

**311.674 Certification as an acupuncturist -- Approval and denial of applications -- Renewal -- Reciprocity.**

- (1) To be certified by the board as an acupuncturist, an applicant shall:
  - (a) Submit an application approved by the board, with all sections completed, with the required fee;
  - (b) Be of good character and reputation;
  - (c) Have achieved a passing score on the acupuncture examination administered by the National Commission for Certification of Acupuncture and Oriental Medicine; and
  - (d) Have graduated from a course of training of at least one thousand eight hundred (1,800) hours, including three hundred (300) clinical hours, that is approved by the Accreditation Commission for Acupuncture and Oriental Medicine.

Prior to July 1, 2007, a person who is a Kentucky resident who does not meet the requirement of paragraph (d) of this subsection may be certified by the board if he or she meets all the requirements of paragraphs (a) and (b) of this subsection and passes the examination required under paragraph (c) of this subsection. On and after July 1, 2007, all provisions of this subsection, including graduation from an approved course of training as specified in paragraph (d) of this subsection, must be met by all applicants before initial certification as an acupuncturist may be granted.

- (2) An acupuncturist who is legally authorized to practice acupuncture in another state and who is presently in good standing in that other state may be certified by endorsement from the state of his or her credentialing if that state has standards substantially equivalent to those of this Commonwealth. An applicant who submits his or her application for certification within the six (6) months immediately following July 12, 2006, shall be certified by the board as an acupuncturist if the applicant meets the requirements of subsection (1)(a) to (c) of this section and has been legally authorized to practice acupuncture in another state for at least two (2) years prior to submission of the application.
- (3) The board may request any reasonable information from the applicant and from collateral sources that is necessary for the board to make an informed decision. The applicant will execute any necessary waiver or release so that the board may obtain necessary information from collateral sources. An application will be considered completed when the applicant has fully answered all sections of the approved application and the board has received all necessary additional information from the applicant and collateral sources.
- (4) An acupuncturist's certificate shall be renewed every two (2) years upon fulfillment of the following requirements:
  - (a) The applicant has submitted a renewal application approved by the board within the time specified, with all sections completed, with the required fee;
  - (b) The applicant is of good character and reputation; and
  - (c) The applicant has provided evidence of completion of the required continuing education during the previous period of certification, including evidence of completion of a continuing education course on the human

immunodeficiency virus and acquired immunodeficiency syndrome in the previous ten (10) years that meets the requirements of KRS 214.610.

- (5) The board shall notify each applicant in writing of the action it takes on an application within one hundred twenty (120) days following the board's receipt of a completed application.
- (6) Notwithstanding any of the requirements for certification established in this section, and after providing the applicant with reasonable notice of its intended action and after providing a reasonable opportunity to be heard, the board may deny certification to an applicant without a prior evidentiary hearing upon a finding that the applicant has violated any provision of this section or is otherwise unfit to practice. If the board denies an application, it shall notify the applicant of the grounds on which the denial is based. Orders denying a certificate may be appealed pursuant to KRS 311.593.

**Effective:** July 12, 2006

**History:** Created 2006 Ky. Acts ch. 249, sec. 4, effective July 12, 2006.

**Legislative Research Commission Note** (7/12/2006). For the sake of clarity and under the authority of KRS 7.136(1)(c), the Reviser of Statutes has further divided subsection (1) of 2006 Ky. Acts ch. 249, sec. 4.