM.

(j) A licensee shall inform the board within 30 days of any civil action or insurance claim filed against the licensee that alleges malpractice.

(k) A licensee shall inform the board within 30 days of any decisions made in such civil actions or insurance claims as cited in Acp 501.02(j) above.

(l) A licensee shall, as required by RSA 328-G:10, IV, use sterile, disposable, one-use needles.

(m) A licensee shall use Clean Needle Technique.

(n) A licensee shall comply with all relevant state rules and federal regulations regarding safe practice and disposal of medical waste.

(o) A licensee shall not use the title “Doctor” or “Dr.” or “Physician” or any other designation that implies that such credentials relate to the provision of acupuncture services, as required by RSA 328-G:9, V, except as RSA-G:9, I, applies.

Acp 503.01 Obligation to Obey.

(a) The ethical standards set forth in this part shall bind all licensees, and violation of any such standard shall be a basis for imposing disciplinary sanctions.

(b) Conduct proscribed by these ethical standards shall be grounds for establishing that a person is in violation of RSA 328-G:9, II(e), with regard to character and shall be a basis for denying a license application or renewal or for issuing a restricted license.

Acp 503.02 Code of Ethics.

(a) A licensee shall adhere to the code of ethics required as a condition of NCCAOM certification, pursuant to 328-G:9, II(b).

(b) A licensee shall also adhere to the following standards:

(1) A licensee shall provide honest and accurate information in medical reports.

(2) A licensee shall report evidence of professional misconduct on the part of another licensee, when that conduct poses a potential threat to life, health, or safety.

(3) A licensee shall maintain sexual boundaries by:

a. Refraining from any behavior that exploits the practitioner-patient relationship in a sexual way; and

b. Avoiding any behavior that is sexual, seductive, suggestive, or sexually demeaning, or could be reasonably interpreted as such, even when initiated by or consented to by the patient; and

(4) A licensee shall be truthful in publicly representing or advertising him or herself by avoiding the following:

a. False, deceptive, or misleading statements;

- b. Unreasonable or exaggerated claims of success;
- c. Guarantees of success;
- d. Claims or implications of professional superiority or of training that cannot be substantiated;
- e. Unsubstantiated claims of expertise or certification of such in any specific areas of the scope of practice set forth in Acp 601.03; and
- f. Use of non-acupuncture graduate degrees in one's title without specifying the field.

APPENDIX I

RULE	SPECIFIC STATE STATUTE THE RULE IMPLEMENTS
Acp 501.01	RSA 328-G:1, II, RSA 328-G:7, V and RSA 328-G:11, I(a)
Acp 502.01	RSA 328-G:7, RSA 328-G:9, I, RSA 328-G:10, IV and RSA 328-G:12, II(c)
Acp 503.01	RSA 328-G:7, V; RSA 328-G:9, II (e) and RSA 328-G:12, II(c)
Acp 503.02	RSA 328-G:7, V; RSA 328-G:9, II (b) & (e) and RSA 328-G:12, II(c)