

CHAPTER 112-04-02 AUTHORITY OF ACUPUNCTURISTS

Section

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112-04-02-01. Rights and Privileges.

Unless otherwise limited by statute, licensed acupuncturists shall be entitled to the rights and privileges of health care practitioners in North Dakota in accordance with acupuncture and oriental medicine training. The practice of acupuncture in North Dakota Century Code section 43-61-01 includes aspects of oriental medicine, such as:

1. Using oriental medicine theory to assess and diagnose a patient;
2. Using oriental medicine theory to develop a plan to treat a patient; and
3. Prescribing and administering oriental medicine therapies as part of a patient treatment plan.

History: Effective July 1, 2017.

General Authority: NDCC 28-32-02, 43-57-03

Law Implemented: NDCC 43-61-08

112-04-02-02. Advertising.

Licensed acupuncturists will be privileged to advertise their practice in any legitimate manner set forth in the code of ethics adopted by the board under section 112-01-04-02, except as limited or prohibited by statute. Doctoral level licensed acupuncturists may use the prefix "doctor" or "Dr." in accordance with an accredited doctoral acupuncture degree but may not advertise any acupuncture title or designation except those established under North Dakota Century Code chapter 43-61-03.

History: Effective July 1, 2017.

General Authority: NDCC 28-32-02, 43-57-03

Law Implemented: NDCC 43-61-03, 43-61-08

112-04-02-03. Authority to administer, prescribe, and dispense.

The practice of acupuncture includes the administration, prescription, dispensing, ordering, or performing of the following based on oriental medicine principles:

1. Food, nutritional supplements, herbs, and patent herbal remedies.
2. Health counseling, nutritional therapy, herbal therapy, oriental massage, exercises, and breathing techniques.
3. Acupuncture point stimulation by acupuncture needles, auriculotherapy, cupping, electricity, heat, dermal friction, gua sha, and touch.

History: Effective July 1, 2017.

General Authority: NDCC 28-32-02, 43-57-03

Law Implemented: NDCC 43-61-08

112-04-02-04. Needle acupuncture administration; acupuncture point stimulation.

1. A licensed acupuncturist shall administer needle acupuncture in accordance with acupuncture and oriental medicine training. Needles used in the practice of acupuncture shall only be prepackaged, single use, sterile acupuncture needles. These needles shall only be used on an individual patient in a single treatment session and disposed of according to federal standards for biohazard waste. Acupuncture points must be cleaned with alcohol or another approved clean needle technique (CNT) antiseptic prior to needle insertion.
2. A licensed acupuncturist must have a plan to manage patient adverse events, including allergy.

History: Effective July 1, 2017.

General Authority: NDCC 28-32-02, 43-57-03

Law Implemented: NDCC 43-57-03, 43-57-08

112-04-02-05. Requirement to refer.

1. A licensed acupuncturist shall request a consultation or written diagnosis from a licensed physician for patients with potentially serious disorders. A referral to a licensed physician is required when a patient has signs or symptoms of:
 - a. Cardiac conditions including uncontrolled hypertension;
 - b. Acute, severe abdominal pain;
 - c. Acute, undiagnosed neurological changes;
 - d. Unexplained weight loss or gain in excess of fifteen percent of the body weight in less than a three-month period;
 - e. Suspected fracture or dislocation;
 - f. Suspected systemic infections;
 - g. Any serious undiagnosed hemorrhagic disorder; and
 - h. Acute respiratory distress without previous history.
2. A licensed acupuncturist shall refer a patient to a licensed physician in the event of:
 - a. Suspected pneumothorax; or
 - b. Broken acupuncture needle.

History: Effective July 1, 2017.

General Authority: NDCC 28-32-02, 43-57-03

Law Implemented: NDCC 43-57-03, 43-57-08