



## **Arkansas State Board of Acupuncture and Related Techniques**

### **Why licensing acupuncturists is important for the protection and safety of the citizens of Arkansas**

#### **Education required**

- **Clean needle technique**
  - Trains practitioners in handling needles prior to insertion, and post insertion disposal
  - Trains practitioners in clean needling environment
- **Needle depth and angle of insertion**
  - Trains critical knowledge of how deep and at which angle to insert needle at specific points
  - Points on the torso are critical to avoid hitting internal organs
  - Other points can be near arteries or major nerves
  - Injuries can be permanent, debilitating
- **Cautions and contraindications concerning treating patients with various conditions, medications, restrictions.**
  - Certain points prohibited in pregnancy
  - Electrical stimulation prohibited with pacemakers
  - Certain points/techniques prohibited on weak patients
  - Many others examples
- **Knowledge of emergency procedures**
  - Bleeding /hematoma
  - Fainting/dizzy
  - Nausea
- **Regulatory oversight**
  - CPR required
  - High level of education including 800+ hours of supervised clinical practice
  - Background history
  - Intimacy of setting/ inappropriate behavior
  - Major to minor violation repercussions

## OKLAHOMA AND SOUTH DAKOTA LICENSING

- The Oklahoma Acupuncture Association, Toni Twitty, President (by email 12/30/2019):

The association currently has a bill written and is waiting for the next legislative session. There are many reasons that we need licensure:

- 1) Untrained people can put themselves out as healthcare professionals
- 2) The spread of blood borne pathogens
- 3) Risk of infection.
- 4) Right now in Oklahoma if an "acupuncturist" harms you, you have NO recourse.
- 5) Patients have no idea who is treating them. There is a guy practicing here that is a registered sex offender and another is a felon.
- 6) The opioid crisis.
- 7) Without a license people cannot use their insurance as acupuncturists cannot be credentialed.

- South Dakota Acupuncture and Oriental Medicine Association, Drea Miller, Vice President (by email 1/7/2020):

We feel that, now that there are only three remaining unregulated states, now is the time to push for the practice act. What we've been noticing is that as our neighboring states (namely Wyoming and North Dakota) become regulated, we're now seeing an influx of non-certified practitioners entering the state to open clinics. This would not be such a problem if this influx did not include practitioners who have had their licenses or certifications revoked in regulated states for various reasons — ethics violations, criminal charges, insurance fraud, etc. — as well as folks practicing acupuncture with no formal or documented education. This has become a major public safety issue for South Dakota and we expect it to continue until we have some regulatory processes in place.





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Arkansas Legislative Council-OCCUPATIONAL LICENSING REVIEW SUBCOMMITTEE  
Senator Missy Irvin  
Representative Richard Womack  
[Missy.Irvin@senate.ar.gov](mailto:Missy.Irvin@senate.ar.gov)  
[richard@richardwomack.com](mailto:richard@richardwomack.com)

Re: Support for occupational authorization maintenance for acupuncture

Honorable Senators and Representatives:

On behalf of the American Society of Acupuncturists (ASA) and our thirty-four state associations representing more than 5000 acupuncturists nationwide, we commend you on efforts to simplify the practice environment in Arkansas. **We wish to advocate, however, that acupuncture remain a regulated profession, as the practice acupuncture without a license presents a significant and substantiated risk of harm to the public health and safety.** The trend nationally has been clearly directed towards increased regulation as this ancient practice gains tremendous traction in the U.S. healthcare landscape. Michigan created increased regulation of this profession in December 2019, bringing the total number of states with practice acts to 47, and with Oklahoma and South Dakota both introducing acts for consideration.

Acupuncture in the hands of a trained professional has an impressive safety record, however in untrained hands presents a known risk of organ puncture (particularly pneumothorax), infection, patient trauma, and may be significantly less effective leading to wasted healthcare dollars. There is national certification for minimal competency for licensed acupuncturists offered by the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM), which itself is a governmentally regulated agency. As acupuncture becomes more "evidence based" and gains increasing national interest, the desire to incorporate acupuncture will grow. It is expected that within 3-5 years Medicare may cover acupuncture for low back pain, for example. The desire by some to use this method of care without proper oversight will grow, and patients will be injured. Judicious regulation provides critical consumer protections.

Thank you for your careful consideration of this specific industry in your regulatory debates, and please maintain occupational authorization for the professional practice of acupuncture. Please do contact us with any questions.

Very Sincerely,

David W. Miller, M.D., FAAP, L.Ac., Dipl. OM  
Chair, American Society of Acupuncturists

## **Arkansas Society of Licensed Acupuncturists**

<https://www.aracupuncturists.com/>

To whom it may concern,

It is the belief of the Arkansas Society of Licensed Acupuncturists that there is no question that performing acupuncture should require a license. There are only three states remaining that do not require licensure to perform acupuncture. Collectively, the United States is moving forward with understanding the significance of acupuncture and the necessity of extensive, specialized training of practitioners to provide safe and effective treatment.

The Veteran's Health Administration Acupuncture Qualification Standard now requires a masters or doctoral level degree in acupuncture or Oriental Medicine from a school accredited by the Accreditation Commission on Acupuncture and Oriental Medicine (ACAOM), have current certification by the NCCAOM, and maintain a state licensure in a U.S. State or territory. Eliminating acupuncture licensure in Arkansas would contradict that policy and eliminate any possibility of the VA being able to fill acupuncturist positions.

"First, do no harm." This is a simple phrase that every physician knows and should hold dear. As medical providers, we must hold ourselves to the highest standard to protect our patients. Performing acupuncture is an invasive procedure that requires specialized training, period. Eliminating acupuncture licensure would be irresponsible, dangerous, and completely unnecessary.

Without licensing, how are potential patients expected to know the difference in qualifications? Patients seeking a physician shouldn't have to question the educational background of their provider. The expectation should be that the state protects its citizens by requiring a minimum, appropriate degree from its providers, background checks, and continuing education requirements. This is the standard requirement for all medical providers.

Insurance companies require a valid state license in order to provide reimbursement for care. Acupuncture needles, herbs, and other medical supplies require a valid state license kept on record with supply companies. This is a medical profession and it should be treated as such.

- Patient safety should always come first
- Acupuncture has the potential to be harmful in the hands of an untrained practitioner
- Every state requires a license to practice acupuncture except three
- Veteran's Administration requires state licensure
- Suppliers and insurance companies require a valid license

Sincerely,



Zach Beavers DAcOM, LAc

Doctor of Acupuncture and Oriental Medicine, Licensed Acupuncturist

President, Arkansas Society of Licensed Acupuncturists