

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

FILED

JUL 1 11 44 AM '97

Form #2

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: WV BOARD OF ACUPUNCTURE TITLE NUMBER: 32

RULE TYPE: LEGISLATIVE; CITE AUTHORITY 30-35-7(a)

AMENDMENT TO AN EXISTING RULE: YES ___ NO X

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: 3

TITLE OF RULE BEING PROPOSED: HOMEOPATHY WITHIN THE
SCOPE OF ORIENTAL MEDICINE

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON July 31, 1997 AT 12:00 NOON. ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS.

WV BOARD OF ACUPUNCTURE

P.O. Box 252

HUNTINGTON WV 25707-0252

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

Dr. Darrell E. Samples, Secretary
Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

**West Virginia Board of Acupuncture
(Proposed Legislatived Rule)
HOMEOPATHY WITHIN THE SCOPE OF ORIENTAL MEDICINE**

This rule expands the scope of practice to include all medicines found in the Homeopathic Pharmacopea of the United States (HPUS). It defines the use of Homeopathic medicine within the Oriental Medical therapies.

West Virginia Board of Acupuncture
(Proposed Legislatived Rule)
HOMEOPATHY WITHIN THE SCOPE OF ORIENTAL MEDICINE

Homeopathy has been an integral part of natural medicine in the United States since its inception and is a recognized curriculum within American schools and colleges of Oriental Medicine. The West Virginia Board of Acupuncture recognizes this part of the training of Acupuncture Physicians.

Homeopathy has been recognized, through rigorous testing and experimentation, as having significant scientific evidence supporting its efficacy and safety. (Single medicines are given on the basis of an individual's manifestation of a disease state in comparison to combination remedies that are given on the basis of a particular diagnostic category).

The Board recognizes that Homeopathic medicines are subjected to federal regulations and restrictions. Homeopathy is practiced in a variety of traditional and non-traditional forms, and that electrodiagnostic testing is currently a tool appropriate to use by Acupuncture and Oriental Medical Physicians.

This rule expands the scope of practice as defined in 30-35-2 (a) 5. It clarifies the term oriental medical therapies.

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: HOMEOPATHY WITHIN THE SCOPE OF ORIENTAL MEDICINE
 Type of Rule: X Legislative Interpretive Procedural
 Agency W.V. BOARD OF ACUPUNCTURE
 Address P.O. Box 252
HUNTINGTON WV 25707-0252
DR. DARRELL E. SAMPLES
304 529-9355

1. Effect of Proposed Rule

	ANNUAL		FISCAL YEAR		
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
<u>ESTIMATED TOTAL COST</u>	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
PERSONAL SERVICES					
CURRENT EXPENSE					
REPAIRS & ALTERNATIONS					
EQUIPMENT					
OTHER					

2. Explanation of above estimates:

THERE IS NO EXPENSE INVOLVED IN THIS RULE.

3. Objectives of these rules:

TO CLARIFY SCOPE OF PRACTICE.

Rule Title: HOMEOPATHY WITHIN THE SCOPE OF ORIENTAL MEDICINE

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

NONE

B. Economic Impact on Political Subdivisions; Specific Industries; Specific groups of Citizens.

NONE

C. Economic Impact on Citizens/Public at Large.

NONE

Date:

June 25, 1997

Signature of Agency Head or Authorized Representative

Dr. Darrell E. Samples, Secretary

WEST VIRGINIA BOARD OF ACUPUNCTURE
(PROPOSED LEGISLATIVE RULE)
HOMEOPATHY WITHIN THE SCOPE OF ORIENTAL MEDICINE

32-3-1 GENERAL:

- 1.1 Scope of Practice to include Homeopathic Medicine and Homeopathic Pharmaceuticals.
- 1.2 Authority- 30-35-7 (a)
- 1.3 Filing Date-
- 1.4 Effective Date-

32-3-2 Homeopathy

- 2.1 Homeopathy, as taught in acupuncture schools and colleges and its practice, is hereby included in the scope of practice. WV Licensed Acupuncture Physicians recognize other licensed practitioners of the healing art who are also properly trained in homeopathy may utilize homeopathic medicine.
- 2.2 The WV Acupuncture profession can initiate clinical trials and provings to further evaluate the effectiveness of homeopathy.
- 2.3 WV Licensed Acupuncture Physicians are authorized to prescribe and dispense all products included in the Homeopathic Pharmacopoeia of the United States (HPUS).
- 2.4 Homeopathic products will be subject to strict labeling requirements. Preparations which are not prepared in accord with the manufacturing principles in the HPUS should not use the term "homeopathic." If parents choose homeopathic preparations for their children or their wards for the prophylaxis of infectious disease as an alternative to conventional vaccines, the physician should clearly state that they are unproven and that they are not legal substitutes for the state-mandated requirements.
- 2.5 Homeopathic prescriptions should be made with careful evaluation of their effect on the entire organism.
- 2.6 Electrodiagnostic testing should be used according to accepted protocol. It is recommended that it not be relied on as the sole determinant in homeopathic prescribing.