

**Chapter 246-803 WAC
EAST ASIAN MEDICINE PRACTITIONER**

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WAC

EAST ASIAN MEDICINE PRACTITIONERS

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EAST ASIAN MEDICINE PRACTITIONERS

WAC 246-803-010 Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise:

- (1) "Accredited school, college or program" means:
 - (a) Accredited or has candidacy status as a United States postsecondary school, college or program; or
 - (b) Accredited by or has candidacy status with the Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM).
- (2) "Acupuncture needles" means solid filiform instruments intended to pierce the skin in the practice of acupuncture. Acupuncture needles used on a patient must be sterile and disposable, and may only be used once.

(3) "Approved school" means a school, college or program approved by the secretary of the department of health that meets the requirements of WAC 246-803-500.

(4) "Credit" means ten classroom contact hours on the quarter system or fifteen classroom contact hours on the semester or trimester system.

(5) "Department" means the department of health.

(6) "East Asian medicine apprenticeship" means training in East Asian medicine administered by an apprenticeship trainer that satisfies the educational requirements set out in WAC 246-803-210, 246-803-220, and 246-803-230. An apprenticeship is of limited duration and ends at the time the parties to the apprenticeship agreement have completed their obligations.

(7) "East Asian medicine practitioner" is a person licensed under chapter 18.06 RCW.

(8) "East Asian medicine program" means training in East Asian medicine offered by an academic institution that satisfies the education requirements set out in WAC 246-803-210, 246-803-220, and 246-803-230 and also offers training in other areas of study. A program is an established area of study offered on a continuing basis. An East Asian medicine program may be referred to as a program in acupuncture, acupuncture and Oriental medicine, or Oriental medicine.

(9) "East Asian medicine school" means an accredited academic institution which has the sole purpose of offering training in East Asian medicine that satisfies the education requirements set out in WAC 246-803-210, 246-803-220, and 246-803-230.

(10) "East Asian medicine tutorial instruction" means training in East Asian medicine which is offered by an academic institution or qualified instructor on the basis of a tutorial agreement between the school or instructor and the student and satisfies the education requirements set out in WAC 246-803-210, 246-803-220, and 246-803-230. A tutorial is of limited duration and ends at the time the parties to the tutorial agreement have performed their obligations under the agreement.

(11) "Hypodermic needle" means a device intended to inject fluids into, or withdraw fluids from, parts of the body below the surface of the skin.

(12) "Primary health care provider" means an individual licensed under:

- (a) Chapter 18.36A RCW, Naturopathy;
- (b) Chapter 18.57 RCW, Osteopathy—Osteopathic medicine and surgery;
- (c) Chapter 18.57A RCW, Osteopathic physicians' assistants;
- (d) Chapter 18.71 RCW, Physicians;
- (e) Chapter 18.71A RCW, Physician assistants; or
- (f) RCW 18.79.050, "Advanced registered nursing practice" defined—Exceptions.

[Statutory Authority: RCW 18.06.160. WSR 20-03-112, § 246-803-010, filed 1/15/20, effective 2/15/20. Statutory Authority: Chapter 18.06 RCW and 2010 c 286. WSR 11-17-105, § 246-803-010, filed 8/22/11, effective 9/22/11.]

WAC 246-803-020 Advertising. (1) A person licensed under this chapter may use the title East Asian medicine practitioner (EAMP) or

licensed acupuncturist (L.Ac.) in all forms of advertising, professional literature and billing.

(2) An East Asian medicine practitioner may not use the title "doctor," "Dr.," or "Ph.D." on any advertising or other printed material unless the nature of the degree is clearly stated.

(3) An East Asian medicine practitioner may not represent that he or she holds a degree from an East Asian medicine school other than that degree which appears on his or her application for licensure.

(4) An East Asian medicine practitioner shall not engage in false, deceptive, or misleading advertising including, but not limited to, the following:

(a) Advertising that misrepresents the potential of East Asian medicine or acupuncture; and

(b) Advertising of any service, technique, or procedure that is outside the scope of practice for an East Asian medicine practitioner.

[Statutory Authority: Chapter 18.06 RCW and 2010 c 286. WSR 11-17-105, § 246-803-020, filed 8/22/11, effective 9/22/11.]

WAC 246-803-030 East Asian medicine. East Asian medicine is a health care service using East Asian medicine diagnosis and treatment to promote health and treat organic or functional disorders. East Asian medicine includes the following:

(1) Acupuncture, includes the use of acupuncture needles or lancets to directly or indirectly stimulate acupuncture points and meridians;

(2) Use of electrical, mechanical, or magnetic devices to stimulate acupuncture points and meridians;

(3) Moxibustion;

(4) Acupressure;

(5) Cupping;

(6) Dermal friction technique;

(7) Infrared;

(8) Sonopuncture;

(9) Laserpuncture;

(10) Point injection therapy (aquapuncture):

(a) Is defined as meaning the subcutaneous, intramuscular and intradermal injection of substances consistent with the practice of East Asian medicine to stimulate acupuncture points, ashi points, trigger points and meridians. Substances are limited to:

(i) Saline;

(ii) Sterile water;

(iii) Herbs specifically manufactured for injection by means of hypodermic needles;

(iv) Minerals specifically manufactured for injection by means of hypodermic needles;

(v) Vitamins in liquid form specifically manufactured for injection by means of hypodermic needles; and

(vi) Homeopathic and nutritional substances specifically manufactured for injection by means of hypodermic needles.

(b) For the purposes of this section, includes trigger points as a subset of acupuncture points and ashi points as recognized in the current practice of East Asian medicine.

(c) Does not include injection of controlled substances contained in Schedules I through V of the Uniform Controlled Substances Act, chapter 69.50 RCW or steroids as defined in RCW 69.41.300.

(11) Dietary advice and health education based on East Asian medical theory, including the recommendation and sale of herbs, vitamins, minerals, and dietary and nutritional supplements.

Health education. Health education is educational information directed to the patient that attempts to improve, maintain, promote and safeguard the health care of the patient. Health education consists of educating the patient on how the mind, body and spirit connect in context of imbalances, emotional patterns and tendencies as defined by and treated in East Asian medicine. Health education does not include mental health counseling;

(12) Breathing, relaxation, and East Asian exercise techniques;

(13) Qi gong;

(14) East Asian massage. East Asian massage means manual techniques having originated in East Asia involving the manipulation of the soft tissues of the body for therapeutic purposes.

(a) East Asian massage consists of:

(i) Applying fixed or movable pressure;

(ii) Passive, resistive, and assisted stretching of fascial and connective tissue;

(iii) Holding or causing movement of the body; or

(iv) Tapping, compressions or friction.

(b) East Asian massage may be performed with the use of tools common to the practice and aids of superficial heat, cold, water, lubricants, salts, minerals, liniments, poultices, and herbs.

(c) East Asian massage does not include attempts to adjust or manipulate any articulations of the body or spine or mobilization of these articulations by the use of a thrusting force.

(15) Tui na. Tui na is a method of East Asian bodywork, characterized by the kneading, pressing, rolling, shaking, and stretching of the body and does not include spinal manipulation; and

(16) Superficial heat and cold therapies.

[Statutory Authority: RCW 18.06.160. WSR 20-03-112, § 246-803-030, filed 1/15/20, effective 2/15/20. Statutory Authority: RCW 18.06.230, 18.06.160, and 18.06.010. WSR 17-15-006, § 246-803-030, filed 7/5/17, effective 7/5/17. Statutory Authority: Chapter 18.06 RCW and 2010 c 286. WSR 11-17-105, § 246-803-030, filed 8/22/11, effective 9/22/11.]

WAC 246-803-040 Education and training for point injection therapy. East Asian medicine practitioners employing point injection therapy shall use only those substances and techniques for which they have received training.

(1) The education and training for point injection therapy must:

(a) Consist of a minimum total of twenty-four contact hours of training in the topics required in this section;

(b) Include at least eight hours of clinical practical experience; and

(c) Be administered by an instructor that meets the requirements of subsection (4) of this section.

(2) A curriculum for a point injection therapy training program must include:

(a) Review of physical examination, contraindications and universal precautions, and differential diagnosis;

(b) Compounding and administration of the substances authorized for point injection therapy under WAC 246-803-030, including aseptic

technique, recordkeeping and storage of substances authorized for use in point injection therapy;

(c) Emergency procedures;

(d) Point injection therapy techniques and contraindication within the East Asian medicine scope of practice relative to the authorized substances listed in WAC 246-803-030 (10)(a)(i) through (vi).

(3) Except for the training in the use of intramuscular epinephrine, the training must be delivered in person and not through webinar or other online or distance learning method.

(4) An instructor for point injection therapy must have:

(a) A health care credential in good standing with a scope of practice that includes point injection therapy; and

(b) At least five years of experience in a health care practice that includes point injection therapy.

(5) In addition to point injection therapy meeting the requirements of subsections (1) and (2) of this section, East Asian medicine practitioners using point injection therapy must complete training in the use of intramuscular epinephrine.

(a) Training in the use of intramuscular epinephrine must be according to RCW 70.54.440(4).

(b) This training may be taken separately from the training in point injection therapy.

(c) Up to two hours of training in the use of intramuscular epinephrine count in meeting the requirement for twenty-four hours of training.

(d) An East Asian medicine practitioner who holds an active credential with a scope of practice that includes the authority to prescribe, dispense or administer epinephrine does not need to meet the requirements of (a) of this subsection.

(6) To qualify under this section, the training program shall provide each successful student with a:

(a) Certificate of successful completion of the program; and

(b) Course syllabus outlining the schedule and curriculum of the program.

(7) The requirements of subsections (1) through (6) of this section do not apply to an East Asian medicine practitioner who has provided point injection therapy prior to July 1, 2017. East Asian medicine practitioners using point injection therapy prior to July 1, 2017, must have completed training and education in point injection therapy.

(8) Any East Asian medicine practitioner performing point injection therapy must be able to demonstrate, upon request of the department of health, successful completion of education and training in point injection therapy.

[Statutory Authority: RCW 18.06.230, 18.06.160, and 18.06.010. WSR 17-15-006, § 246-803-040, filed 7/5/17, effective 7/5/17.]

LICENSURE—APPLICATION AND ELIGIBILITY REQUIREMENTS

WAC 246-803-100 Application requirements for applicants from approved schools, colleges or programs. An applicant for an East Asian medicine practitioner license who has graduated from an approved school, college or program must submit to the department:

- (1) A completed application.
- (2) The application fee required under WAC 246-803-990.
- (3) Verification of academic or educational study and clinical training at a school, college or program approved by the secretary. The school, college or program verification must include one of the following:
 - (a) Original copy of school transcript evidencing completion of a program in East Asian medicine that includes the required basic sciences sent directly from the school, college or program; or
 - (b) If the school no longer exists, a copy of the transcript and a sworn affidavit stating the school no longer exists.
- (4) Verification of clinical training as required in WAC 246-803-230.
- (5) Verification of successful completion of the examinations as required in WAC 246-803-240.
- (6) Verification of all East Asian medicine practitioner or health care licenses held, submitted directly from the licensing agency. The certification shall include the license number, issue date, expiration date and whether the East Asian medicine practitioner has been the subject of final or pending disciplinary action.
- (7) Verification of completion of seven clock hours of AIDS education as required in chapter 246-12 WAC, Part 8.
- (8) Verification of current cardiopulmonary resuscitation (CPR) certification. The training in CPR shall consist of a minimum of one quarter credit or equivalent. Red Cross certification or documentation of equivalent training may be substituted for the one quarter credit.
- (9) Any additional documents requested by the secretary.

[Statutory Authority: RCW 18.06.160 and 2015 c 60. WSR 16-01-158, § 246-803-100, filed 12/21/15, effective 1/21/16. Statutory Authority: Chapter 18.06 RCW and 2010 c 286. WSR 11-17-105, § 246-803-100, filed 8/22/11, effective 9/22/11.]

WAC 246-803-110 Application requirements for applicants from accredited schools, colleges or programs. An applicant for an East Asian medicine practitioner license who has graduated from an accredited school, college or program must submit to the department:

- (1) A completed application.
- (2) The application fee required under WAC 246-803-990.
- (3) Verification of academic or educational study and clinical training at a school, college or program accredited by the Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM). The school, college or program verification must include one of the following:
 - (a) Original copy of school transcript evidencing completion of a program in East Asian medicine that includes the required basic sciences sent directly from the school, college or program. If all of the required basic sciences were not included as a part of the curriculum, then the applicant must also provide official transcripts where the basic sciences were obtained; or
 - (b) A notarized affidavit or statement signed by an officer of the school, college or program certifying the applicant's satisfactory completion of the training and designating the subjects and hours; or
 - (c) If the school no longer exists, a copy of the transcript and a sworn affidavit stating the school no longer exists.

(4) Verification of clinical training as required in WAC 246-803-230.

(5) Verification of successful completion of the examinations as required in WAC 246-803-240.

(6) Verification of all East Asian medicine practitioner or health care licenses held, submitted directly from the licensing agency. The certification shall include the license number, issue date, expiration date and whether the East Asian medicine practitioner has been the subject of final or pending disciplinary action.

(7) Verification of completion of seven clock hours of AIDS education as required in chapter 246-12 WAC, Part 8.

(8) Verification of current cardiopulmonary resuscitation (CPR) certification. The training in CPR shall consist of a minimum of one quarter credit or equivalent. Red Cross certification or documentation of equivalent training may be substituted for the one quarter credit.

(9) Any additional documents requested by the secretary.

[Statutory Authority: RCW 18.06.160 and 2015 c 60. WSR 16-01-158, § 246-803-110, filed 12/21/15, effective 1/21/16. Statutory Authority: Chapter 18.06 RCW and 2010 c 286. WSR 11-17-105, § 246-803-110, filed 8/22/11, effective 9/22/11.]

WAC 246-803-120 Application requirements for applicants from approved apprenticeships or tutorials. Prior to applying for an East Asian medicine practitioner license, an applicant must have on file an approved application for apprenticeship or tutorial. The application must meet the requirements set out in WAC 246-803-510. An applicant for an East Asian medicine practitioner license who has completed an apprenticeship or tutorial program approved by the secretary must submit to the department:

(1) A completed application.

(2) The application fee required under WAC 246-803-990.

(3) Verification of academic or educational study and clinical training at an approved apprenticeship or tutorial. Verification must include a notarized affidavit or statement signed by the apprenticeship trainer certifying the applicant's satisfactory completion of the training and designating the subjects and hours.

(4) Verification of clinical training as required in WAC 246-803-230.

(5) Verification of successful completion of the examinations as required in WAC 246-803-240.

(6) Verification of all East Asian medicine practitioner or health care licenses held, submitted directly from the licensing agency. The certification shall include the license number, issue date, expiration date and whether the East Asian medicine practitioner has been the subject of final or pending disciplinary action.

(7) Verification of completion of seven clock hours of AIDS education as required in chapter 246-12 WAC, Part 8.

(8) Verification of current cardiopulmonary resuscitation (CPR) certification. The training in CPR shall consist of a minimum of one quarter credit or equivalent. Red Cross certification or documentation of equivalent training may be substituted for the one quarter credit.

(9) Any additional documents requested by the secretary.

[Statutory Authority: RCW 18.06.160 and 2015 c 60. WSR 16-01-158, § 246-803-120, filed 12/21/15, effective 1/21/16. Statutory Authority:

WAC 246-803-130 Application requirements for applicants from foreign schools. (1) An applicant for an East Asian medicine practitioner license who has graduated from a foreign East Asian medicine practitioner program not accredited, or approved by the secretary must:

(a) Have at least a bachelor's or master's degree in East Asian medicine or acupuncture from an institution of higher learning which is approved by the foreign country's ministry of education/health, or other governmental entity;

(b) Have graduated from a program of East Asian medicine or acupuncture education with requirements substantially equal to those required of graduates of secretary-approved programs; and

(c) Demonstrate fluency in reading, speaking, and understanding the English language by taking the examinations required in WAC 246-803-240 (2)(a) through (c) in English or by passage of the test of English as a foreign language in WAC 246-803-240(3).

(2) An applicant for an East Asian medicine practitioner license must submit to the department:

(a) A completed application.

(b) The application fee required under WAC 246-803-990.

(c) Original copy of school transcripts from the East Asian medicine or acupuncture program showing degree and degree date.

(d) A credentialing evaluation report from the International Consultants of Delaware (ICD).

(e) Verification of clinical training as required in WAC 246-803-230.

(f) Verification of successful completion of the examinations as required in WAC 246-803-240.

(g) Verification of all East Asian medicine practitioner or health care licenses held, submitted directly from the licensing agency. The verification shall include the license number, issue date, expiration date and whether the East Asian medicine practitioner has been the subject of final or pending disciplinary action.

(h) Verification of completion of seven clock hours of AIDS education as required in chapter 246-812 WAC, Part 8.

(i) Verification of current cardiopulmonary resuscitation (CPR) certification. The training in CPR shall consist of a minimum of one quarter credit or equivalent. Red Cross certification or documentation of equivalent training may be substituted for the one quarter credit.

(j) Any additional documents requested by the secretary.

(3) The department recognizes the ICD for credential evaluations. The applicant shall request that the ICD send their evaluation directly to the department. To obtain a credentialing evaluation report, the applicant shall submit to the ICD:

(a) Transcripts;

(b) Appropriate fees; and

(c) Other requested documentation.

[Statutory Authority: RCW 18.06.160. WSR 20-03-112, § 246-803-130, filed 1/15/20, effective 2/15/20. Statutory Authority: RCW 18.06.160 and 2015 c 60. WSR 16-01-158, § 246-803-130, filed 12/21/15, effective 1/21/16. Statutory Authority: Chapter 18.06 RCW and 2010 c 286. WSR 11-17-105, § 246-803-130, filed 8/22/11, effective 9/22/11.]

EDUCATION, TRAINING AND EXAMINATION—REQUIREMENTS

WAC 246-803-200 Training for East Asian medicine practitioners.

To become an East Asian medicine practitioner, an applicant must have training in:

- (1) Basic sciences as described in WAC 246-803-210;
 - (2) East Asian medicine sciences as described in WAC 246-803-220;
- and
- (3) Clinical training as described in WAC 246-803-230.

[Statutory Authority: Chapter 18.06 RCW and 2010 c 286. WSR 11-17-105, § 246-803-200, filed 8/22/11, effective 9/22/11.]

WAC 246-803-210 Basic sciences. To become an East Asian medicine practitioner, an applicant must have training in basic sciences that must consist of a minimum of forty-five quarter credits or thirty semester or trimester credits. These credits shall consist of the following:

- (1) Anatomy;
- (2) Physiology;
- (3) Microbiology;
- (4) Biochemistry;
- (5) Pathology;
- (6) Survey of western clinical sciences; and
- (7) Hygiene.

[Statutory Authority: Chapter 18.06 RCW and 2010 c 286. WSR 11-17-105, § 246-803-210, filed 8/22/11, effective 9/22/11.]

WAC 246-803-220 East Asian medicine sciences. To become an East Asian medicine practitioner, an applicant must have training in East Asian medicine sciences consisting of a minimum of seventy-five quarter credits or fifty semester or trimester credits. These credits must include the following subjects of acupuncture/East Asian medicine:

- (1) Fundamental principles;
- (2) Diagnosis;
- (3) Pathology;
- (4) Therapeutics;
- (5) Meridians/vessels and points; and
- (6) Techniques, including electro-acupuncture.

[Statutory Authority: Chapter 18.06 RCW and 2010 c 286. WSR 11-17-105, § 246-803-220, filed 8/22/11, effective 9/22/11.]

WAC 246-803-230 Clinical training. To become an East Asian medicine practitioner, an applicant must complete a minimum of five hundred hours of supervised clinical training including no more than one hundred hours of observation which includes case presentation and discussion. At least four hundred hours must be patient treatment.

(1) Qualified instructors must observe and provide guidance to the student as appropriate. Instructors must be qualified to provide instruction in their areas of specialization in East Asian medicine as demonstrated by possession of the following:

(a) Broad and comprehensive training in East Asian medicine; and
(b) Two years of relevant current work experience or teaching experience in East Asian medicine.

(2) Qualified instructors must be available within the clinical facility to provide consultation and assistance to the student for patient treatments. Prior to initiation of each treatment, instructors must have knowledge of and approve the diagnosis and treatment plan.

(3) "Patient treatment" includes:

(a) Conducting a patient intake interview concerning the patient's past and present medical history;

(b) Performing East Asian medicine examination and diagnosis;

(c) Discussion between the instructor and the student concerning the proposed diagnosis and treatment plan;

(d) Applying East Asian medicine treatment principles and techniques; and

(e) Charting of patient conditions, evaluative discussions and findings, and concluding remarks.

[Statutory Authority: Chapter 18.06 RCW and 2010 c 286. WSR 11-17-105, § 246-803-230, filed 8/22/11, effective 9/22/11.]

WAC 246-803-240 Examinations. (1) The examinations administered by the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) are the official examinations for licensure as an East Asian medicine practitioner.

(2) An applicant for licensure as an East Asian medicine practitioner must pass the following examinations:

(a) Foundations of Oriental medicine examination;

(b) Acupuncture with point location examination;

(c) Biomedicine examination; and

(d) Council of Colleges of Acupuncture and Oriental Medicine (CCAOM) clean needle technique course.

(3) If the applicant takes the examinations listed in subsection (2) of this section in a language other than English, they must also take and pass the test of English as a foreign language (TOEFL) internet-based (IBT) examination. This is done by obtaining scores on the TOEFL IBT of at least:

(a) 24 on the writing section;

(b) 26 on the speaking section;

(c) 21 on the reading section; and

(d) 18 on the listening comprehension section.

[Statutory Authority: Chapter 18.06 RCW and 2010 c 286. WSR 11-17-105, § 246-803-240, filed 8/22/11, effective 9/22/11.]

WAC 246-803-250 Documents in foreign language. All documents submitted to the department in a foreign language must be accompanied by an accurate translation in English. Each translated document must bear the affidavit of the translator certifying that the translator is competent in both the language of the document and the English language and that the translation is a true and complete translation of

the foreign language original. Translation of any document relative to a person's application is at the expense of the applicant.

[Statutory Authority: Chapter 18.06 RCW and 2010 c 286. WSR 11-17-105, § 246-803-250, filed 8/22/11, effective 9/22/11.]

PRACTICE STANDARDS

WAC 246-803-300 Patient notification of qualifications and scope of practice. East Asian medicine practitioners in the state of Washington shall provide to each patient prior to or at the time of the initial patient visit the qualifications and scope of practice form. The form must include:

(1) The East Asian medicine practitioner's education. The degree obtained or if the education was by apprenticeship, the dates and locations of the didactic and clinical training.

(2) License information, including state license number and date of licensure.

(3) A statement that the practice of East Asian medicine in the state of Washington includes the following:

(a) Acupuncture, including the use of acupuncture needles or lancets to directly and indirectly stimulate acupuncture points and meridians;

(b) Use of electrical, mechanical, or magnetic devices to stimulate acupuncture points and meridians;

(c) Moxibustion;

(d) Acupressure;

(e) Cupping;

(f) Dermal friction technique;

(g) Infrared;

(h) Sonopuncture;

(i) Laserpuncture;

(j) Point injection therapy (aquapuncture) is defined as meaning the subcutaneous, intramuscular and intradermal injection of substances consistent with the practice of East Asian medicine to stimulate acupuncture points, ashi points, trigger points and meridians.

(i) For the purposes of this section, point injection therapy includes trigger points as a subset of acupuncture points and ashi points as recognized in the current practice of East Asian medicine.

(ii) Does not include injection of controlled substances contained in Scheduled I through V of the Uniform Controlled Substance Act, chapter 69.50 RCW or steroids as defined in RCW 69.41.300.

(iii) Substances are limited to:

(A) Saline;

(B) Sterile water;

(C) Herbs specifically manufactured for injection by means of hypodermic needles;

(D) Minerals specifically manufactured for injection by means of hypodermic needles;

(E) Vitamins in liquid form specifically manufactured for injection by means of hypodermic needles; and

(F) Homeopathic and nutritional substances specifically manufactured for injection by means of hypodermic needles.

(k) Dietary advice and health education based on East Asian medical theory, including the recommendation and sale of herbs, vitamins, minerals, and dietary and nutritional supplements;

(l) Breathing, relaxation, and East Asian exercise techniques;

(m) Qi gong;

(n) East Asian massage and Tui na (which is a method of East Asian bodywork); and

(o) Superficial heat and cold therapies.

(4) A statement that side effects of the treatments listed above may include, but are not limited to, the following:

(a) Pain following treatment;

(b) Minor bruising;

(c) Infection;

(d) Needle sickness; and

(e) Broken needle.

(5) A statement that patients must inform the East Asian medicine practitioner if they have a severe bleeding disorder or pacemaker prior to any treatment.

[Statutory Authority: RCW 18.06.160. WSR 20-03-112, § 246-803-300, filed 1/15/20, effective 2/15/20. Statutory Authority: Chapter 18.06 RCW and 2010 c 286. WSR 11-17-105, § 246-803-300, filed 8/22/11, effective 9/22/11.]

WAC 246-803-305 Patient record content. (1) A licensed East Asian medicine practitioner shall:

(a) Make a complete, legible, and accurate record of each patient to whom an East Asian medicine treatment is given. The East Asian medicine practitioner shall ensure that a patient record is in English and includes:

(i) Name of the patient;

(ii) Patient history;

(iii) Dates of treatment;

(iv) Treatment given; and

(v) Progress made during treatment.

(b) Maintain a patient record for six years after the last treatment of the patient.

(c) Maintain a patient record for at least six years after the patient reaches eighteen years of age.

(2) A licensed East Asian medicine practitioner shall comply with chapter 70.02 RCW and the Health Insurance Portability and Accountability Act, 45 C.F.R. destruction and privacy regulations.

(3) For the purposes of this section "patient records" means all records maintained by a practitioner that includes all information related to the patient.

[Statutory Authority: RCW 18.06.160. WSR 20-03-112, § 246-803-305, filed 1/15/20, effective 2/15/20.]

WAC 246-803-308 Patient abandonment. (1) An East Asian medicine practitioner may accept or reject a patient, but shall respond to any reasonable request for services in the interest of public health and welfare.

(2) The attending East Asian medicine practitioner, without reasonable cause, shall not neglect, ignore, abandon, or refuse to treat

a patient. If the East Asian medicine practitioner chooses to withdraw responsibility for a patient of record, the East Asian medicine practitioner shall:

(a) Advise the patient in writing that treatment is being terminated and that another East Asian medicine practitioner should be sought for future care; and

(b) Advise the patient that the East Asian medicine practitioner shall remain reasonably available for up to fifteen calendar days from the date of such notice to address clinical concerns related to the care provided.

[Statutory Authority: RCW 18.06.160. WSR 20-03-112, § 246-803-308, filed 1/15/20, effective 2/15/20.]

WAC 246-803-310 Referral to primary health care provider. (1)

When an East Asian medicine practitioner sees a patient with a potentially serious disorder, the East Asian medicine practitioner shall immediately request a consultation or written diagnosis from a primary health care provider.

(2) Potentially serious disorders include, but are not limited to:

- (a) Cardiac conditions including uncontrolled hypertension;
- (b) Acute abdominal symptoms;
- (c) Acute undiagnosed neurological changes;
- (d) Unexplained weight loss or gain in excess of fifteen percent body weight within a three-month period;
- (e) Suspected fracture or dislocation;
- (f) Suspected systemic infection;
- (g) Any serious undiagnosed hemorrhagic disorder; and
- (h) Acute respiratory distress without previous history or diagnosis.

(3) In the event a patient with a potentially serious disorder refuses to authorize such consultation or provide a recent diagnosis from a primary health care provider, East Asian medical treatments, including acupuncture, may only continue after the patient signs a written waiver acknowledging the risks associated with the failure to pursue treatment from a primary health care provider.

(4) The written waiver must include:

(a) A statement acknowledging that failure by the patient to pursue treatment from a primary health care provider may involve risks that such a condition can worsen without further warning and even become life threatening;

(b) An explanation of an East Asian medicine practitioner's scope of practice, to include the services and techniques East Asian medicine practitioners are authorized to provide; and

(c) A statement that the services and techniques that an East Asian medicine practitioner is authorized to provide will not resolve the patient's underlying potentially serious disorder.

[Statutory Authority: Chapter 18.06 RCW and 2010 c 286. WSR 11-17-105, § 246-803-310, filed 8/22/11, effective 9/22/11.]

WAC 246-803-320 Instrument sterilization procedure. (1)

An East Asian medicine practitioner shall use sterile instruments and follow proper instrument sterilization procedures and the keeping of accurate

records of sterilization cycles and equipment service maintenance as described in the manufacturer's instruction manual and the 7th edition of "*Best Practices for Acupuncture Needle Safety and Related Procedures*" published by the Council of Colleges of Acupuncture and Oriental Medicine revised May 2017. This shall not apply to needles, which may not be reused or sterilized for a subsequent use on more than one patient under any circumstances.

(2) "Sterilization" means to kill all microbial life, including bacterial spores, for instruments which enter tissues. Sterilization is accomplished by subjecting clean items to steam pressure (autoclaving), ultraviolet-C, or to dry heat.

[Statutory Authority: RCW 18.06.160. WSR 20-03-112, § 246-803-320, filed 1/15/20, effective 2/15/20.]

WAC 246-803-325 Preparing and maintaining a clean field. (1) A clean field is the area that has been prepared to contain the equipment necessary for acupuncture in such a way as to reduce the possible contamination of sterile needles and other clean or sterile equipment.

(2) An East Asian medicine practitioner must prepare and maintain a clean field for each patient.

[Statutory Authority: RCW 18.06.160. WSR 20-03-112, § 246-803-325, filed 1/15/20, effective 2/15/20.]

WAC 246-803-340 Mandatory reporting. All individuals credentialed under this chapter must comply with the mandatory reporting rules in chapter 246-16 WAC.

[Statutory Authority: Chapter 18.06 RCW and 2010 c 286. WSR 11-17-105, § 246-803-340, filed 8/22/11, effective 9/22/11.]

LICENSE STATUS

WAC 246-803-400 Inactive status. (1) An East Asian medicine practitioner may obtain an inactive license by meeting the requirements of WAC 246-12-090.

(2) An inactive license must be renewed every year on the East Asian medicine practitioner's birthday according to WAC 246-12-100 and 246-803-990.

(3) If a license is inactive for three years or less, to return to active status an East Asian medicine practitioner must meet the requirements of WAC 246-12-110 and 246-803-990.

(4) If a license is inactive for more than three years and the East Asian medicine practitioner has been actively practicing in another state of the United States or its major territories, to return to active status the East Asian medicine practitioner must:

(a) Provide certification of an active East Asian medicine practitioner license, submitted directly from another licensing entity. The certification shall include the license number, issue date, expiration date and whether the East Asian medicine practitioner has been the subject of final or pending disciplinary action;

(b) Provide verification of current active practice in another state of the United States or its major territories for the last three years; and

(c) Meet the requirements of WAC 246-12-110 and 246-803-990.

(5) If a license is inactive for more than three years, and the East Asian medicine practitioner has not been actively practicing in another state of the United States or its major territories, to return to active status the East Asian medicine practitioner must provide:

(a) A written request to change licensure status;

(b) The applicable fees according to WAC 246-803-990;

(c) Proof of successful completion of the examinations as required in WAC 246-803-240 (2)(a), (b), and (c) within the past year;

(d) Written certification of all East Asian medicine practitioner or health care licenses held, submitted directly from the licensing agency. The certification shall include the license number, issue date, expiration date and whether the East Asian medicine practitioner has been the subject of final or pending disciplinary action; and

(e) Proof of AIDS education according to WAC 246-803-100, 246-803-110 or 246-803-120.

[Statutory Authority: Chapter 18.06 RCW and 2010 c 286. WSR 11-17-105, § 246-803-400, filed 8/22/11, effective 9/22/11.]

WAC 246-803-410 Expired license. An East Asian medicine practitioner with an expired license may return his or her license to an active license. During the time the license is expired, an East Asian medicine practitioner cannot practice in Washington state.

(1) If an East Asian medicine practitioner's license has expired for one year or less, the East Asian medicine practitioner may return to active status by meeting the requirements of WAC 246-12-040 (3)(a)(i) through (v) and 246-803-990.

(2) If an East Asian medicine practitioner's license has expired for more than one year but less than three, the East Asian medicine practitioner may return to active status by meeting the requirements of WAC 246-12-040 (3)(b)(i) through (ix) and 246-803-990.

(3) If an East Asian medicine practitioner's license has expired for three years or more at the time of application and they have been engaged in practice in another state or United States jurisdiction, the East Asian medicine practitioner may return to active status by submitting proof to the department of:

(a) Verification of active practice from any other state or United States jurisdiction. For this purpose "active practice" means a minimum of five hundred sixty hours of practice in the preceding twenty-four months; and

(b) Having met the requirements of WAC 246-12-040 (3)(c)(i) through (xi) and 246-803-990.

(4) If an East Asian medicine practitioner's license has expired for three years or more at the time of application and they have not been engaged in practice in another state or United States jurisdiction, the East Asian medicine practitioner may return to active status by submitting proof to the department of:

(a) Having met the requirements of subsection (2) of this section; and

(b) In addition to these requirements, the practitioner has the choice of:

- (i) Completion of extended course work preapproved by the department; or
- (ii) Successfully retaking and passing the examinations as required in WAC 246-803-240.

[Statutory Authority: RCW 18.06.160. WSR 20-03-112, § 246-803-410, filed 1/15/20, effective 2/15/20.]

EAST ASIAN MEDICINE PROGRAM APPROVAL

WAC 246-803-500 Application for approval of a nonaccredited school, college or program. (1) Clinical and didactic training of a school, college or program may be approved separately.

(2) The department may consider for approval didactic training which meet the requirements outlined in WAC 246-803-210 and 246-803-220. Clinical training must meet the requirements outlined in WAC 246-803-230.

(3) Application for approval of a school, college or program is made by the authorized representative of the school, college or program.

(4) The authorized representative may request approval of the school, college or program as of the date of the application or retroactively to a specified date.

(5) The application for approval of a school, college or program shall include documentation required by the department pertaining to:

- (a) Educational administration;
- (b) Qualifications of instructors;
- (c) Didactic and/or clinical facilities; and
- (d) Content of offered training.

(6) An application fee as required under WAC 246-803-990 must accompany the completed application.

(7) The department will evaluate the application and, if necessary, conduct a site inspection of the school, college or program prior to approval by the department.

(8) After completing the evaluation of the application, the department may grant or deny approval, or grant approval conditioned upon appropriate modification to the application.

(9) If the department denies an application or grants conditional approval, the authorized representative of the applicant school, college or program may request a review within ninety days of the department's adverse action. After ninety days the contesting party may only obtain review by submitting a new application.

(10) The authorized representative shall notify the department of significant changes with respect to educational administration, instructor qualifications, facilities, or content of training.

(11) The department may inspect an approved school, college or program at reasonable intervals for compliance. Approval may be withdrawn if the department finds failure to comply with the requirements of law, administrative rules, or representations in the application.

(12) The authorized representative must immediately correct deficiencies which resulted in withdrawal of the department's approval.

[Statutory Authority: Chapter 18.06 RCW and 2010 c 286. WSR 11-17-105, § 246-803-500, filed 8/22/11, effective 9/22/11.]

WAC 246-803-510 Application for approval of alternative training. (1) Clinical and didactic training of any apprenticeship or tutorial instruction may be approved separately.

(2) The department may consider for approval didactic training which meets the requirements outlined in WAC 246-803-210 and 246-803-220. Clinical training must meet the requirements of WAC 246-803-230.

(3) Application for approval of an apprenticeship or tutorial instruction is made by the apprenticeship or tutorial trainer.

(4) A request for approval of the apprenticeship or tutorial instruction may be as of the date of the application or retroactively to a specified date.

(5) The apprenticeship or tutorial instructor must be licensed as an East Asian medicine practitioner in the state of Washington and have no less than seven out of the last ten years of experience in full-time practice as an East Asian medicine practitioner.

(6) The application for approval of an apprenticeship or tutorial instruction must include documentation required by the department pertaining to:

- (a) Educational administration;
- (b) Qualifications of the apprenticeship or tutorial trainer;
- (c) Didactic and/or clinical facilities; and
- (d) Content of offered training.

(7) An application fee as required under WAC 246-803-990 must accompany the completed application.

(8) The department will evaluate the application and, if necessary, conduct a site inspection of the apprenticeship or tutorial instruction prior to approval by the department.

(9) After completing the evaluation of the application, the department may grant or deny approval, or grant approval conditioned upon appropriate modification to the application.

(10) If the department denies an application or grants conditional approval, the apprenticeship or tutorial trainer may request a review within ninety days of the department's adverse action. After ninety days the contesting party may only obtain review by submitting a new application.

(11) The apprenticeship or tutorial trainer shall notify the department of significant changes with respect to educational administration, trainer qualifications, facilities, or content of training.

(12) The department may inspect an approved apprenticeship or tutorial instruction at reasonable intervals for compliance. Approval may be withdrawn if the department finds failure to comply with the requirements of law, administrative rules, or representations in the application.

(13) The apprenticeship or tutorial trainer must immediately correct deficiencies which resulted in withdrawal of the department's approval.

(14) An apprenticeship or tutorial is of limited duration and ends at the time the parties to the agreement have completed their obligations.

[Statutory Authority: Chapter 18.06 RCW and 2010 c 286. WSR 11-17-105, § 246-803-510, filed 8/22/11, effective 9/22/11.]

FEEES

WAC 246-803-990 East Asian medicine practitioner fees and renewal cycle. (1) Licenses must be renewed every year on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2.

(2) The following nonrefundable fees will be charged:

Title of Fee	Fee
License application	\$100.00
License renewal	196.00
Inactive license renewal	50.00
Late renewal penalty	105.00
Expired license reissuance	50.00
Expired inactive license reissuance	50.00
Duplicate license	15.00
Certification of license	25.00
East Asian medicine training program application	500.00
UW library access fee	9.00

[Statutory Authority: Chapter 18.06 RCW and 2010 c 286. WSR 11-17-105, § 246-803-990, filed 8/22/11, effective 9/22/11.]