

Frequently Asked Acupuncture Questions

Disclaimer

This information is provided for the benefit of consumers and is subject to change. Please refer to the Committee on Acupuncture regulations, located at 243 CMR 4.00 and 5.00, for more information. Please check the Committee on Acupuncture's website often for notices of proposed changes in the regulations.

GENERAL QUESTIONS

1. What is the Committee on Acupuncture (COA)?
2. How can I reach the COA?
3. What is the scope of practice for acupuncturists in Massachusetts?
4. As a licensed acupuncturist in Massachusetts, what title do I use alongside my name?
5. I have a doctorate in acupuncture from another state. May I use the title "Dr." or "D. Ac." or "acupuncture physician" in Massachusetts?
6. I have a doctorate in music (or some other non-acupuncture related area). May I refer to myself as a "doctor" or use the title "Ph.D." along with my "Lic.Ac."?
7. Does Massachusetts require malpractice insurance for acupuncturists?
8. As a licensed acupuncturist in Massachusetts, may I use Chinese herbs in my practice?
9. Do I have to notify the COA if I change my home or business address?
10. Who should I notify regarding a name change?
11. What should I do if I lose my wallet card or wall certificate?
12. If I have two offices, can I have a duplicate license for my second office?
13. Can a physician practice acupuncture?
14. Do I need a referral from a physician to see an acupuncturist?
15. How can I find an acupuncturist?
16. Is there a list of licensed acupuncturists in Massachusetts?

LICENSING

1. What is the Licensing Subcommittee?
2. I am currently licensed in another state. Does Massachusetts have reciprocity?
3. What types of acupuncture licenses are offered in Massachusetts?
4. Does Massachusetts have a special license distinction for practicing herbology?
5. How long does it take to become licensed as an acupuncturist in Massachusetts?
6. What are the basic requirements and fees for a full acupuncture license?
7. What are the basic requirements and fees for a temporary acupuncture license?
8. I did not take an undergraduate course in human anatomy, but I took a course that I think is equivalent. Can staff provide me with a course equivalency determination?
9. I received either my undergraduate or my acupuncture education outside of the United States. How early should I apply for licensure?
10. Is there a deadline date for submitting my application for a full acupuncture license?

11. I am applying for a license in another state. How do I request a verification of my previous or current Massachusetts license?
12. I need verification of my Massachusetts license and/or licensure examination scores sent to the NCCAOM. How do I request this information?
13. How can I get a copy of my full license or renewal application?
14. When do I have to renew my full license?
15. What happens if I do not renew my license by my renewal date?
16. What is the difference between active, inactive, and retired status?
17. Why do I need to provide my social security number?
18. What do I do if I am a foreign national who does not have a social security number?
19. Is the Biomedicine Module exam a requirement to apply for an acupuncture license?
20. Does an acupuncturist need to apply for an NPI Number?

CONTINUING ACUPUNCTURE EDUCATION

1. How many Continuing Acupuncture Education (CAE) credit hours are required to renew my license?
2. Can excess CAE credits earned during one license renewal period be "saved" and used during a subsequent period?
3. Do I send documentation of CAE credits with the license renewal form?
4. I have not completed the continuing education requirements for renewal of my license. How can I apply for an extension of time in which to complete my continuing acupuncture education requirements?
5. What courses or seminars can be used to satisfy the CAE requirements?
6. Is online CAE allowed?

COMPLAINTS AGAINST ACUPUNCTURISTS

1. How do I file a complaint against an acupuncturist?
2. What are the grounds for a complaint?
3. Why do I need to sign the Release of Medical Records and Information on the back of the complaint form?
4. Do you accept anonymous complaints?
5. Is there a time limit for filing my complaint?
6. How can I check on the progress of my complaint?
7. Will my acupuncturist find out that I filed a complaint?
8. What happens if the acupuncturist does not respond to the Board about my complaint?
9. How can I find out more about my rights as a patient?
10. My acupuncturist told me that she does not want me as a patient anymore. Can she suddenly terminate me?
11. Can my acupuncturist refuse to provide me with copies of my medical records because of an outstanding balance for medical treatment?
12. How long must an acupuncturist keep medical records?
13. How can I get my medical records from a deceased acupuncturist?

ANSWERS

GENERAL QUESTIONS

1. What is the Committee on Acupuncture (COA)?

The Committee on Acupuncture is comprised of four acupuncturists, one licensed physician who has been actively involved with the practice of acupuncture for at least two years, one public member who shall not engage in or have a financial interest in the delivery of health services, and one physician member of the Board. The COA works in cooperation with the Board to regulate the practice of acupuncture in Massachusetts. The COA functions include establishing the standards for acupuncture licensure, disciplining acupuncturists, and other regulatory activities which ensure the safe practice of acupuncture in Massachusetts.

2. How can I reach the COA?

COA members should not have direct communication with any person, or about any issues, that may ultimately come before the COA. You may reach out to the Licensing Division staff, who can be contacted by telephone at 781-876-8210 or by mail at Committee on Acupuncture, Board of Registration in Medicine, 200 Harvard Mill Square, Suite 330, Wakefield, MA 01880.

3. What is the scope of practice for acupuncturists in Massachusetts?

The scope of practice for acupuncturists may be found in 243 CMR 5.01.

4. As a licensed acupuncturist in Massachusetts, what title do I use alongside my name to indicate that I am licensed?

You are required to use the title "Lic.Ac." or "L.Ac." or "Licensed Acupuncturist" alongside your name in any advertising or other materials visible to the public pertaining to your acupuncture practice.

5. I have a doctorate in acupuncture from another state. May I use the title “Dr.” or “D. Ac.” or “acupuncture physician” in Massachusetts?

No, unless the licensee has applied to and received permission from the COA to do so. This would require submitting a written request and appropriate documentation to the COA. The use of the word “physician” in relation to the practice of acupuncture is never allowed in Massachusetts, unless one is a licensed Medical Doctor (M.D.).

6. I have a doctorate in music (or some other non-acupuncture related area). May I refer to myself as a “doctor” or use the title “Ph.D.” along with my “Lic.Ac.”?

In Massachusetts, there are regulations governing how an acupuncturist may identify himself or herself to the public. If an acupuncturist has a doctorate in a non-acupuncture

related area, he/she must specify the field in parentheses in the title, for example, John Lee, Lic.Ac., Ph.D. (Music).

7. Does Massachusetts require malpractice insurance for acupuncturists?

No, malpractice insurance is not currently required, although many acupuncturists do carry this insurance.

8. As a licensed acupuncturist in Massachusetts, may I use Chinese herbs in my practice?

In order to use Chinese herbs in an acupuncture practice, an acupuncturist must have additional education in herbology and have an acupuncture license with an herbology distinction. The COA grants an applicant an acupuncture license with a herbology distinction. The herbology distinction should be visible on the license. A licensee who is licensed after January 1, 2009, may obtain COA approval to employ herbal therapy, including patent or raw herbs, by submitting evidence of one of the following:

- (1) Completion of an ACAOM accredited or candidate status oriental medicine program with a minimum of 1,905 hours of clinical/didactic training, of which at least 660 hours were training in herbs and at least 210 of those were clinical hours in acupuncture and herbs; and
- (2) certification by NCCAOM in Chinese Herbology.

NOTE: You cannot begin to use herbal therapy in your Massachusetts acupuncture practice until you receive notification from the COA that it has approved your request for herbology distinction.

9. Do I have to notify the COA if I change my home or business address?

Yes, you should notify Licensing Division staff within 30 days of a change in your home, mailing, or principal business address. A change of address form is available at www.mass.gov/eohhs/gov/departments/borim/acupuncture/licensing/forms-and-other-information.html. Licensing Division staff can be contacted by telephone at 781-876-8210 or by mail at Committee on Acupuncture, Board of Registration in Medicine, 200 Harvard Mill Square, Suite 330, Wakefield, MA 01880.

10. Who should I notify regarding a name change?

You must notify Licensing Division staff of your name change. A name change form is available at www.mass.gov/eohhs/gov/departments/borim/acupuncture/licensing/forms-and-other-information.html. Licensing Division staff can be contacted by telephone at 781-876-8210 or by mail at Committee on Acupuncture, Board of Registration in Medicine, 200 Harvard Mill Square, Suite 330, Wakefield, MA 01880.

11. What should I do if I lose my wallet card or wall certificate?

You must notify Licensing Division staff in writing of a lost wallet card or wall certificate. A wallet card replacement form is available at www.mass.gov/eohhs/gov/departments/borim/acupuncture/licensing/forms-and-other-information.html. Licensing Division staff can be contacted by telephone at 781-876-8210 or by mail at Committee on Acupuncture, Board of Registration in Medicine, 200 Harvard Mill Square, Suite 330, Wakefield, MA 01880.

12. If I have two offices, can I have a duplicate license for my second office?

No, the COA suggests that you make a photocopy of your original license and put the photocopy in the second office.

13. Can a physician practice acupuncture?

Yes, in Massachusetts, a physician with an active status does not need an acupuncture license to practice acupuncture. Acupuncture is considered to be within the scope of the practice of medicine; however, many physicians who use acupuncture in their practice also have an acupuncture license.

14. Do I need a referral from my physician to see an acupuncturist?

No, unless referrals are required as a term of your health insurance provider's coverage. In 1998, Massachusetts repealed a law that required a patient to obtain a physician referral prior to seeing an acupuncturist. (Acts of 1998, Chapter 114, § 2).

15. How can I find an acupuncturist?

There are several professional acupuncture organizations and schools of acupuncture that may be able to assist you in finding an acupuncturist.

16. Is there a list of licensed acupuncturists in Massachusetts?

Yes, the COA maintains a list of its licensees that can be made available upon written request. Forms for requesting a paper list or a CD with the names of active licensees are available at www.mass.gov/eohhs/gov/departments/borim/acupuncture/licensing/forms-and-other-information.html.

LICENSING

1. What is the Licensing Subcommittee?

The Licensing Subcommittee (Subcommittee) consists of two (2) COA members who review issues dealing with education. They must review all issues prior to the application being presented to the COA. The Subcommittee's meeting schedule is posted on the COA's website.

2. I am currently licensed in another state. Does Massachusetts have reciprocity?

No, Massachusetts does not have reciprocity. You must apply for a full license. A full license application is available at www.mass.gov/eohhs/gov/departments/borim/acupuncture/licensing/full-license.html. You must complete the application and provide all of the documents requested, including verification of licensure in each of the states where you have ever been licensed. Most states charge a processing fee for verification of a state license. Before mailing the state license verification form, contact the state licensing board for the fee requirement.

3. What types of acupuncture licenses are offered in Massachusetts?

A full or a temporary license is available.

- **Full license:** You must hold an active full license to practice acupuncture independently in the Commonwealth of Massachusetts. An active licensee must earn Continuing Acupuncture Education (CAE) credits. The full license fee is \$300.00. Full license documents are available at www.mass.gov/eohhs/gov/departments/borim/acupuncture/licensing/full-license.html.
- **Temporary license:** A temporary license may only be issued to those individuals who wish to practice acupuncture in the following situations:
 1. an instructor in a Committee-approved internship program offered by a Committee-approved acupuncture school;
 2. an instructor in an acupuncture educational seminar or program who demonstrates acupuncture techniques on patients;
 3. a participant in a postgraduate clinical training program; or
 4. a participant in a continuing education course that includes the insertion of needles.
 5. When a temporary licensee is participating in a postgraduate clinical training program or a CAE program, he or she must be supervised by an active full licensee.

A temporary license fee is \$150.00 and is valid for one year with renewal yearly for a maximum of two years. If you wish a temporary license application package, please contact the Licensing Division staff at 781-876-8210.

4. Does Massachusetts have a special license distinction for herbology?

Yes. Although herbology is included in the practice of acupuncture, acupuncturists who wish to use herbs in their practice must have received additional education in herbology and must maintain continuing acupuncture education in herbology. An applicant who plans to employ herbal therapy (patent or raw) in his or her practice must submit evidence of completion of one of the following:

1. Completion of an Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM) accredited or candidate status oriental medicine program with a minimum of 1,905 hours of clinical/didactic training, of which at least 660 hours were training hours in herbs and at least 210 of those were clinical hours in acupuncture and herbs; and
2. Certification by NCCAOM in Chinese Herbology. To maintain the herbology distinction, a licensee must have a total of 30 hours of continuing acupuncture credits needed for biennial license renewal, of which at least 10 hours of training must be directly related to Herbology, of which 15 hours must be directly related to acupuncture and of which 5 hours may be indirectly related to acupuncture or herbology.

5. How long does it take to become licensed as an acupuncturist in Massachusetts?

Applications for a full or temporary acupuncture license are accepted on a continuous basis and are processed in the order received. It takes about 3 months to complete the full application process. The amount of time it takes depends on when all complete and correct documentation and fees are received. Once your application is complete, it will be presented to the COA at their next regularly scheduled COA meeting. You are licensed on the day the COA approves your application. At a minimum, the COA meets four (4) times a year. A calendar of COA meetings is available at www.mass.gov/eohhs/gov/departments/borim/acupuncture/meeting-schedule.html.

6. What are the basic requirements and fees for a full acupuncture license?

Submission of a complete application for licensure along with the \$300.00 application fee. The basic requirements are as follows:

1. An applicant must be at least 18 years of age.
2. An applicant must be of good moral character.
3. An applicant must demonstrate sufficient knowledge of the English language to understand and to be understood by patients, physicians and COA staff. All applicants who take the NCCAOM examination must take all components of the examination in the English Language.

All applicants for licensure whose native language is not English must submit proof of passing the TOEFL exam with a score of 550 or better. The computer-based passing score will be 213 and the internet-based passing score will be 80.

- a. The native language pertains to the native language of the country of birth of the applicant.
- b. The TOEFL exam must have been taken within two years of the date the applicant signs the Massachusetts Application for a Full Acupuncture License and the TOEFL score result must be sent directly to the Board of Medicine from the agency administering the TOEFL exam.

An applicant must pass the Massachusetts Licensure Exam, which currently consists of the following:

1. National Commission for the Certification of Acupuncture and Oriental Medicine (NCCAOM) examination in Acupuncture; and
2. NCCAOM examination in Foundations of Oriental Medicine; and
3. National Commission for the Certification of Acupuncture and Oriental Medicine (NCCAOM) examination of Point Location, and
4. NCCAOM examination in Biomedicine, as of January 1, 2007; and
5. Council of Colleges of Acupuncture and Oriental Medicine (CCAOM) Clean Needle Course

Educational Requirements:

- a) The applicant must have completed two full years of undergraduate study (60 semester hours or 90 quarter hours or the equivalent) at an accredited college or university (which cannot be your acupuncture school) or foreign institution which the Committee on Acupuncture deems the equivalent.
- b) The applicant must have completed, at an accredited college or at a Committee-approved acupuncture school, a three semester hour course in each of the following: general biology, human physiology, and human anatomy. For applicants entering acupuncture school after June 30, 2009, at least one of these three science courses must have a laboratory course requirement. The COA will not accept correspondence or self-study courses or equivalency examinations for any of these three required courses. In extraordinary circumstances, the Committee may consider a request by an applicant to have a course deemed the equivalent of a course in general biology, human physiology and human anatomy. The applicant must provide all documentation necessary for the COA to evaluate whether the course qualifies as an equivalent.
- c) The applicant must have completed a minimum of 1,905 hours of clinical and didactic instruction in acupuncture-related courses, of which a minimum of 100 hours must be in the supervised diagnosis and treatment of patients for whom the applicant is solely responsible, in a school approved by the COA. Coursework in general biology, human physiology, and human anatomy are excluded from the 1,905 hours of required acupuncture education.
- d) An applicant must have received a minimum of 30 hours of herbal medicine training from a COA approved school or COA approved program in order to be licensed.
- e) An applicant who is licensed after January 1, 2009, may seek Committee approval to employ herbal therapy (patent or raw) in his or her practice, by submitting evidence of the following:

1. Completion of an Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM) accredited or candidate status oriental medicine program with a minimum of 1,905 hours of clinical/didactic training, of which at least 660 hours were training hours in herbs and at least 210 of those were clinical hours in acupuncture and herbs; and
 2. Certification by NCCAOM in Chinese Herbology.
- f) Foreign applicants whose post-secondary education combined acupuncture training college level education must have a minimum of five full academic years of study, of which three full academic years must consist of acupuncture training in a Committee-approved school. All transcripts must be in English and must state the number of hours for each class, the number of hours for the entire program, the number of months in attendance and the date the diploma was awarded. Only foreign schools that are government approved will be recognized by the Committee on Acupuncture.
 - g) An applicant must have graduated from an acupuncture school approved by the COA. (Note: An acupuncture school must be Committee on Acupuncture approved on the date the applicant graduates from the school.)
 - h) An original transcript must be sent directly from an applicant's undergraduate school to the COA.
 - i) An original transcript must be sent directly from an applicant's acupuncture school to the COA showing the date an applicant's diploma was awarded.
 - j) An original transcript must be sent directly from an applicant's school(s) listing a 3-credit course in human anatomy; a 3-credit course in human physiology, and a 3-credit course in general biology. The transcript must clearly show a laboratory requirement for at least one of the three undergraduate science courses.

7. What are the basic requirements and fees for a temporary acupuncture license?

Submission of a complete application for a temporary license along with the \$150.00 application fee. A temporary license is for one year with renewal yearly for a maximum of two years. Completed applications should be submitted 60 days prior to the start of an internship program, educational seminar or program, or postgraduate clinical training program. The basic requirements are noted below.

To qualify for a temporary license as an instructor in a Committee-approved internship program, an applicant shall have a temporary faculty appointment in a Committee-approved school of acupuncture and shall have:

1. credentials equivalent to those necessary for a full license; or
2. training and experience which, in the judgment of the Committee, are sufficient for an instructor in an internship program.

To qualify for a temporary license as an instructor in an acupuncture educational seminar or program, an applicant shall have:

1. credentials equivalent to those necessary for a full license; or
2. training and experience which, in the judgment of the Committee, are sufficient for an instructor of the acupuncture techniques to be demonstrated in the educational seminar or program.

To qualify for a temporary license as a participant in a postgraduate clinical training program in acupuncture, an applicant shall be a graduate of a Committee-approved acupuncture school, shall have been accepted into a postgraduate clinical training program, and shall have the undergraduate educational requirements specified in 243 CMR 5.03(1) and shall be supervised by an active licensed acupuncturist who is in good standing with the Committee.

To qualify for a temporary license as a participant in a continuing acupuncture education course, an applicant shall be a graduate of a Committee-approved acupuncture school, shall have been accepted into a Committee-approved continuing acupuncture education course, shall have the undergraduate educational requirements specified in 243 CMR 5.03(1) and shall be supervised by an active licensed acupuncturist who is in good standing with the Committee.

Application for temporary licensure shall be made through the dean's office of the acupuncture school hiring the temporary licensee, through the organization sponsoring the acupuncture educational seminar or program, through the institution sponsoring the postgraduate clinical training program or by the applicant on an application form provided by the Committee.

8. I did not take an undergraduate course in human anatomy, but I took a course that I think is equivalent. Can staff provide me with an answer regarding course equivalency determination?

No, questions regarding equivalency cannot be answered over the phone. You must make a written request to the COA for an equivalency determination. Equivalency determinations are made by the Committee or its Licensing Subcommittee, are made only in extraordinary circumstances, and are based on the requirements stated in the regulations. To request an equivalency determination, you must have an official transcript, course syllabus and any other course materials sent directly from the school you attended and your application must be received by the COA six (6) months in advance.

9. I received either my undergraduate or my acupuncture education outside of the United States. How early should I apply for licensure?

If you received your undergraduate and/or acupuncture education outside of the United States, the Acupuncture Unit must receive your application at least six months in advance of the meeting date at which you wish your application to be considered by the COA.

As of January 1, 2009, educational institutions outside the United States, Puerto Rico, the District of Columbia, and the territories of the United States will be approved by the Committee on a case-by-case basis, according to the standards set by the AACRAO. The applicant shall submit a Foreign Education Review Application directly to the AACRAO, along with all educational documents requested by AACRAO. The applicant must receive an AACRAO credentials review report and submit this to the Committee, who will then determine whether to approve the acupuncture school. This verification process

may take several months—six months or more is not uncommon. While this may delay licensure in some cases, it is a necessary step in the licensure process.

10. Is there a deadline date for submitting my application for a full acupuncture license?

Yes, the deadline dates for submission are available at www.mass.gov/eohhs/gov/departments/borim/acupuncture/licensing/full-license.html.

11. I am applying for a license in another state. How do I request a verification of my previous or current Massachusetts license?

A license verification request form is available at www.mass.gov/eohhs/gov/departments/borim/acupuncture/licensing/forms-and-other-information.html.

12. I need to have verification of my license and/or Massachusetts licensure exam scores sent to the NCCAOM. How do I request this information?

Send your request to the COA along with a check or money order payable to the Commonwealth of Massachusetts in the amount of \$10.00. The original will be sent directly to the NCCAOM and a copy to you for your files.

13. How can I get a copy of my full license or renewal application?

You must send a letter to the COA indicating whether you are requesting a copy of your full license application or renewal application. Please mail your request to the Board of Registration in Medicine, Committee on Acupuncture, 200 Harvard Mill Square, Suite 330, Wakefield, MA 01880.

14. When do I have to renew my full license?

A full licensee must renew his or her license every two years. The renewal date is the licensee's birthday. The first renewal date is in the second year following the year in which the full license was granted, unless that date is within 15 months of the date the license was originally granted, in which case the first renewal date is in the third year following the year in which the license was granted. Renewals, thereafter, will be on a two-year birthday cycle. The renewal application fee is \$200.00.

15. What happens if I do not renew my license by my renewal date?

If the COA has not received your completed renewal application by your renewal date, your license will lapse for non-renewal. Revocation for failure to renew prohibits you from practicing acupuncture in Massachusetts until you have completed the renewal requirements. You may reinstate your acupuncture license to either an active or inactive status by completing the lapsed license application and returning the application plus the fee of \$300.00 immediately. If you are renewing on an *active* status you must enclose

proof of completion of 30 hours of COA approved Continuing Acupuncture Education (CAE).

Pursuant to 243 CMR 5.07(4)(c) a licensee who allows her license to lapse for more than two years shall be required to submit an original application for full licensure. The Committee may, at its discretion, require as a condition for re-licensure that the licensee complete all or part of the continuing acupuncture education that have accrued, or retake the licensure examination if the license has lapsed for more than 10 years.

16. What is the difference between active, inactive and retired status?

The following is a list of license statuses:

- **Active Status:** An active license must have 30 hours of COA approved Continuing Acupuncture Education for each renewal cycle.
- **Inactive License:** A licensee who is inactive is exempt from the continuing medical education requirements and may not practice acupuncture in the state of Massachusetts. A licensee may change from inactive to active status by completing the Return to Active Status Request Form and completing the CAE requirements. If you would like to change your status from inactive to active, an application to return to active status is available at www.mass.gov/eohhs/gov/departments/borim/acupuncture/licensing/forms-and-other-information.html.
- **Retired Status:** When you no longer wish to practice acupuncture in Massachusetts, you may apply for a retired status, however you may not reapply for active status in Massachusetts after you have acquired retired status. Officially, in the Acupuncture Regulations, "retired" is not a license status; it is a final disposition. If you would like to change your status to retired, an application for inactive status is available at www.mass.gov/eohhs/gov/departments/borim/acupuncture/licensing/forms-and-other-information.html.

17. Why do I need to provide my social security number?

Massachusetts General Law, chapter 30A, section 13A, requires the COA to have every applicant provide his or her social security number as a condition of issuing or renewing a license.

18. What do I do if I am a foreign national who does not have a social security number?

You must apply for a social security number and provide it to the COA.

19. Is the Biomedicine Module exam a requirement to apply for an acupuncture license?

Yes, as of January 1, 2007, all applicants for an initial license must pass the NCCAOM Biomedicine Module examination.

20. Does an acupuncturist need to apply for an NPI Number?

Yes, the NPI number is required by hospitals and health plans for referrals and for reimbursement.

CONTINUING ACUPUNCTURE EDUCATION

1. How many Continuing Acupuncture Education (CAE) credit hours are required to renew my license?

The COA requires 30 hours of COA approved CAE credits within each renewal period. As a condition of renewal, a full licensee is required to complete 30 hours of continuing acupuncture education in a Committee-approved acupuncture program or course or other Committee-approved activity (this may include courses in western medicine or other healing arts) during each two-year period that begins on the date that his or her license is issued or renewed by the COA and ends on the following renewal date. A minimum of 15 hours must be spent in COA approved courses directly related to acupuncture. There are additional requirements if your acupuncture practice includes herbal therapy. You must have 10 hours of CAE directly related to herbology, 15 hours directly related to acupuncture, and 5 hours may be indirectly related to acupuncture or herbology.

2. Can excess CAE credits earned during one license renewal period be "saved" and used during a subsequent period?

No, a total of 30 CAE credits must be earned during each license renewal cycle.

3. Do I send documentation of CAE credits with the license renewal form?

You do not submit documentation of CAE credits with your renewal form. Keep your own records, as the COA expects you to be able to document CAE credits. You must maintain documentation for one full license renewal cycle after the credits were earned. You may be asked to present confirmation of your CAE hours if you are selected for random auditing by the COA.

4. I have not completed the continuing education requirements for renewal of my license. How can I apply for an extension of time in which to complete my continuing acupuncture education requirements?

A licensee who cannot meet the CAE requirements should apply for an extension no later than 60 days prior to the renewal date. The extension request must include a written explanation of the reason for failing to complete the CAE requirements, a listing of the

CAE credit hours earned and a plan for completing the CAE requirements. The COA may grant an extension of the CAE requirement for prolonged illness of the licensee and inaccessibility or unavailability of CAE programs. An application for the extension of CAE requirements is available at

www.mass.gov/eohhs/gov/departments/borim/acupuncture/licensing/forms-and-other-information.html.

5. What courses or seminars can be used to satisfy the CAE requirements?

CAE courses (other than home study courses) sponsored by the following organizations are automatically approved by the COA in either the directly related to or not directly related to acupuncture category.

1. COA approved acupuncture schools
2. The Acupuncture Practitioners Association of Massachusetts (APA)
3. The Acupuncture Society of Massachusetts (ASM)
4. The American Assoc. of Acupuncture and Oriental Medicine (AAAOM)
5. The American Medical Association (AMA)
6. The American Red Cross, the American Heart Assoc., etc.
7. The Massachusetts Assoc. of Acupuncture and Oriental Medicine (MAAOM)
8. The Massachusetts Medical Society (MMS)
9. The National Acupuncture & Oriental Medicine Alliance (NAOMA)
10. The National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM)
11. The Oriental Traditional Medical Association (OTMA)
12. The MA Chinese Society of Traditional Chinese Medicine
13. Zhejiang Provincial Hospital of Traditional Chinese Medicine, China
14. CAE courses (other than home study courses) approved by other state acupuncture licensing boards for Continuing Acupuncture and or Medical Education
15. CAE courses (other than home study courses) approved by other state health licensing boards (such as registered nurses, physical therapists, social workers, etc.) are automatically approved by the COA in the not directly related to acupuncture category.

NOTE: The CAE certificate of attendance that is given to the participant should contain the following information:

- Name of the above-mentioned preapproved sponsor of the course, workshop, or seminar
- Name of the participant
- Date(s) of attendance (month, day and year)
- Hour(s) attended.

If you have any questions please contact the Licensing Division staff at (781) 876-8210.

6. Is online CAE allowed?

Yes, provided that the course is sponsored by a COA approved organization and there is a post test and certificate of completion of the course.

COMPLAINTS AGAINST ACUPUNCTURISTS

1. How do I file a complaint against an acupuncturist?

An acupuncture complaint form is available at

www.mass.gov/eohhs/gov/departments/borim/acupuncture/complaint-process.html.

If you do not have internet access, you may contact the Consumer Protection Unit at (781) 876-8200 or mail your request for a complaint form to the Board of Registration in Medicine, Committee on Acupuncture, 200 Harvard Mill Square, Suite 330, Wakefield, MA 01880.

2. What are the grounds for a complaint?

A complaint against an acupuncturist must allege that a licensee is practicing acupuncture in violation of law, regulations, or good and accepted acupuncture practice, and may be founded on any of the following:

1. Fraudulent procurement of his or her license or its renewal;
2. Violation of any provision of the laws of the Commonwealth relating to the practice of medicine or acupuncture, or any rule or regulation adopted thereunder;
3. Conduct which places into question the acupuncturist's competence to practice acupuncture including, but not limited to, gross misconduct in the practice of acupuncture, or practicing acupuncture fraudulently, or beyond its authorized scope, or with gross incompetence, or with gross negligence on a particular occasion or negligence on repeated occasions;
4. Practicing acupuncture while the ability to practice is impaired by alcohol, drugs, chemicals, or any other type of substance, or by reason of illness, or as a result of any physical or mental condition;
5. Engaging in the abuse or illegal use of alcohol, prescription drugs, or controlled substances;
6. Knowingly permitting, aiding or abetting an unlicensed person to perform activities requiring a license;
7. Conviction of any crime;
8. Continuing to practice while his or her license is lapsed, suspended, or revoked;
9. Practicing acupuncture in a manner which is professionally unethical according to the ethical standards of the profession.
10. Violation of any rule or regulation of the Board or Committee;
11. Having been disciplined in another jurisdiction in any way by the proper licensing authority for reasons substantially the same as those set forth in M.G.L. c.112, § 158 or 243 CMR 4.03(5);
12. Cheating on or attempting to compromise the integrity of any acupuncture licensing examination;

13. Failure to report to the Committee, as required by law or regulation, any disciplinary action taken against the licensee by another licensing jurisdiction (United States or foreign), by any health care institution, by any professional or acupuncture society or association, by any governmental agency, by any law enforcement agency, or by any court for acts or conduct substantially the same as acts or conduct which would constitute grounds for complaint as defined in 243 CMR 4.03;
14. Failure to respond to a subpoena or to furnish the Committee, its investigators or representatives, documents, information or testimony to which the Committee is legally entitled;
15. Malpractice within the meaning of M.G.L. c. 112, § 61;
16. Misconduct in the practice of acupuncture.

The COA may adopt policies and grounds for discipline through adjudication as well.

3. Why do I need to sign the Release of Medical Records and Information on the back of the complaint form?

In order for agency staff to investigate a complaint, access to the patient's medical records may be necessary. These medical records can only be obtained with a properly signed release form. In addition, many acupuncturists will not respond to the allegations without this release, citing the requirement to maintain confidentiality. Therefore, requiring a release to be signed at the outset of the complaint process is the most efficient use of the COA's and the consumer's time.

4. Do you accept anonymous complaints?

An anonymous complaint may be accepted within the discretion of the COA, but anonymous complaints are discouraged. Anonymous complaints are very difficult to investigate. Without clear and specific information, such as patient name, dates and types of treatment, the COA may be unable to proceed with the complaint.

5. Is there a time limit for filing my complaint?

The COA, as a rule, does not investigate any complaint based on an event occurring more than six years prior to it being filed with the COA, although the COA may extend this time limit in extreme circumstances.

6. How can I check on the progress of my complaint?

Contact the Consumer Protection Unit at 781-876-8200.

7. Will my acupuncturist find out that I filed a complaint?

Yes, during the investigation, your complaint will be sent to the acupuncturist and he/she will be asked to respond.

8. What happens if the acupuncturist does not respond to the COA about my complaint?

If the acupuncturist does not respond to the COA's initial or follow-up inquiries regarding a complaint, the COA can open another case on that basis alone. The COA can discipline an acupuncturist simply for not responding.

9. How can I find out more about my rights as a patient?

The Department of Public Health provides links to many resources at www.mass.gov/eohhs/gov/departments/dph.

10. My acupuncturist told me that she does not want me as a patient anymore. Can she suddenly terminate me?

As long as you are not in the midst of an acute problem for which lack of immediate follow-up would be dangerous to your health, the acupuncturist can terminate the relationship. Although not required by law, the COA recommends that the acupuncturist provide the patient with a list of referral acupuncturists and that she continue to see the patient for emergencies for 30 days following the termination.

11. Can my acupuncturist refuse to provide me with copies of my medical records because of an outstanding balance for medical treatment?

No, outstanding bills must be handled separately; however, the acupuncturist is entitled to payment for the costs of copying the records. For more on the medical records law, see M.G.L. c. 111 § 70.

12. How long must an acupuncturist keep medical records?

Acupuncturists must keep medical records for seven years after the last patient contact.

13. How do I get my medical records from a deceased acupuncturist?

When an acupuncturist has died, and it has been less than seven years since the last patient contact, the patient needs to locate the Executor of the estate. This can be done through the local probate court.