

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #4

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JAN 8 12 44 PM '99

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: BOARD OF ACUPUNCTURE TITLE NUMBER: 32
CITE AUTHORITY W.Va. Code § 30-36-7 & 30-36-14(f)
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: 32CRS5

TITLE OF RULE BEING PROPOSED: ADVERTISING BY
LICENSED ACUPUNCTURISTS

THE ABOVE PROPOSED LEGISLATIVE RULE, FOLLOWING REVIEW BY THE LEGISLATIVE RULE
MAKING REVIEW COMMITTEE IS HEREBY MODIFIED AS A RESULT OF REVIEW AND COMMENT
BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE. THE ATTACHED MODIFICATIONS ARE
FILED WITH THE SECRETARY OF STATE.


Authorized Signature

\$2.40

32 CRS 5

**Title 32
Legislative Rule
Board of Acupuncture**

**Series 5
Advertising By Licensed Acupuncturists**

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OFFICE OF THE ATTORNEY GENERAL
SECRETARY OF STATE

32-5-1. General.

- 1.1. Scope. --This rule establishes standards for the advertising of acupuncture.
- 1.2. Authority. -- W. Va. Code §30-36-7 and 30-36-14 (f).
- 1.3. Filing Date. --
- 1.4. Effective Date. --

32-5-2. Application and enforcement.

This legislative rules applies to all licensed acupuncturists, all student acupuncturists and all apprenticed acupuncturists. The enforcement of these rules is vested with the Board.

32-5-3. Recognized Titles.

Academic and professionally granted titles which may be used by acupuncturists practicing in W. Va. include, but are not limited to the following:

- 3.1. L.Ac. and Lic. Ac.-- Licensed Acupuncturist
- 3.2. O.M.D. -- Oriental Medical Doctorate
- 3.3. MSOMed. -- Master of Science in Oriental Medicine
- 3.4. D.Ac. -- Doctor of Acupuncture
- 3.5. C.A. -- Certified Acupuncturist
- 3.6. D.O.M. -- Doctorate of Oriental Medicine

32-5-4. Advertising.

A Board licensed acupuncturist may advertise the provision of any acupuncture services to the public, which are within the scope of practice, authorized by W.Va. Code § 30-36-2. The advertising may not promote the excessive or unnecessary use of the services.

32-5-5 Use of the Title Doctor

5.1. An acupuncturist may use the title "Doctor" or the abbreviation "Dr." in connection with the practice of acupuncture when he or she possesses an earned doctorate degree from an accredited, approved or authorized educational institution in acupuncture, Oriental medicine or a biological science. The use of the title "Doctor" or the abbreviation "Dr." by an acupuncturist as authorized in this subsection without further indication of the type of license, certificate or degree which authorizes that use, constitutes unprofessional conduct.

5.2. An acupuncture doctor shall clearly explain to his or her patients, in writing and verbally, that he or she is not a physician licensed to practice medicine or surgery, unless he or she is licensed under W.Va Code §30-3-1 et seq or W.Va Codes § 30-14-1 et seq.