

WSR 24-24-029

PERMANENT RULES

DEPARTMENT OF HEALTH

[Filed November 22, 2024, 5:03 p.m., effective December 23, 2024]

Effective Date of Rule: Thirty-one days after filing.

Purpose: Allowing virtual training for point injection therapy for acupuncture and Eastern medicine. The department of health (department) received a rule petition on June 2, 2023, asking for rule making for point injection therapy training flexibility from the Washington Acupuncture and Eastern Medicine Association (WAEMA) and from an individual who provides point injection therapy education and training.

In consultation with the acupuncture and Eastern medicine advisory committee, the department is adopting amendments to WAC 246-803-040. This will require an acupuncturist or acupuncture and Eastern medicine practitioner performing point injection therapy to continue to complete 24 hours of training, however not all training must be in person.

- Sixteen hours must be in person, and eight of these hours must be hands-on clinical practical experience; and
- The remaining eight hours may be obtained through live interactive webinar or in person.

A hybrid approach is being adopted which allows flexibility. The practitioner will be able to attend eight hours of online training, reducing the number of travel days which is intended to provide a cost savings while maintaining patient safety.

Citation of Rules Affected by this Order: Amending WAC 246-803-040.

Statutory Authority for Adoption: RCW 18.06.160 and 18.06.230.

Adopted under notice filed as WSR 24-13-118 on June 20, 2024.

A final cost-benefit analysis is available by contacting Adriana Barcena, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4865, fax 360-236-2901, TTY 711, email Adriana.barcena@doh.wa.gov, website www.doh.wa.gov.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 1, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: November 22, 2024.

Kristin Peterson, JD
Chief of Policy
for Umair A. Shah, MD, MPH
Secretary of Health

OTS-5103.2

AMENDATORY SECTION (Amending WSR 22-12-018, filed 5/23/22, effective 7/1/22)

WAC 246-803-040 Education and training for point injection therapy. Acupuncturist or acupuncture and Eastern 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 24 (~~contact~~) hours (~~of training~~) in the topics required in this section(~~(7)~~):

(i) Sixteen hours must be in-person; eight hours of which must be hands-on clinical practical experience; and

(ii) The remaining eight hours may be obtained through live interactive webinar or in-person.

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

~~(c))~~ Be administered by an instructor that meets the requirements of subsection (~~(4)~~) (3) of this section.

(2) A curriculum for a point injection therapy training program must include all of the following:

(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) Use of local anesthetics, such as lidocaine and procaine, for reduction of pain during point injection therapy, consistent with the practice of acupuncture and Eastern medicine;

(d) Emergency procedures to include the use of oxygen and epinephrine for potential emergency purposes, such as an allergic or adverse reaction, for patient care and safety; and

(e) Point injection therapy techniques and contraindication within the acupuncture or Eastern medicine scope of practice relative to the authorized substances listed in WAC 246-803-030 (13)(a)(i) through (vi).

~~(3) ((All 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))~~ (4) In addition to (~~point injection therapy meeting~~) the requirements of subsections (1) and (2) of this section, an acupuncturist(~~s~~) or acupuncture and Eastern medicine practitioners using point injection therapy must complete a minimum of two hours of training specifically in the use of intramuscular epinephrine, local anesthetics and oxygen.

(a) The training may be taken separately from the training in point injection therapy.

(b) The minimum of two hours of training count towards meeting the requirement for 24 hours of (~~contact~~) training as required in subsection (1)(a) of this section.

(c) An acupuncturist or acupuncture and Eastern medicine practitioner who holds an active credential with a scope of practice that includes the authority to prescribe, dispense or administer epinephrine, local anesthetics, or oxygen does not need to meet the requirements of (a) of this subsection.

~~((6))~~ (5) 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))~~ (6) The requirements of subsections (1) through ~~((6))~~ (5) of this section do not apply to an acupuncturist or acupuncture and Eastern medicine practitioner who has provided point injection therapy prior to June 9, 2016. An acupuncturist~~((s))~~ or acupuncture and Eastern medicine practitioners using point injection therapy prior to June 9, 2016, must have completed training and education in point injection therapy.

~~((8))~~ (7) Prior to administering local anesthetic, epinephrine, or oxygen in providing point injection therapy services, an acupuncturist or acupuncture and Eastern medicine practitioner must satisfy the education and training requirements ~~((set out in))~~ under this section.

~~((9))~~ (8) Any acupuncturist or acupuncture and Eastern 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.