

<p>1. Agency Name & Address:</p> <p>Board of Acupuncture Licensing c/o Office of Professional Licensure & Certification 7 Eagle Square Concord, NH 03301</p>	<p>2. RSA Authority: <u>RSA 328-G:7, II</u></p> <p>3. Federal Authority: <u>n/a</u></p> <p>4. Type of Action:</p> <p>Adoption _____</p> <p>Repeal _____</p> <p>Readoption _____</p> <p>Readoption w/amendment <u>X</u></p>
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5. Short Title: **Definitions and Scope of Practice for Licensed Acupuncturists**

6. (a) Summary of what the rule says and of any proposed amendments:

Acp 601.01 provides definitions for terms used in Part Acp 600 of the Board’s administrative rules and is being readopted with amendment to add the definition for “Auriculotherapy”, “Functional medicine”, “Integrative medicine”, and “Review of systems” or “General system review”. Additionally the word “oriental” used throughout the section is being changed to “Asian”.

Acp 601.02 describes the duty of licensees regarding the scope of practice and is being readopted.

Acp 601.03 describes the scope of practice of licensed acupuncturists and is being readopted with amendment to add the following to diagnostic and physical examination procedures:

- **Tongue assessment;**
- **Review of laboratory testing;**
- **Review of diagnostic imaging; and**
- **Review of systems.**

Acp 601.04 relative to non-surgical laser use complying with FDA regulations and requirements in the use of low energy, non-surgical lasers is being readopted.

6. (b) Brief description of the groups affected:

License Acupuncturists

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

RULE	SPECIFIC STATE STATUTE THE RULE IMPLEMENTS
Acp 601.01	RSA 328-G:7, II and RSA 541-A:7
Acp 601.02	RSA 328-G:1, II; RSA 328-G:7, II and RSA 328-G:10, I & II
Acp 601.03	RSA 328-G:2, I & VIII and RSA 328-G:7, II; 328-G:10
Acp 601.04	RSA 328-G:10, I & II and RSA 328-G:11, I(a)

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Tina Kelley** Title: **Program Specialist IV**
Address: **Office of Professional Licensure and Certification** Phone #: **(603) 271-5247**
7 Eagle Square Fax#: **None**
Concord, NH 03301 E-mail: **OPLC-Rules@oplcnh.gov**

TTY/TDD Access: Relay NH 1-800-735-2964 or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **Mon., August 1, 2022 at 4:00 pm.**

Fax E-mail Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Friday, July 22, 2022 at 10:00 a.m.**

Place: **Office of Professional Licensure and Certification**
7 Eagle Square
Concord, NH 03301

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # 22:103, dated 5/24/2022

1. **Comparison of the costs of the proposed rule(s) to the existing rule(s):**
There is no difference in cost when comparing the proposed rules to the existing rules.
2. **Cite the Federal mandate. Identify the impact on state funds:**
No federal mandate, no impact on state funds.
3. **Cost and benefits of the proposed rule(s):**
 - A. **To State general or State special funds:**
None
 - B. **To State citizens and political subdivisions:**
None
 - C. **To independently owned businesses:**
None

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

These rules do not violate Part I, Article 28-a of the New Hampshire Constitution. These rules do not mandate or assign this program to any political subdivision in any way.