GEORGIA COMPOSITE MEDICAL BOARD

EXECUTIVE DIRECTOR
LaSharn Hughes, MBA

BOARD CHAIRPERSON
Alice House, MD

2 Peachtree Street, N.W., 36th Floor • Atlanta, Georgia 30303 • Tel: 404.656.3923 • http://www.medicalboard.georgia.gov
E-Mail: medbd@dch.ga.gov

GEORGIA COMPOSITE MEDICAL BOARD
NOTICE OF INTENT TO AMEND AND ADOPT RULES

TO ALL INTERESTED PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia Composite Medical Board (hereinafter "Board") proposes amendments to the Georgia Composite Medical Board Rules, **Rule 360-6-.04 "Display of License for Acupuncture."** An exact copy of the proposed rule is attached to this Notice.

This notice, together with an exact copy of the proposed rules and a synopsis of the proposed amendments is forwarded to all persons who have requested, in writing, that they be placed on the interested parties' mailing list. A copy of this notice, an exact copy of the proposed rules and a synopsis of the proposed rules may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, except official State holidays, at the office of the Georgia Composite Medical Board, 2 Peachtree Street, N.W., 36th Floor, Atlanta, Georgia 30303. These documents will also be available for review on the Board's website at www.medicalboard.georgia.gov.

A public hearing is scheduled to begin at **8:30 a.m.** on **December 3, 2015** at the 36th Floor Board Room, 2 Peachtree Street, N.W., Atlanta, Georgia 30303, to provide the public an opportunity to comment upon and provide input into the proposed rules. At the public hearing, any interested person who will be affected by these rules may present his or her written comments to the Board no later than **November 20, 2015** or make comments at the public hearing. Comments may be directed to Diane Atkinson, Georgia Composite Medical Board, 2 Peachtree Street, N.W., 36th Floor, Atlanta, Georgia 30303-3465 or may be received by the Board by e-mail at matkinson@dch.ga.gov.

The proposed amendments will be considered for adoption by the Board at its meeting scheduled to begin at **8:30 a.m. on December 3, 2015** at the Board offices on the 36th Floor Board Room, 2 Peachtree Street, N.W., Atlanta, Georgia 30303

The Board voted to adopt this Notice of Intent on **October 1, 2015** meeting. The Board will consider at its meeting on **December 3, 2015 at 8:30 a.m.** the comments from the public hearing whether the formulation and adoption of these proposed rule amendments imposes excessive regulatory costs on any license or entity and whether any cost to comply with the proposed rule amendments could be reduced by a less expensive alternative that accomplishes the objectives of the statutes which are the basis of the proposed rule. Additionally at its meeting on **December 3, 2015** the Board will consider

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whether it is legal or feasible in meeting the objectives of the applicable laws to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3) (A) (B) (C) (D). This Notice is adopted and posted in compliance with O.C.G.A. § 50-13-4 of the Georgia Administrative Procedures Act. A synopsis of the proposed rules and an economic impact statement are attached to this Notice.

The authority for promulgation of these rules is O.C.G.A. Authority Section O.C.G.A Sec. 43-1-33, 43-34-63 and 43-34-66.

Date: 10/7/15

Signed: LaSharn Hughes, MBA
Executive Director
Georgia Composite Medical Board

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ECONOMIC IMPACT AND SYNOPSIS FOR
AMENDMENT TO CHAPTER 360
Chapter 360-6
ACUPUNCTURE

ECONOMIC IMPACT:

The attached rules are promulgated under the authority of the Medical Practice Act, Title 43, Chapter 34. The Composite State Board of Medical Examiners licenses and regulates nine professions. The formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of Article 2 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated. Additionally, it is not legal or feasible to meet the objectives of the Article 2 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated to adopt or implement differing actions for businesses listed at O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D).

RULE SYNOPSIS:

Rule 360-6-.04 "Display of License for Acupuncture."

Purpose/Main Feature: The purpose of this Rule is to implement the changes from House Bill 416 that provides for certain identification by health care practitioners to patients with regard to their license.

O.C.G.A Sec. 43-1-33, 43-34-63 and 43-34-66.

360-6-.04. ~~Display of License for Acupuncture.~~ Display of Name Tag and License for Acupuncture.

~~(1) 'Advertisement' means any communication or statement, whether printed, electronic, or verbal, that names a health care practitioner in relation to his or her practice, profession, or institution in which the practitioner is employed, volunteers, or otherwise provides health care services. This term includes business cards, letterhead, patient brochures, e-mail, Internet, audio, and video.~~

~~(2) 'Health care practice or facility' means a hospital, physician practice setting, nursing home, assisted living community, or personal care home.~~

~~(3) 'Health care practitioner' means an Acupuncturist licensed pursuant to Chapter 34 of this title;~~

(1) A person licensed as an acupuncturist providing services in this state in a hospital, practice setting, nursing home, assisted living community or personal care home shall communicate the acupuncturist's specific licensure to all current and prospective patients and shall wear a clearly legible identification tag during all patient encounters with the licensee's name and the word "Acupuncturist."

~~While engaged in medical practice, an acupuncturist must clearly identify him/herself as such. He/she must also wear a clearly legible identification name tag with the words "Acupuncturists."~~

(2) In all advertising that names a person in relation to his or her healthcare practice, a person licensed to practice as an acupuncturist in Georgia shall identify themselves as an acupuncturist.

~~(1)~~ (3~~5~~) Every person who is licensed to practice acupuncture pursuant to the Act and these Rules and who is actively practicing acupuncture or the active practice of auricular (ear) detoxification therapy as an auricular (ear) detoxification technician shall display the license issued by the Board in a public and appropriate manner.

~~(2)~~ (4~~6~~) Any license or document evidencing licensure issued by the Board is the property of the Board and shall be surrendered on demand.

Authority O.C.G.A. Secs. 43-34-63, 43-34-66, ~~43-34-33~~ and 43-1-33.