

**PART IV. PRACTICE OF ACUPUNCTURE**

**§1356. Definitions**

As used in this Part the following definitions apply:

(1) "Acupuncture" means treatment by means of mechanical, thermal or electrical stimulation effected by the insertion of needles at a point or combination of points on the surface of the body predetermined on the basis of the theory of the physiological interrelationship of body organs with an associated point or combination of points, or the application of heat or electrical stimulation to such point or points, for the purpose of inducing anesthesia, relieving pain, or healing diseases, disorders and dysfunctions of the body, or achieving a therapeutic or prophylactic effect with respect thereto.

(2) "Acupuncture detoxification", also known as acu detox, means the treatment by means of the insertion of acupuncture needles in a combination of points on the ear.

(3) "Acupuncture detoxification specialist", known as an A.D.S., means an individual certified to practice acupuncture detoxification.

(4) "Board" means the Louisiana State Board of Medical Examiners.

(5) "Licensed acupuncturist" means an individual other than a physician who is certified by the board to practice acupuncture pursuant to the provisions of R.S. 37:1358.

(6) "NADA" means the National Acupuncture Detoxification Association.

(7) "Physician" means an individual licensed to practice medicine in Louisiana.

(8) "Physician acupuncturist" means a physician certified by the board to practice acupuncture pursuant to the provisions of R.S. 37:1357.

(9) Repealed by Acts 2016, No. 550, §2.

Added by Acts 1975, No. 665, §1; Acts 2007, No. 452, §1; Acts 2016, No. 550, §§1, 2.

**§1357. Physician acupuncturists**

The board shall certify as a physician acupuncturist a physician licensed to practice medicine in Louisiana who has successfully completed either of the following:

(1) Six months' training in acupuncture in a school or clinic approved by the board.

(2) Three hundred credit hours of continuing medical education in acupuncture designated as category one continuing medical education hours by the American Medical Association.

Added by Acts 1975, No. 665, §1; Acts 2001, No. 849, §1; Acts 2016, No. 550, §1.

**§1357.1. Practice of acupuncture detoxification; certification; promulgation of rules; public health emergency**

A. The board shall certify as an acupuncture detoxification specialist an individual who works under the general supervision of a physician licensed by the board to practice in the state or a licensed acupuncturist certified by the board to practice in the state and has successfully completed the following:

(1) NADA training by a registered NADA trainer.

(2) NADA certification.

(3) Registration with the board.

B. Pursuant to the provisions of this Section, the board shall promulgate rules and regulations in collaboration with its Integrative and Complementary Medicine Committee that it deems necessary to regulate the certification of acupuncture detoxification specialists and the practice of acupuncture detoxification in the state. Such rules and regulations shall include but not be limited to the following:

(1) Provisions regarding the adoption of fees.

(2) Provisions regarding the action to deny, suspend, revoke, or place on probation individuals who act beyond the scope of practice or engage in unprofessional conduct.

(3) Provisions regarding the general supervision of acupuncture detoxification specialists.

**C. Acupuncture detoxification specialists from other states who are certified by NADA shall be allowed to practice acupuncture detoxification in Louisiana during a public health emergency and for such periods thereafter as the Louisiana Department of Health deems the need for emergency services to continue to exist, and under rules and regulations set forth by the board.**

Acts 2007, No. 452, §1; Acts 2016, No. 550, §1.

**§1358. Licensed acupuncturists; relationship with physician**

The board shall certify as a licensed acupuncturist an individual who meets both of the following:

(1) Holds active status with the National Certification Commission for Acupuncture and Oriental Medicine.

(2) Has successfully passed the certification examination, including the Biomedicine portion of the examination, given by the National Certification Commission for Acupuncture and Oriental Medicine.

Added by Acts 1975, No. 665, §1; Acts 2001, No. 849, §1; Acts 2003, No. 62, §1; Acts 2007, No. 452, §1; Acts 2016, No. 550, §1; Acts 2018, No. 93, §1.

**§1359. Annual report by board to legislature**

The board shall report annually to the legislature concerning the status of acupuncture practice in the state.

Added by Acts 1975, No. 665, §1; Acts 2016, No. 550, §1.

B. Renewal applications and instructions may be obtained from the board's web page or upon personal or written request to the board.

C. Each registered supervising physician and supervising licensed acupuncturist shall annually verify the accuracy of registration information on file with the board in a format approved by the board.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:1360 and 37:1270(B)(6).

**HISTORICAL NOTE:** Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 19:337 (March 1993), amended LR 34:1621 (August 2008), amended by the Department of Health, Board of Medical Examiners, LR 43:1366 (July 2017).

## **Subchapter F. Restricted Licensure, Permits**

### **§2131. Emergency Temporary Permit**

A. Acupuncture Detoxification Specialist. The board may issue an emergency temporary permit to an acupuncture detoxification specialist, valid for a period of not more than 60 days, to provide voluntary, gratuitous acu detox services in this state during a public health emergency and for such periods thereafter as the Louisiana Department of Health ("LDH") shall deem the need for emergency services to continue to exist, at sites specified by LDH or approved by the board. Application for such permit shall be made in accordance with §412 of this Part and include notification of intent to practice under a supervising physician or supervising LAc in a manner approved by the board.

B. Services performed by an ADS issued a permit under this Section shall be limited to acu detox, approved by and performed under the general supervision of the supervising physician or supervising LAc. All services shall be documented by the ADS and available for review by the supervising physician or supervising LAc.

C. Licensed Acupuncturist. The board may issue an emergency temporary permit to a licensed acupuncturist to provide voluntary, gratuitous acupuncture services in this state during a public health emergency, and for such periods thereafter as LDH shall deem the need for emergency services to continue to exist, in accordance with §412 of this Part.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:1270, 37:1275 and R.S. 37:1360.

**HISTORICAL NOTE:** Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 32:2057 (November 2006), amended LR 34:1621 (August 2008), amended by the Department of Health, Board of Medical Examiners, LR 43:1366 (July 2017).

## **Subchapter G. Acupuncture Advisory Committee**

### **§2139. Scope of Subchapter**

A. To assist the board on matters relative to acupuncture, an acupuncture advisory committee is hereby constituted, to be composed and appointed and to have such duties and responsibilities as hereinafter provided.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:1360, 37:1270.

**HISTORICAL NOTE:** Promulgated by the Department of Health, Board of Medical Examiners, LR 43:1367 (July 2017).

### **§2141. Constitution, Function and Responsibilities of Advisory Committee**

A. The board shall constitute and appoint an acupuncture advisory committee which shall be organized and function in accordance with the provisions of this Subchapter.

B. Composition. The committee shall be comprised of five members selected by the board, four of whom shall be licensed acupuncturists and one of whom shall be a physician acupuncturist or referral physician. All members of the advisory committee will be licensed by the board and practice and reside in this state.

C. Insofar as possible or practical, in its appointment of members to the advisory committee the board shall maintain geographic diversity so as to provide representative membership on the advisory committee by individuals residing in various areas of the state.

D. Term of Service. Each member of the committee shall serve for a term of four years, or until a successor is appointed and shall be eligible for reappointment. Committee members serve at the pleasure of the board. Committee members may be reappointed to two additional terms of four years.

E. Functions of the Committee. The committee will provide the board with recommendations relating to:

1. applications for licensure;
2. educational requirements for licensure;
3. changes in related statutes and rules;
4. model forms and examples of clinical practice guidelines and protocols; and