

DEPARTMENT OF CONSUMER AFFAIRS
TITLE 16. CALIFORNIA ACUPUNCTURE BOARD

FINAL TEXT
CONTINUING EDUCATION: LAW AND ETHICS REQUIREMENT

Legend:	Added text is indicated with an <u>underline</u> . Omitted text is indicated by (* * * *) Deleted text is indicated by strikeout .
----------------	---

Amend sections 1399.480, 1399.489, and 1399.489.1 of Article 8 of Division 13.7 of Title 16 of the California Code of Regulations as follows:

§ 1399.480. Definitions.

(a) For purposes of this article:

(1) "Provider" means a person or organization approved by the Board to offer continuing education.

(2) "Course" means a systematic learning experience, at least one hour in length, that deals with and is designed for the acquisition of knowledge, skills, and information relevant to the practice of acupuncture.

(3) "Hour" means at least fifty (50) minutes of participation in an organized learning experience.

(4) ".5" or "One-half Hour" means at least twenty-five (25) minutes of participation in an organized learning experience.

Note: Authority cited: Section 4933, Business and Professions Code. Reference: Sections 4945 and 4970, Business and Professions Code.

§ 1399.489. Continuing Education Compliance.

(a) With the exception of those holding an inactive license, when renewing an initial license that has been issued for less than two (2) years, licensees shall complete the following hours of Board-approved continuing education:

Period of Initial Licensure	Required Continuing Education Hours
13-16 Months	35
17-20 Months	40
21-23 Months	45

Thereafter, all licensees shall complete fifty (50) hours every two (2) years as a condition of renewal on active status. No more than five (5) hours of continuing education in each two-year period may be obtained in Category 2.

(b) Licensees are limited to fifty percent (50%) of the required continuing education hours every two (2) years for independent or home study courses.

(c) As a condition of renewal on active status, licensees shall complete a minimum of four (4) hours of continuing education in law and ethics during the two (2) years immediately preceding their license expiration date, unless otherwise provided in this subsection. This requirement is waived if the licensee is renewing an initial license that has been issued for less than two (2) years.

~~(d)~~(e) Each licensee at the time of license renewal shall sign a statement under penalty of perjury that the licensee has or has not complied with the continuing education requirements. It shall constitute unprofessional conduct for any licensee to misrepresent completion of the required continuing education.

~~(e)~~(d) The Board may audit a random sample of licensees who have reported compliance with the continuing education requirement.

~~(f)~~(e) Any licensee selected for audit shall ~~be required to~~ submit documentation or records of continuing education coursework that the licensee has taken and completed.

~~(g)~~(f) Each licensee shall retain, for a minimum of four (4) years, records of all continuing education programs that the licensee has attended that indicate the provider's name, title of the course or program, date(s) and location of course, and number of continuing education hours awarded.

~~(h)~~(g) Instructors of approved continuing education courses may receive one (1) hour of continuing education for each classroom hour completed as an instructor, up to a maximum of six (6) hours of continuing education per year, regardless of how many hours or courses are taught. Participation as a member of a panel presentation for an approved course shall entitle the participant to earn continuing education hours equal to the actual panel presentation time within the appropriate category of the course.

~~(i)~~(h) Any licensee who participates in the development of an occupational analysis, examination development session, item review session, or passing score workshop shall receive one (1) hour of continuing education for every two (2) hours of participation.

Note: Authority cited: Section 4933, Business and Professions Code. Reference: Sections 4945 and 4955, Business and Professions Code.

§ 1399.489.1. Inactive License.

(a) Any licensee who is not actively engaged in the practice of acupuncture desiring an inactive license under the provisions of Article 9 (commencing with Section 700) of Chapter 1 of Division 2 of the Code or to restore an inactive license to active status shall submit a completed "Active/Inactive License Application" (Rev. 5/08), that is hereby incorporated by reference, to the Board. The applicant need not submit the applicant's certificate or a copy thereof to the Board with the application.

(b) To restore an inactive license to active status, the licensee shall have completed a minimum of fifty (50) hours of approved continuing education within the last two (2) years in compliance with this article. At least forty-five (45) hours of continuing education must be in coursework approved as Category 1. In the event a license has been inactive less than one (1) year, a minimum of twenty-five (25) hours of continuing education is required, with at least twenty-two and one half (22.5) hours of coursework approved as Category 1. The licensee shall also have completed four (4) hours of continuing education in law and ethics as part of either the minimum 50 hours or 22.5 hours of continuing education required by this subsection.

(c) The inactive status of any licensee shall not deprive the Board of its authority to institute or continue a disciplinary proceeding against a licensee upon any ground provided by law or to enter an order suspending or revoking a license or otherwise taking disciplinary action against the licensee on any such ground.

Note: Authority cited: Section 4933, Business and Professions Code. Reference: Sections 704 and 4945, Business and Professions Code.