

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #3

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**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: 32-6

TITLE OF RULE BEING PROPOSED: ELECTRODIAGNOSIS AND
ELECTROACUPUNCTURE

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

WEST VIRGINIA BOARD OF ACUPUNCTURE
(PROPOSED LEGISLATIVE RULE)
ELECTRODIAGNOSIS AND ELECTROACUPUNCTURE

The electrodiagnosis in practice explains the definition within the scope of practice (30-35-2 (b) 3). This rule outlines the general scope of electrodiagnosis and electroacupuncture according to Voll (EAV).

WEST VIRGINIA BOARD OF ACUPUNCTURE
(PROPOSED LEGISLATIVE RULE)
ELECTRODIAGNOSIS AND ELECTROACUPUNCTURE

Acupuncture physicians are primary care practitioners who specialize in the use of Oriental Medical therapeutic methods.

Acupuncture physicians use conventional and traditional methods of diagnosis and treatment. Some traditional methods have been vigorously criticized for being unscientific. The Acupuncture colleges and the profession have done much work developing and collecting the empirical, scientific and verifiable data supporting our practices.

This equipment measures the amount of current, by voltage or amperage between a ground that the patient holds and a testing probe at an Electrodiagnosis point (an acupuncture point).

There are three levels of electro-diagnosis:

- a. Meridian testing: Readings are interpreted to indicate strength of specific meridians, organ strength or physiologic function.
- b. Remedy testing: Variations in readings are interpreted when remedies are given to the patient either orally, to hold or put on a "testing plate" which is in a circuit with the electrodiagnostic equipment. Interpretations may include environmental sensitivities, nutritional enhancement, or improved physiologic function.
- c. Energy medicines: Electrodiagnostic equipment interprets information and manufactures an energy medicine which is given to the patient to take orally.

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: ELECTRODIAGNOSIS AND ELECTROACUPUNCTURE
 Type of Rule: 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: ELECTRODIAGNOSIS AND ELECTROACUPUNCTURE

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 31, 1997

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: W.V. BOARD OF ACUPUNCTURE

LEGISLATIVE RULE TITLE: ELECTRODIAGNOSIS AND ELECTROACUPUNCTURE

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 NA

WEST VIRGINIA BOARD OF ACUPUNCTURE
(PROPOSED LEGISLATIVE RULE)
ELECTRODIAGNOSIS AND ELECTROACUPUNCTURE

32-6-1 GENERAL:

1.1 Scope-Electrodiagnosis and Electroacupuncture according to Voll (EAV) are within the scope of practice as defined by oriental medical therapies (30-35-1 (a) 5) and electrical therapies (30-35-1 (b) 3).

1.2 Authority- 30-35-7 (a)

1.3 Filing Date-

1.4 Effective Date-

32-6-2 Electrodiagnosis

2.1 It is appropriate that the Acupuncture Physician pursue scientific and clinical research regarding the reproducibility and reliability of electroacupuncture and electrodiagnosis.

2.1 WVBOA licensed practitioners provide appropriate informed consent forms to be read and signed by their patients or guardians who receive electrodiagnosis or EAV.

2.3 ElectroAcupuncture according to Voll (EAV) equipment can be used for both diagnostic and therapeutic procedures, including but not limited to pain management, physiologic function and meridian therapy.

2.4 Electrodiagnosis is an acceptable form of oriental medical therapy.