

**WEST VIRGINIA**  
**SECRETARY OF STATE**  
**KEN HECHLER**  
**ADMINISTRATIVE LAW DIVISION**

Form #3

Do Not Mark In this Box

**FILED**

**AUG 1 8 55 AM '97**

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE  
AND  
FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**

AGENCY: WV BOARD OF ACUPUNCTURE TITLE NUMBER: 32

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: 32-5

TITLE OF RULE BEING PROPOSED: POINT PUNCTURE THERAPY

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE FOR THEIR REVIEW.

Dr. Darrell E. Samples, Secretary  
Authorized Signature

3.60

WEST VIRGINIA BOARD OF ACUPUNCTURE  
(PROPOSED LEGISLATIVE RULE)  
POINT PUNCTURE THERAPY

The purpose of this rule is to clarify the scope of practice to include point puncture therapy procedures which are used in Oriental Medicine. This rule explains the definition of oriental medicine therapies 30-35-2 (a) 5.

WEST VIRGINIA BOARD OF ACUPUNCTURE  
(PROPOSED LEGISLATIVE RULE)  
POINT PUNCTURE THERAPY

This rule is being proposed in order to define therapeutic procedures which are commonly used in oriental medicine. The explanation of the scope of practice in this rule defines point puncture as the injection of micro amounts of sterile solutions.

The rule also defines the solutions which are commonly used.

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: POINT PUNCTURE THERAPY  
 Type of Rule: X Legislative      Interpretive      Procedural  
 Agency: WV 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: POINT PUNCTURE THERAPY

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 J. Samples, Secretary

DATE: July 25, 1997

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: W.V. BOARD OF ACUPUNCTURE

LEGISLATIVE RULE TITLE: POINT PUNCTURE THERAPY

1. Authorizing statute(s) citation 30-35-7(a)

2. a. Date filed in State Register with Notice of ~~Hearing~~ Public Comment

June 25, 1997

b. What other notice, including advertising, did you give of the hearing?

c. Date of Hearing(s) \_\_\_\_\_

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.

Attached \_\_\_\_\_ No comments received X

e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing: (be exact)

August 1, 1997

f. Name and phone number(s) of agency person(s) to contact for additional information:

DR. DARRELL E. SAMPLES, SECRETARY

P.O. BOX 252

HUNTINGTON WV 25707-0252

304 529-9355

3. If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

a. Give the date upon which you filed in the State Register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided.

NA

b. Date of hearing: NA

c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

NA

d. Attach findings and determinations and reasons:

Attached

WEST VIRGINIA BOARD OF ACUPUNCTURE  
(PROPOSED LEGISLATIVE RULE)  
POINT PUNCTURE THERAPY

32-5-1 GENERAL:

- 1.1 Point puncture therapy is within the scope of practice as defined by oriental medical therapies.
- 1.2 Authority- 30-35-7 (a)
- 1.3 Filing Date-
- 1.4 Effective Date-

32-5-2 Point Puncture

- 2.1 Practitioners licensed by the WVBOA will have the right to perform point puncture therapy. This therapy is the micro-injection of sterile solutions into acupuncture points. These solutions are used at specific acupuncture points to induce therapeutic and physiologic action.
- 2.2 Sterile solutions include but are not limited to,
  1. Glucose solution
  2. Normal saline
  3. Ringer's solution
  4. Distilled water
  5. Homeopathic medicines
  6. Herbal preparations
  7. Vitamin preparations