

**TITLE 16. CALIFORNIA ACUPUNCTURE BOARD  
DEPARTMENT OF CONSUMER AFFAIRS**

NOTICE IS HEREBY GIVEN that the California Acupuncture Board (hereinafter "Board") is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at:

**Department of Consumer Affairs  
1747 North Market Blvd, 2<sup>nd</sup> Floor, Sapphire Room  
Sacramento, CA 95834  
July 20, 2015 at 9am**

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office not later than July 20, 2015 or must be received by the Board at the hearing. The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Sections 901 and 4933 of the Business and Professions Code (hereafter 'BPC'), and to implement, interpret or make specific Sections 901 of the BPC, the Board is considering changes to Division 15 of Title 16 of the California Code of Regulations as follows:

**INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

The Board currently regulates a total of 17,200 licensees, all of whom have been issued a license to practice Acupuncture in California. The Board's highest priority is the protection of the public when exercising its licensing, regulatory, examination, school approval and disciplinary functions. The primary methods by which the Board achieves this goal are: issuing licenses to eligible applicants; investigating complaints against licensees and disciplining licensees for violating of the Acupuncture Licensure Act (hereinafter 'ALA'); monitoring licensees whose license has been placed on probation; overseeing approval of Acupuncture Schools and training programs; and administering the California Acupuncture Licensing Exam (hereafter 'CALE').

BPC section 4928.1 states that protection of the public shall be the highest priority for the Board in exercising its licensing, regulatory, examination, school approval and disciplinary functions. BPC section 4933 authorizes the Board to adopt, amend, or

repeal, such rules and regulations as may be reasonably necessary to enable the Board to carry into effect the provisions of the ALA.

There is not an existing federal regulation or statute comparable to this proposal.

AB 2699 (Bass, Chapter 270, Statutes of 2010), enacting BPC Section 901, was passed by the Legislature and signed into law on September 15, 2010. BPC Section 901 provides an exemption for a health care practitioner, licensed or certified in another state, from the licensing and regulatory requirements of the applicable California healing arts board. To be exempted from California licensure requirements, a health care practitioner may provide services at a sponsored healthcare event to uninsured or underinsured people on a short-term, voluntary basis. Section 901 requires the out-of-state health care provider to seek authorization from the applicable healing arts board in California. Section 901 also provides the regulatory framework for the approval of an out-of-state health care practitioner and a sponsoring entity to seek approval from the applicable healing arts boards. However, each individual healing arts board is responsible for promulgating regulations to prescribe the specific requirements for the approval of an out-of-state practitioner and a sponsoring entity.

According to the author of AB 2699, "Thousands of low-income children, families, and individuals in California are uninsured or underinsured and do not receive basic health, vision, and acupuncture care and screenings. Lack of basic services and preventive care may lead to more serious and costly health, acupuncture, and vision problems. In August 2009, the Remote Area Medical (RAM) Volunteer Corps conducted an eight-day health event in Los Angeles County. Volunteer medical, acupuncture and other health-care practitioners provided \$2.9 million in free services to over 14,000 individuals during the event. While the event was extremely successful, RAM experienced a shortage of volunteer medical, acupuncture, and vision providers because of restrictions in state laws which prohibit volunteer out-of-state licensed medical personnel from providing short-term services. As a result, thousands of residents needing services were turned away." To prevent future volunteer shortages at sponsored free health-care events such as RAM, AB 2699 was introduced to permit health-care providers licensed in other states, who are willing to help, to practice in California for a limited time.

1. The primary purpose of these proposed regulations is to implement, interpret, and make specific the provisions of BPC section 901, as it pertains to licensed acupuncturists, by adopting proposed sections 1399.480, 1400.1, 1400.2, and 1400.3. These regulations would impose new requirements, including the application and registration requirements, disciplinary actions, recordkeeping requirements, and provisions for termination for the exemption of out-of-state licensed acupuncturists who wish to participate in a sponsored free health-care event. The "Registration of Sponsoring Entity Under Business and Professions Code 901" Form 901-A (DCA/2014 - revised) and the "Request For Authorization To Practice Without A License At A Registered Free Health Care Event" Form 901-B (CAB/2014) are incorporated by reference. The Board's highest priority is the protection of the public, and these proposed regulations are intended to

implement BPC Section 901 in a manner that will provide the greatest protection for the people of California.

Therefore, the Board is proposing the following changes:

Adopt Section 1399.480 of Article 7 of Chapter 13.7 of Title 16 of the California Code of Regulations (Definitions):

This proposal adopts a new Article 7, Section 1399.480 to define the terms “community based organization” and “out-of-state practitioner” for the purposes of this Section.

These terms are either not currently defined in the statute or require further clarification.

**Policy Statement Overview/Anticipated Benefits:** This proposed section will help to clarify in regulations the definition of “community based organization” and “Out of state practitioner”.

Adopt Section 1400.1 of Article 7 of Chapter 13.7 of Title 16 of the California Code of Regulations (Definitions):

This proposal adopts a new Article 7, Section 1400.1, which establishes a timeframe for submission of a sponsoring entity’s registration form, which is 90 days prior to the event, prescribes the “Registration of Sponsoring Entity Under Business and Professions Code 901,” Form 901-A (DCA/2014 - revised) to be used, and incorporates the form by reference. Form 901-A would include the following:

- Provide filing requirements and disclosures regarding qualifications for registration as well as deadlines for filing a completed application 90 days in advance of the event.
- Part 1 – Requires the applicant to disclose organization name, organization contact information, type of organization, the organization’s tax identification number and if the organization is community-based, disclose its mission, goals and activities.
- Part 2 – Requires the applicant to provide a list of responsible organization officials that includes the name, address, title, phone number and email address of each responsible official.
- Part 3 – Requires the applicant to disclose event details including: name of the event, date(s) of the event, location(s) of the event, a description of the intended event, a list of all out-of-state health care practitioners the organization currently intends to apply for the event (name, profession and state of licensure required), and disclose each licensing authority that will have jurisdiction over an out-of-state licensed health care practitioner.
- Provides a notice regarding collection and use of personal information given on the application.
- Provide notice regarding requirements for each out-of-state practitioner practicing at the event, including submission of the required Form DCA-901-B in advance of the event.
- Provide notice of the requirements for the maintenance of records for 5 years in California and for filing a report with the Board within 15 calendar days of the completion of the event.

- Requires the applicant to certify their statements under penalty of perjury and attest that the individual is authorized to sign on behalf of the organization.

This section would also allow the board to, by resolution, delegate to the Department of Consumer Affairs the authority to receive and process Form 901-A on behalf of the board and specify that the board shall inform the sponsoring entity within 15 days of receipt that the form is either complete and the entity is registered or that the form is deficient and what specific information or documentation is required to complete the form and be registered. The proposed section allows the board or its delegates to reject the form if all of the identified deficiencies have not been corrected at least 30 days prior to the event. This proposed section implements and makes specific the recordkeeping requirements of sponsoring entities set forth in Section 901(g) and clarifies that authorization must be provided before a sponsoring entity may allow an out-of-state practitioner to participate in a sponsored event. This proposed section specifies the information to be provided in the report required under Section 901(f). Finally, the proposed section requires that the sponsoring entity shall not permit an out of state acupuncturist to participate unless they have received written approval from the Board.

**Policy Statement Overview/Anticipated Benefits:** The Board's highest priority is the protection of the public, and these proposed regulations are intended to implement BPC Section 901 in a manner that will provide the greatest protection for the people of California. This proposed section will increase public protection at these free and sponsored health care events by requiring organizers to disclose and submit all required information about the event to the Board and DCA. It also allows for the Board to determine completeness of the form, requiring full disclosure of details about the event and putting procedures in place for recordkeeping after the event.

Adopt Section 1400.2 of Article 7 of Chapter 13.7 of Title 16 of the California Code of Regulations (Out-of-State Practitioner Authorization to Participate in Sponsored Event):

1. This proposed section adopts a new Article 7, Section 1400.2, which provides the mechanism by which an out-of-state practitioner may request authorization to participate in a sponsored event: completion of "Request For Authorization To Practice Without A License At A Registered Free Health Care Event," Form 901-B (CAB/2014)

Form 901-B would include the following:

- Part 1 – Requires the applicant to provide: a completed application, a \$25 processing fee to the board (or \$49 fee if using "ink on cards" to have fingerprints made), a copy of each current license authorizing the applicant to engage in the practice of acupuncture in another jurisdiction, a copy of a valid photo identification issued from another jurisdiction, any documents or statements requested on the application, and fingerprints.
- Part 2 – Requires the applicant to disclose: name, social security number, contact information, employer, and employer's contact information.
- Part 3 – Requires the applicant to respond regarding: current licensure in another

state, district or territory of the United States; any pending investigations by any governmental entity; any past or pending charges against an Acupuncture license; disciplinary actions taken against any healing arts license; surrender of an Acupuncture license; malpractice settlements or judgments; criminal convictions; permits to prescribe controlled substances from the federal Drug Enforcement Agency (DEA); current physical or mental impairment related to drugs or alcohol; and, mental incompetency or conservatorship.

- Part 4 – Requires the applicant to provide: name of non-profit or community-based organization hosting the event, name of event, date(s) and location(s) of the event, date(s) and location(s) applicant will be performing healthcare services, the healthcare services the applicant intends to provide, and the name and phone number of the contact person with the sponsoring entity.
- Part 5 – Requires the applicant to acknowledge and certify the following: (1) agree to comply with applicable practice requirements and regulations of the board; (2) agree to practice only within the scope of his/her licensure; (3) agree to provide services only to uninsured or underinsured persons at no cost; (4) agree to provide services only in association with the sponsoring entity and the event(s); (5) agree to be responsible for knowing and complying with California law and practice standards; (6) agree to permit the board to notify the licensing authority of the applicant's home jurisdiction of any potential grounds for discipline associated with the event; (7) acknowledge that practice without proper licensure may subject the applicant to administrative, civil and/or criminal penalties; and, (8) certify that the applicant has read the questions in the application and that all information is true and complete to the best of the applicant's knowledge.
- Notification that completion and submission of the application grants permission to the board to verify and investigate any information provided.
- Notification regarding collection and use of personal information given on the application.
- Notification that the applicant's signature on the application authorizes the National Practitioner Data Bank (NPDB) and the DEA to release any and all information required by the board.
- Notification that authorization will not be issued until clearance has been received from the California Department of Justice and the Federal Bureau of Investigation.

This proposal would also set forth the standard 20-day timeframe from the receipt of a completed application in which the board shall grant or deny the authorization request. This section would set forth the criteria under which the board must or may deny a request for authorization to participate and would provide an appeal procedure for an applicant who has had a request for authorization to participate denied by the board.

**Policy Statement Overview/Anticipated Benefits:** The Board's highest priority is the protection of the public, and these proposed regulations are intended to implement BPC section 901 in a manner that will provide the greatest protection for the people of California. This proposed section will increase public protection through registration of

out-of-state volunteer acupuncturists, by requiring those acupuncturists disclose all practice information, contact info and their qualifications for temporary authorization in California. Also, these proposed regulations will ensure that sponsored free health-care events will not be hampered by shortages of health-care practitioners, and will allow more of these individuals to volunteer.

Adopt Section 1400.3 of Article 7 of Chapter 13.7 of Title 16 of the California Code of Regulations (Termination of Authorization and Appeal):

This proposed section adopts a new Article 7, Section 1400.3, which provides the grounds upon which the board may terminate the authorization to participate previously granted to an out-of-state practitioner, specifies that written notice of termination, including the basis for the termination, shall be given to both the sponsoring entity and the out-of-state practitioner. If the written notice is provided during the sponsoring event, then this proposal would permit the board to provide notice to any representative of the sponsored event on the premises of the event. This provision would also set forth the consequences of a termination of authorization to participate and how the board will report the fact of such termination to the NPDB and the applicable out-of-state licensing entity, and provides the procedure for appealing denials of authorization and terminations of authorizations to participate, including an informal hearing under the Administrative Procedure Act (APA) for appeals submitted by out-of-state practitioners.

**Policy Statement Overview/Anticipated Benefits:** The Board's highest priority is the protection of the public, and these proposed regulations are intended to implement BPC section 901 in a manner that will provide the greatest protection for the people of California. This proposed section will increase public protection through registration of out-of-state volunteer Acupuncturists and allows the Board to reject authorization of those Acupuncturists on various grounds. It also allows the Board to report the rejection to out-of-state licensing entities and the NPDB, therefore helping to increase public protection.

**Consistency and Compatibility with Existing State Regulations**

After conducting an evaluation of the regulations that are related to or would affect this area, the Board has determined that the regulatory proposal is not inconsistent nor incompatible with existing state regulations.

**INCORPORATION BY REFERENCE**

- "Registration of Sponsoring Entity Under Business and Professions Code 901" Form 901-A (DCA/2014 - revised)
- 2. "Request For Authorization To Practice Without A License At A Registered Free Health Care Event" Form 901-B (CAB/2014)

**FISCAL IMPACT ESTIMATES**

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

It is unknown how many sponsors of free health-care events and how many volunteer out-of-state acupuncturists may apply to the Board as a result of these regulations. The Board is proposing to limit the health care events to four times a year.

However, the Board estimates that it will receive at least 75 applications per year from out-of-state acupuncturists seeking authorization to provide services at sponsored free health-care events. While the workload is minor and absorbable, the Board will need to charge a \$25.00 non-refundable processing fee (plus \$49.00 for individuals who have to submit fingerprints on hard cards and not via Live Scan). This fee will offset the costs associated with staff's processing of the application.

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Sections 17500 - 17630 Require Reimbursement: None

Business impact:

These proposed regulations will provide the Board with the means to implement, interpret, and make specific BPC section 901, as it pertains to licensed acupuncturists, including application and registration requirements, disciplinary actions, recordkeeping requirements and provisions for termination of authorization for an out-of-state licensed acupuncturist who wishes to participate in a sponsored free health care event. The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The Board currently regulates a total of 17,200 licensees, all of whom have been issued a license to practice acupuncture in California. The Board only regulates activities that appear to affect small businesses as defined in California Government Code Section 14837.

Sponsoring entities may incur nominal expenses associated with submitting the registration form to the Board, and complying with recordkeeping requirements, and reporting requirements. Sponsoring entities shall be responsible for submitting the "Registration of Sponsoring Entity Under Business and Professions Code 901," Form 901-A (DCA/2014 - revised) to the Board. Expenses associated with submitting the registration form include printing and mailing; these expenses are minimal and should not have a significant fiscal impact on sponsoring entities. Additionally, sponsoring entities shall be responsible for maintaining copies of all records required by BPC section 901, as well as the copy of the authorization for participation issued by the Board to an out-of-state practitioner at a physical location in California. The records must be maintained for a period of at least five years after the date the sponsored event ended; the records may be kept in electronic or paper form. The sponsoring

entity shall also be responsible for maintaining copies of all records required by BPC Section 901(g) at the physical location of the sponsored event. Expenses associated with these recordkeeping requirements are nominal and include storage and transportation of the required records; these expenses are minimal and should not have a significant fiscal impact on sponsoring entities. Finally, the sponsoring entity shall be responsible for providing a report to the Board summarizing the details of the sponsored event within fifteen days after the conclusion of such event. The report may be provided to the Board on a form of the sponsoring entity's choosing. Expenses associated with these reporting requirements are nominal and include printing and postage; these expenses are minimal and should not have a significant fiscal impact on sponsoring entities.

Out-of-state Acupuncturists seeking authorization from the Board to participate in a sponsored event will incur a \$25.00 fee for application processing. Additionally, applicants will incur costs associated with furnishing fingerprints for the purpose of the Board conducting a criminal history check. These costs are necessary for the protection of the public, and to provide staff time and resources for registration of sponsored events and volunteer out-of-state practitioners in the short timeframes set in the statute.

This regulation will have a positive impact on the health of uninsured or under-insured Californians that are currently unable to receive healthcare due to lack of funding and resources, particularly those who prefer a holistic and natural approach to their health care.

Impact on Jobs/New Businesses:

The Board has determined that this regulatory proposal would not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business:

Sponsors of free health-care events and out-of-state practitioners will incur minimal costs to apply and register with the Board in compliance with the statute and these regulations. Out-of-state acupuncturists seeking authorization from the Board to participate in a sponsored event will incur a \$25.00 fee for application processing. Additionally, applicants will incur costs associated with furnishing fingerprints for the purpose of the Board conducting a criminal history check. The cost for a person to get fingerprinted is \$49.00. Of this fee, \$32.00 goes to the Department of Justice for conducting the background check and providing criminal record reports to the Board. The vendor's fee ranges from \$5.00 to \$45.00. For those out-of-state acupuncturists who are not able to submit fingerprints electronically via Live Scan, the fee for the Board to process "hard cards" fingerprints is \$49.00. These fees will have to be factored into the cost of the individual's volunteered services. The fees may be covered by sponsoring entities.

Effect on Housing Costs: None



### **EFFECT ON SMALL BUSINESS**

The Board has determined that the proposed regulation would not have a significant economic impact on small businesses. The Board only regulates activities that appear to affect small businesses as defined in California Government Code Section 14837. Instead, the impact of this rulemaking is to offer free health care to uninsured or under-insured Californians by volunteer health care practitioners coming from out of state to provide acupuncture services. These services may benefit small businesses that do not provide acupuncture care to their employees.

### **RESULTS OF THE ECONOMIC IMPACT ANALYSIS**

The proposal will not create or eliminate jobs within the State of California; will not create or eliminate existing businesses within the state; will not affect the expansion of businesses currently doing business within the State of California; will not affect worker safety; and do not affect the state's environment.

### **BENEFITS OF REGULATION**

The Board has determined that this regulatory proposal benefits the health and welfare of California residents, specifically, uninsured or under-insured Californians that are currently unable to receive Acupuncture care due to lack of funding and resources who prefer an alternative approach to medicine. These proposed regulations will permit sponsoring entities to have access to out-of-state acupuncturists as an additional resource for volunteer recruitment purposes. This will prevent a shortage of acupuncturists at sponsored free health-care events, in turn increasing access to care. There may also be benefits to private businesses that are not able to provide basic health care. These regulations will benefit the health of Californians who attend sponsored events, in addition to providing public protection through registration of out-of-state volunteer Acupuncturists.

### **CONSIDERATION OF ALTERNATIVES**

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposal described in this Notice, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

### **INITIAL STATEMENT OF REASONS AND INFORMATION**

The Board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

### **TEXT OF PROPOSAL**

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Board at 1747 North Market Blvd, Suite 180, Sacramento, CA 95834.

### **AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE**

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

### **CONTACT PERSON**

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name:	Marc Johnson, Policy Coordinator
Address:	1747 North Market Blvd, Suite 180 Sacramento, CA 95834
Telephone No.:	916-515-5200
Fax No.:	916-928-2204
E-Mail Address:	<a href="mailto:acupuncture@dca.ca.gov">acupuncture@dca.ca.gov</a>

The backup contact person is:

Name:	Terri Thorfinnson, Executive Officer
Address:	1747 North Market Blvd, Suite 180 Sacramento, CA 95834
Telephone No.:	916-515-5200
Fax No.:	916-928-2204
E-Mail Address:	<a href="mailto:acupuncture@dca.ca.gov">acupuncture@dca.ca.gov</a>

Website Access: Materials regarding this proposal can be found at [http://www.acupuncture.ca.gov/about\\_us/dpoppp.shtml](http://www.acupuncture.ca.gov/about_us/dpoppp.shtml)

## SPONSORED FREE HEALTH CARE EVENTS

### REGISTRATION OF SPONSORING ENTITY UNDER BUSINESS & PROFESSIONS CODE SECTION 901

In accordance with California Business and Professions Code section 901(d), a non-government organization administering an event to provide health-care services to uninsured and underinsured individuals at no cost, may include participation by certain health-care practitioners licensed outside of California if the organization registers with the California licensing authorities having jurisdiction over those professions. This form shall be completed and submitted by the sponsoring organization **at least 90 calendar days prior to the sponsored event**. *Note that the information required by Business and Professions Code section 901(d) must also be provided to the county health department having jurisdiction in each county in which the sponsored event will take place.*

#### PART 1 – ORGANIZATIONAL INFORMATION

1. Organization Name: \_\_\_\_\_

2. Organization Contact Information (*use principal office address*):

Address Line 1 \_\_\_\_\_

Phone Number of Principal Office \_\_\_\_\_

Address Line 2 \_\_\_\_\_

Alternate Phone \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Website \_\_\_\_\_

County \_\_\_\_\_

Organization Contact Information in California (*if different*):

Address Line 1 \_\_\_\_\_

Phone Number \_\_\_\_\_

Address Line 2 \_\_\_\_\_

Alternate Phone \_\_\_\_\_

City, State, Zip \_\_\_\_\_

County \_\_\_\_\_

3. Type of Organization:

Is the organization operating pursuant to section 501(c)(3) of the Internal Revenue Code? \_\_\_\_\_ Yes \_\_\_\_\_ No

If not, is the organization a community-based organization\*?

\_\_\_\_\_ Yes      \_\_\_\_\_ No

Organization's Tax Identification Number \_\_\_\_\_

If a community-based organization, please describe the mission, goals, and activities of the organization (*attach separate sheet(s) if necessary*): \_\_\_\_\_

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\* A "community-based organization" means a public or private nonprofit organization that is representative of a community or a significant segment of a community, and is engaged in meeting human, educational, environmental, or public safety community needs.

<b>PART 2 – RESPONSIBLE ORGANIZATION OFFICIALS</b>
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Please list the following information for each of the principal individual(s) who is the officer(s) or official(s) of the organization responsible for operation of the sponsoring entity.

Individual 1:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address Line 1

\_\_\_\_\_  
Address Line 2

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
County

\_\_\_\_\_  
Title

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Alternate Phone

\_\_\_\_\_  
E-mail address

Individual 2:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address Line 1

\_\_\_\_\_  
Address Line 2

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
County

\_\_\_\_\_  
Title

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Alternate Phone

\_\_\_\_\_  
E-mail address

Individual 3:

Name	Title
Address Line 1	Phone
Address Line 2	Alternate Phone
City, State, Zip	E-mail address
County	

*(Attach additional sheet(s) if needed to list additional principal organizational individuals)*

<b>PART 3 – EVENT DETAILS</b>
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1. Name of event, if any: \_\_\_\_\_

2. Date(s) of event (not to exceed ten calendar days): \_\_\_\_\_

3. Location(s) of the event (be as specific as possible, including address):

_____
_____
_____
_____

4. Describe the intended event; including a list of all types of healthcare services intended to be provided (*attach additional sheet(s) if necessary*): \_\_\_\_\_

_____
_____
_____
_____
_____
_____

5. Attach a list of all out-of-state health-care practitioners who you currently believe intend to apply for authorization to participate in the event. The list should include the name, profession, and state of licensure of each identified individual.

\_\_\_ *Check here to indicate that list is attached.*

**Note:**

- Each individual out-of-state practitioner must request authorization to participate in the event by submitting an application to the applicable licensing Board or Committee.
- The organization will be notified in writing whether authorization for an individual out-of-state practitioner has been granted.

This form, any attachments, and all related questions shall be submitted to:

Department of Consumer Affairs  
Attn: Sponsored Free Health-Care Events  
Complaint Resolution Program  
1625 North Market Blvd., Ste. 202  
Sacramento, CA 95834

Tel: (916) 574-7950  
Fax: (916) 574-8676  
E-mail: CRP2@dca.ca.gov

- I understand that I must maintain records in either electronic or paper form both at the sponsored event and for five (5) years in California, per the recordkeeping requirements imposed by California Business and Professions Code section 901 and the applicable sections of Title 16, California Code of Regulations, for the regulatory bodies with jurisdiction over the practice to be engaged in by out-of-state practitioners
- I understand that our organization must file a report with each applicable Board or Committee within fifteen (15) calendar days of the completion of the event.

I certify under penalty of perjury under the laws of the State of California that the information provided on this form and any attachments is true and current, and that I am authorized to sign this form on behalf of the organization:

\_\_\_\_\_  
Name Printed

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**PERSONAL INFORMATION COLLECTION, ACCESS AND DISCLOSURE**

Disclosure of your personal information is mandatory. The information on this form is required pursuant to Business and Professions Code section 901. Failure to provide any of the required information will result in the form being rejected as incomplete. The information provided will be used to determine compliance with the requirements promulgated pursuant to Business and Professions Code section 901. The information collected may be transferred to other governmental and enforcement agencies. Individuals have a right of access to records containing personal information pertaining to that individual that are maintained by the applicable Board or Committee, unless the records are exempted from disclosure by section 1798.40 of the Civil Code. An individual may obtain information regarding the location of his or her records by contacting the Complaint Resolution Program at the address and telephone number listed above.

**CALIFORNIA ACUPUNCTURE BOARD**

1747 North Market Boulevard, Suite 180, Sacramento, CA 95834  
(916) 515-5200 FAX (916) 928-2204 [www.acupuncture.ca.gov](http://www.acupuncture.ca.gov)



## REQUEST FOR AUTHORIZATION TO PRACTICE WITHOUT A LICENSE AT A REGISTERED FREE HEALTH CARE EVENT

In accordance with California Business and Professions Code Section 901 any acupuncturist who is licensed/certified and in good standing in another state, district, or territory in the United States may request authorization from the Acupuncture Board (Board) to participate in a free health care event offered by a sponsoring entity, registered with the Board pursuant to Section 901, for a period not to exceed ten (10) days.

### PART 1 - APPLICATION INSTRUCTIONS

An application must be complete and must be accompanied by all of the following:

- A processing fee of \$25 made payable to the board (check or money order only)
- A copy of each valid and current license and/or certificate authorizing the applicant to engage in the practice of acupuncture issued by any state, district, or territory of the United States.
- A copy of a valid photo identification of the applicant issued by one of the jurisdictions in which the applicant holds a license or certificate to practice.
- A full set of fingerprints or submit a Live Scan inquiry to establish the identity of the applicant and to permit the board to conduct a criminal history record check.

The board will not grant authorization until this form has been completed in its entirety, all required enclosures have been received by the board, and any additional information requested by the Board has been provided by the applicant and reviewed by the board, and a determination made to grant authorization.

The board shall process this request and notify the sponsoring entity listed in this form if the request is approved or denied within 20 calendar days of receipt. If the board requires additional or clarifying information, the board will contact you directly, but **written approval or denial of requests will be provided directly to the sponsoring entity**. It is the applicant's responsibility to maintain contact with the sponsoring entity.

### PART 2 - NAME AND CONTACT INFORMATION

1. Applicant Name: \_\_\_\_\_  
First Middle Last

2. Social Security Number: \_\_\_\_ - \_\_\_\_ - \_\_\_\_ Date of Birth: \_\_\_\_\_

3. Applicant's Contact Information:

\_\_\_\_\_  
Address Line 1

\_\_\_\_\_  
Phone

**CALIFORNIA ACUPUNCTURE BOARD**

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Address Line 2

Alternate Phone

City, State, Zip

E-mail address

4. Applicant's Employer : \_\_\_\_\_

Employer's Contact Information:

Address Line 1

Phone

Address Line 2

Facsimile

City, State, Zip

E-mail address (if available)

**PART 3 – LICENSURE INFORMATION**

1. Do you hold a current license, certification, or registration issued by a state, district, or territory of the United States authorizing the unrestricted practice of acupuncture in your jurisdiction(s)?

No ☐ If no, you are not eligible to participate as an out-of-state practitioner in the sponsored event.

Yes ☐ If yes, list every license, certificate, and registration authorizing you to engage in the practice of acupuncture in the following table. If there are not enough boxes to include all the relevant information please attach an addendum to this form. Please also attach a copy of each of your current licenses, certificates, and registrations.

State/ Jurisdiction	Issuing Agency/Authority	License Number	Expiration Date



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2. Have you ever had a license or certification to practice acupuncture revoked or suspended?  
\_\_\_ Yes \_\_\_ No

3. Have you ever been subject to any disciplinary action or proceeding by a licensing body?  
\_\_\_ Yes \_\_\_ No

4. Have you ever allowed any license or certification to practice acupuncture to cancel or to remain in expired status without renewal?  
\_\_\_ Yes \_\_\_ No

5. If you answered "Yes" to any of questions 2-3, please explain (*attach additional page(s) if necessary*): \_\_\_\_\_

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**PART 4 – SPONSORED EVENT**

1. Name of non-profit or community-based organization hosting the free healthcare event (the "sponsoring entity"): \_\_\_\_\_

2. Name of event: \_\_\_\_\_

3. Date(s) & location(s) of the event: \_\_\_\_\_

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4. Date(s) & location(s) applicant will be performing healthcare services (if different):

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5. Please specify the healthcare services you intend to provide: \_\_\_\_\_

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6. Name and phone number of contact person with sponsoring entity: \_\_\_\_\_

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**PART 5 – ACKNOWLEDGMENT/CERTIFICATION**

I, the undersigned, declare under penalty of perjury under the laws of the State of California and acknowledge that:

- I have not committed any act or been convicted of a crime constituting grounds for denial of licensure by the board.

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- I am in good standing with the licensing authority or authorities of all jurisdictions in which I hold licensure and/or certification to practice acupuncture.
- I will comply with all applicable practice requirements required of licensed acupuncturists and all regulations of the Board.
- In accordance with Business and Professions Code Section 901(i), I will only practice within the scope of my licensure and/or certification and within the scope of practice for California-licensed acupuncturists.
- I will provide the services authorized by this request and Business and Professions Code Section 901 to uninsured and underinsured persons only and shall receive no compensation for such services.
- I will provide the services authorized by this request and Business and Professions Code Section 901 only in association with the sponsoring entity listed herein and only on the dates and at the locations listed herein for a period not to exceed 10 calendar days.
- I am responsible for knowing and complying with California law and practice standards while participating in a sponsored event located in California.
- Practice of a regulated profession in California without proper licensure and/or authorization may subject me to potential administrative, civil and/or criminal penalties.
- The Board may notify the licensing authority of my home jurisdiction and/or other appropriate law enforcement authorities of any potential grounds for discipline associated with my participation in the sponsored event.
- All information provided by me in this application is true and complete to the best of my knowledge. By submitting this application and signing below, I am granting permission to the Board to verify the information provided and to perform any investigation pertaining to the information I have provided as the board deems necessary.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Name Printed: \_\_\_\_\_