



PERMANENT ADMINISTRATIVE ORDER

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CHAPTER 847
OREGON MEDICAL BOARD

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ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Updates acupuncture rules for mentorships when required for initial licensure or re-entry to practice.

EFFECTIVE DATE: 10/10/2019

AGENCY APPROVED DATE: 10/03/2019

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RULES:

847-070-0019, 847-070-0045

AMEND: 847-070-0019

RULE TITLE: Interview and Examination

NOTICE FILED DATE: 07/24/2019

RULE SUMMARY: The amendment updates acupuncture rules for mentorships when required for initial licensure. The rule requires board approval of the mentorship and clarifies that the length of the mentorship will be tailored to the time the acupuncturist was out of practice. Under the Board-approved matrix for re-entry for acupuncturists, a 40-hour mentorship for each year out of practice is generally required.

RULE TEXT:

- (1) In addition to all other requirements for licensure, the Board may require an applicant to appear for a personal interview regarding information received in the application process. Unless excused in advance, failure to appear before a Committee of the Board for a personal interview violates ORS 677.190(17) and may subject the applicant to disciplinary action.
- (2) If there is reasonable cause to question the qualifications of an applicant, the Board in its discretion may require the applicant to do one or more of the following:
 - (a) Obtain certification or re-certification in Acupuncture or Oriental Medicine by the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM);
 - (b) Pass an evaluation which may be written, oral, practical, or any combination thereof;
 - (c) Provide documentation of current NCCAOM Acupuncture certification;
 - (d) Complete 15 hours of continuing education acceptable to the Board for every year the applicant has ceased practice prior to application for Oregon licensure. Continuing education that meets NCCAOM's recertification requirements would qualify as Board-approved continuing education;
 - (e) Complete a Board-approved mentorship tailored to the applicant's time out of practice under a Board-approved mentor who must individually supervise the applicant. The mentor must report the successful completion of the mentorship to the Board.

(3) An applicant must pass an open-book examination on the Medical Practice Act (ORS Chapter 677) and Oregon Administrative Rules (OAR chapter 847, division 70). If an applicant fails the examination three times, the applicant must attend an informal meeting with a Board member, the Executive Director, a Board investigator and/or the Medical Director of the Board to discuss the applicant's failure of the examination before being given a fourth and final attempt to pass the examination. If the applicant does not pass the examination on the fourth attempt, the applicant may be denied licensure.

STATUTORY/OTHER AUTHORITY: ORS 677.265, 677.759

STATUTES/OTHER IMPLEMENTED: ORS 677.759

AMEND: 847-070-0045

RULE TITLE: Inactive Registration and Re-Entry to Practice

NOTICE FILED DATE: 07/24/2019

RULE SUMMARY: The amendment updates acupuncture rules for mentorships when required for re-entry to practice. The rule requires board approval of the mentorship and clarifies that the length of the mentorship will be tailored to the time the acupuncturist was out of practice. Under the Board-approved matrix for re-entry for acupuncturists, a 40-hour mentorship for each year out of practice is generally required.

RULE TEXT:

- (1) Any acupuncturist licensed in this state who changes location to some other state or country shall be listed by the Board as inactive.
- (2) If the acupuncturist wishes to resume active status, the acupuncturist must file an Affidavit of Reactivation and pay a processing fee, satisfactorily complete the reactivation process and be approved by the Board before beginning active practice in Oregon.
- (3) The Board may deny active registration if it judges the conduct of the acupuncturist during the period of inactive registration to be such that the acupuncturist would have been denied a license if applying for an initial license.
- (4) If an acupuncturist applicant has ceased practice for a period of 24 or more consecutive months immediately preceding the application for licensure or reactivation, the applicant may be required to do one or more of the following:
 - (a) Obtain certification or re-certification in Acupuncture or Oriental Medicine by the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM);
 - (b) Provide documentation of current NCCAOM Acupuncture or Oriental Medicine certification;
 - (c) Complete 15 hours of continuing education acceptable to the Board for every year the applicant has ceased practice;
 - (d) Complete a Board-approved mentorship tailored to the applicant's time out of practice under a Board-approved mentor who must individually supervise the licensee. The mentor must report the successful completion of the mentorship to the Board.
- (5) The acupuncturist applicant who has ceased practice for a period of five or more consecutive years may be required to complete a re-entry plan to the satisfaction of the Board. The re-entry plan must be reviewed and approved through a Consent Agreement for Re-entry to Practice prior to the applicant beginning the re-entry plan. Depending on the amount of time out of practice, the re-entry plan may contain one or more of the requirements listed in section (4) of this rule and such additional requirements as determined appropriate by the Board.

STATUTORY/OTHER AUTHORITY: ORS 677.265, 677.759

STATUTES/OTHER IMPLEMENTED: ORS 677.175, 677.759