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## Acupuncture Rules In Effect!

On November 4, 2007 the rules governing acupuncture will go into effect. These rules are the final phase of full implementation of our new acupuncture law. Many thanks to the Ohio State Chiropractic Association for introducing this legislation and for working so diligently to get it passed!

Not only may you now practice acupuncture, you are now permitted to refer your patients to acupuncturists licensed by the State Medical Board. If you choose to refer a patient to an acupuncturist, you *must* comply with the supervision requirements outlined in Ohio Revised Code Section 4762.

Please keep in mind that in order to practice acupuncture, you must maintain a current and valid chiropractic license. If your chiropractic license is not active or is suspended or revoked, your acupuncture certificate will likewise be inactivated, suspended or revoked.

In general, the same Administrative Rules apply to the practice of acupuncture as do the practice of chiropractic.

Here's what you need to apply to be certified to practice acupuncture:

- A current, valid chiropractic license issued by the Ohio State Chiropractic Board.
- Transcript reflecting 300 hours of board-approved acupuncture training.
- Transcript reflecting passage of the NBCE Acupuncture examination with a score of 375 or greater.
- Completed application and \$100 fee. (Forms may be completed and downloaded from the Board's website.)

Since our law does not allow for grandfather certification, the Board will permit acupuncture training providers to accept transfer credit for hours you may have already earned. It is up to the provider to determine the hours that they will accept as transfer hours.

## Chiropractic Assistant Certification

More and more third party payors are indicating that they will only pay for therapies performed by certified personnel. If your chiropractic assistants do not have formal training, you could face denial of payment for the therapies they perform.

The Ohio State Chiropractic Association has responded quickly to this threat and is offering chiropractic assistant certification through DCOOnline. Chiropractic Assistants completing the course will be certified by Palmer Chiropractic College.

For more information contact the OSCA at [www.oscachiro.org](http://www.oscachiro.org) or 1-800-837-6721.



## Advertising & Solicitation – Is your license at risk?

***“The Board will begin proposing discipline against doctors who violate the Board’s advertising and soliciting rule.”***

This past July, each licensee was mailed an “Administrative Rules Update” that outlined changes made to rules that directly affect you and your practice, particularly in the area of advertising and solicitation.

Many doctors continue to fail to adhere to the new requirements outlined in the Advertising and Soliciting rule.

The Board will begin proposing discipline against doctors who violate the Board’s advertising and soliciting rule. Many of your colleagues would advise you not to incur disciplinary action against your license. The consequences may have a long term effect on you and may severely affect your third party contracts and/or reimbursement.

You are no longer required to put the initials D.C. after your name in your advertisements and solicitations. However, ALL advertisements and solicitations must include one of the following terms: Chiropractic, chiropractor, chiropractic physician or doctor of chiropractic along with the name of a designated chiropractic physician who has reviewed and approved the content of the advertisement or solicitation.

## IMPORTANT NEW RULES

Please pay particular attention to the following newly enacted rules of the Board. **A full copy of each rule is enclosed.**

### Sexual Misconduct

This rule was completely rewritten to provide brighter lines as to what conduct constitutes sexual misconduct. Please review in its entirety. Failure to abide by the rule may lead to disciplinary action against you.

### Universal Precautions

If you perform any procedure in which needles are utilized, you must abide by this rule.

You must also abide by all local, state and federal governmental laws regarding disposal of used needles. For more information on these laws, contact the Ohio EPA at:

Ohio Environmental Protection Agency,  
Division of Solid and Infectious Waste  
Management at (614) 644-2621 or on the  
web at [www.epa.state.oh.us/dsiwm](http://www.epa.state.oh.us/dsiwm).

### Terminating the Doctor Patient Relationship

This rule clearly spells out how to properly terminate your professional relationship with a patient, as well as the steps you must take if you should move, retire, close a practice, etc.

In order to terminate your relationship with a patient you must mail a certified letter advising the patient of the following:

- The doctor-patient relationship is terminated;
- That you will provide services for up to 30 days from the date of the letter;
- An offer to transfer the patient’s records to a new chiropractic physician.



## FY' 2007 Disciplinary Actions

**Below is a synopsis of the Board's disciplinary actions for fiscal year 2007.**

**Conduct:** Doctor admitted to being unable to practice according to acceptable and prevailing standards of care by reason of mental illness and practiced, or claimed to be capable of practicing, beyond the scope. **Disciplinary Action:** Permanent Revocation.

**Conduct:** Doctor made a false, fraudulent, or deceitful statement to the board on his license renewal application and utilized fraud or deceit in procuring admission to practice by failing to disclose a conviction of third degree Assault on his application for licensure. **Disciplinary Action:** Reprimand.

**Conduct:** Doctor provided a false address to the Board on his license renewal application and advertised a false address on the World Wide Web. **Disciplinary Action:** Seven day active suspension; \$2,000 fine; two years of probation.

**Conduct:** Doctor convicted of a misdemeanor of Public Indecency. **Disciplinary Action:** Ten day suspension; psychological assessment and evaluation.

**Conduct:** Doctor advertised without an active license; utilized poor documentation procedures; failed to maintain a report of x-ray findings; failed to meet the components of a billed CPT Code; and engaged in a professional relationship with another chiropractic physician who violated the Board's laws and rules. **Disciplinary Action:** Eight month suspension; \$1,000 fine; 12 hours of CE; two years of probation.

**Conduct:** Doctor convicted of one felony count of Conspiracy to Commit Securities Fraud and Commercial Bribery. **Disciplinary Action:** Six month stayed suspension; \$1,000 fine; one year probation.

**Conduct:** Doctor practiced after January 1 without renewing his license and failed to earn the required 24 hours of continuing education. **Disciplinary Action:** Two week suspension; \$1,000 fine; Eighteen month probation.

**Conduct:** Failure to pay child support. **Disciplinary Action:** License suspended.

**Conduct:** Doctor aided and abetted the unlicensed practice of chiropractic. **Disciplinary Action:** Seven day suspension; \$1,000 fine; 12 hours CE; one year probation.

**Conduct:** Doctor practiced acupuncture in violation of the chiropractic scope of practice. **Disciplinary Action:** Thirty day stayed suspension; \$250 fine.

**Conduct:** Doctor convicted of one felony count of Health Care False Statements. **Disciplinary Action:** Sixty day suspension; \$2,000 fine; two year probation; practice subject to Compliance Program and Monitor.

**Conduct:** Doctor convicted of three felony counts of Attempt to Evade and Defeat Tax Due and Owing by Him to the United States of America **Disciplinary Action:** Three year suspension.

**The Board refused licensure or license reinstatement to three former licensees based on the following:**

The doctor had been convicted of one felony count of Possession of Marihuana and one felony count of Funding of Marihuana Trafficking; did not possess the proficiency or competency or the character and fitness to practice chiropractic in the state of Ohio.

The doctor was convicted of two felony counts of Gross Sexual Imposition and did not possess the character and fitness to practice chiropractic in the state of Ohio.

The doctor did not possess the proficiency or competency to practice chiropractic in the state of Ohio; was unable to practice according to acceptable and prevailing standards of care due to mental illness; and failed to earn 24 hours of continuing education.

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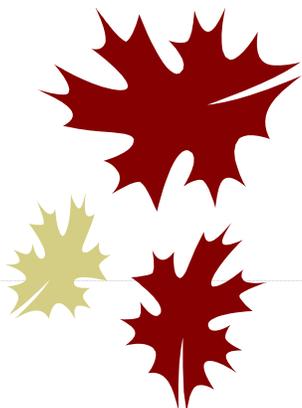
**Disciplinary Actions  
are Permanently  
Maintained and are  
Public Record!**



**Visa  
And  
Mastercard**

**Now Accepted!**

We're on the Web!  
[www.chirobd.ohio.gov](http://www.chirobd.ohio.gov)



## Print the Laws & Rules on Our Redesigned Website!

With the inclusion of acupuncture in our law and the numerous changes made to our rules this year, **please take the time to review and download a copy of the current laws and rules!** They are available on our newly redesigned website at:

[www.chirobd.ohio.gov](http://www.chirobd.ohio.gov)

Failure to abide by the new rules of the Board may result in disciplinary action. Download a copy of the laws and rules today!

We recently updated our website to provide more information to address your needs. Please take a few minutes to review our website. We'd appreciate your feedback!

## Board Approved Acupuncture Education

New York Chiropractic College, in conjunction with the International Academy of Medical Acupuncture, Inc., will be offering two acupuncture education opportunities beginning January 19-20 and April 12-13, 2008. Classroom education will be held in Columbus at a location to be announced.

For more information, contact:

International Academy of Medical  
Acupuncture

800-327-1113  
[www.IAMA.edu](http://www.IAMA.edu)  
[acupuncture@IAMA.Edu](mailto:acupuncture@IAMA.Edu)

## 2008 LICENSE RENEWAL Credit Cards Now Accepted!

Included with this Newsletter is your 2008 License Renewal Application and instructions for renewal.

Please keep the following in mind when renewing your license:

- ✓ Complete your application entirely and *legibly*.
- ✓ Mail your application *early*.
- ✓ There is *no* grace period for late renewal!

**We are pleased to offer the option of paying your license renewal fee via Visa or Mastercard.**

## Changing The Rules

The administrative rules governing chiropractic directly affect YOU. The purpose of mailing you a notice of the Board's intent to change rules is to provide you the opportunity to offer input into the changes. In fact, the Board is required by law to advise you of any proposed new rules, changes or rescissions and allow you to submit opponent or proponent testimony.

Many of you contacted the Board office to voice your opinion on certain changes made to our rules AFTER the changes were effectuated.

This is one of the many reasons why ***it is important that you thoroughly read any communication you receive from the Board!***