ACUPUNCTURE BOARD
BACKGROUND INFORMATION AND OVERVIEW OF THE CURRENT REGULATORY PROGRAM
As of June 30th, 2026

Section 1 – Background and Description of the Board and Regulated Profession

Provide a short explanation of the history and function of the board.[1] Describe the occupations/ professions that are licensed and/or regulated by the board (Practice Acts vs. Title Acts).[2]

The Acupuncture Board (Board) was established to regulate the practice of acupuncture and ensure consumer protection through licensure, regulation, and enforcement of the Acupuncture Licensure Act. Acupuncture transitioned from a supervised practice to an independent primary health care profession as the Legislature gradually expanded acupuncturists' authority. The Board underwent several statutory changes, becoming autonomous in 1982 and ultimately renamed the Acupuncture Board in 1999 under the Department of Consumer Affairs (DCA). Today, the Board sets education and examination standards, issues and renews licenses, and enforces practice requirements to ensure safe and competent care. The Board licenses acupuncturists under a statutory practice act, which defines and governs the profession's scope of practice in California.

1. **Describe the** make-up and functions of each of the board's committees **(cf., Section 12, Attachment B).**

   The Board Committees are composed of two members of the Board, who are appointed by, and serve at the will of, the Board President. These committees gather public input, explore options on assigned issues, and make recommendations to the Board. In particular, the Board has been using committees to conduct stakeholder and community outreach. The Board currently has the following three committees:

   Licensing Committee

   Addresses issues related to development and administration of the examination, exam policy, licensing policy, license issuance and renewal processes, educational standards, tutorial programs, and continuing education.

   Enforcement Committee

   Addresses issues related to scope of practice, standard of care, competency, complaints, disciplinary decisions, probation monitoring, reinstatement of licensure, and miscellaneous issues.

   Executive and Legislation Committee

   Addresses issues related to expenditures, revenue, fund condition, legislation, outreach, committee policy and Board procedures, and special administrative projects.

[1] The term "board" in this document refers to a board, bureau, commission, committee, council, department, division, program, or agency, as applicable. Please change the term "board" throughout this document to appropriately refer to the entity being reviewed.
[2] The term "license" in this document includes a license, certificate, permit or registration.

Table 1a. Attendance			
Yong Ping Chen			
Date Appointed: 03/05/2020			
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Board Meeting	08/11/2022	Webex	Y
Board Meeting	12/02/2022	Webex	Y
Board Meeting	04/07/2023	Webex	Y
Board Meeting	06/23/2023	Webex	Y
Board Meeting	10/26/2023	Hybrid: Sacramento & Webex	Y
Strategic Plan Meeting	10/27/2023	Sacramento	Y
Board Meeting	03/22/2024	Hybrid: Sacramento & Webex	Y
Board Meeting	08/08/2024	Hybrid: Sacramento & Webex	Y
Board Meeting	11/07/2024	Hybrid: Alhambra & Webex	Y
Enforcement Committee Meeting	03/06/2025	Hybrid: Sacramento & Webex	Y
Board Meeting	03/07/2025	Hybrid: Sacramento & Webex	Y
Board Meeting	06/13/2025	Hybrid: Sunnyvale & Webex	Y
Enforcement Committee Meeting	11/05/2025	Hybrid: Los Angeles & Webex	Y
Board Meeting	11/06/2025	Hybrid: Los Angeles & Webex	Y
Board Meeting	03/26/2026	Hybrid: Sacramento & Webex	Y
Board Meeting	05/15/2026	Hybrid: Sacramento & Webex	Y

John Harabedian			
Date Appointed: 12/22/2017			
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Board Meeting	08/11/2022	Webex	Y
Board Meeting	12/02/2022	Webex	Y
Board Meeting	04/07/2023	Webex	Y
Board Meeting	06/23/2023	Webex	Y
Board Meeting	10/26/2023	Hybrid: Sacramento & Webex	Y
Strategic Plan Meeting	10/27/2023	Sacramento	Y
Board Meeting	03/22/2024	Hybrid: Sacramento & Webex	Y
Board Meeting	08/08/2024	Hybrid: Sacramento & Webex	Y
Board Meeting	11/07/2024	Hybrid: Alhambra & Webex	N

Hyun "Francisco" Kim			
Date Appointed: 11/02/2018			
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Board Meeting	08/11/2022	Webex	Y
Board Meeting	12/02/2022	Webex	Y
Board Meeting	04/07/2023	Webex	Y
Board Meeting	06/23/2023	Webex	Y
Board Meeting	10/26/2023	Hybrid: Sacramento & Webex	Y
Strategic Plan Meeting	10/27/2023	Sacramento	Y
Board Meeting	03/22/2024	Hybrid: Sacramento & Webex	Y

Hyun "Francisco" Kim			
Board Meeting	08/08/2024	Hybrid: Sacramento & Webex	Y
Board Meeting	11/07/2024	Hybrid: Alhambra & Webex	Y
Board Meeting	03/07/2025	Hybrid: Sacramento & Webex	Y
Board Meeting	06/13/2025	Hybrid: Sunnyvale & Webex	Y
Licensing Committee Meeting	11/05/2025	Hybrid: Los Angeles & Webex	Y
Board Meeting	11/06/2025	Hybrid: Los Angeles & Webex	Y
Board Meeting	03/26/2026	Hybrid: Sacramento & Webex	Y
Board Meeting	05/15/2026	Hybrid: Sacramento & Webex	Y

Gregory Leung			
Date Appointed: 08/30/2024			
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Board Meeting	11/07/2024	Hybrid: Alhambra & Webex	Y
Licensing Committee Meeting	03/06/2025	Hybrid: Sacramento & Webex	Y
Board Meeting	03/07/2025	Hybrid: Sacramento & Webex	Y
Licensing Committee Meeting	06/12/2025	Hybrid: Sunnyvale & Webex	Y
Board Meeting	06/13/2025	Hybrid: Sunnyvale & Webex	Y
Licensing Committee Meeting	11/05/2025	Hybrid: Los Angeles & Webex	Y
Board Meeting	11/06/2025	Hybrid: Los Angeles & Webex	Y
Board Meeting	03/26/2026	Hybrid: Sacramento & Webex	Y
Board Meeting	05/15/2026	Hybrid: Sacramento & Webex	N

Shu Dong Li			
Date Appointed: 11/05/2018			
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Board Meeting	08/11/2022	Webex	Y
Board Meeting	12/02/2022	Webex	Y
Board Meeting	04/07/2023	Webex	N
Board Meeting	06/23/2023	Webex	Y
Board Meeting	10/26/2023	Hybrid: Sacramento & Webex	Y
Strategic Plan Meeting	10/27/2023	Sacramento	Y
Board Meeting	03/22/2024	Hybrid: Sacramento & Webex	Y
Board Meeting	08/08/2024	Hybrid: Sacramento & Webex	Y
Board Meeting	11/07/2024	Hybrid: Alhambra & Webex	Y
Board Meeting	03/07/2025	Hybrid: Sacramento & Webex	Y
Board Meeting	06/13/2025	Hybrid: Sunnyvale & Webex	Y
Board Meeting	11/06/2025	Hybrid: Los Angeles & Webex	Y
Board Meeting	03/26/2026	Hybrid: Sacramento & Webex	Y
Board Meeting	05/15/2026	Hybrid: Sacramento & Webex	Y

Amy Matecki			
Date Appointed: 11/05/2016			
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Board Meeting	08/11/2022	Webex	Y
Board Meeting	12/02/2022	Webex	Y
Board Meeting	04/07/2023	Webex	Y
Board Meeting	06/23/2023	Webex	Y
Board Meeting	10/26/2023	Hybrid: Sacramento & Webex	Y
Strategic Plan Meeting	10/27/2023	Sacramento	Y
Board Meeting	03/22/2024	Hybrid: Sacramento & Webex	Y
Board Meeting	08/08/2024	Hybrid: Sacramento & Webex	Y
Board Meeting	11/07/2024	Hybrid: Alhambra & Webex	Y
Licensing Committee Meeting	03/06/2025	Hybrid: Sacramento & Webex	Y
Board Meeting	03/07/2025	Hybrid: Sacramento & Webex	Y
Licensing Committee Meeting	06/12/2025	Hybrid: Sacramento & Webex	Y
Board Meeting	06/13/2025	Hybrid: Sunnyvale & Webex	Y

Ruben Osorio			
Date Appointed: 06/01/2017			
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Board Meeting	08/11/2022	Webex	Y
Board Meeting	12/02/2022	Webex	Y
Board Meeting	04/07/2023	Webex	Y
Board Meeting	06/23/2023	Webex	Y
Board Meeting	10/26/2023	Hybrid: Sacramento & Webex	Y
Strategic Plan Meeting	10/27/2023	Sacramento	Y
Board Meeting	03/22/2024	Hybrid: Sacramento & Webex	Y
Board Meeting	08/08/2024	Hybrid: Sacramento & Webex	Y
Board Meeting	11/07/2024	Hybrid: Alhambra & Webex	Y
Enforcement Committee Meeting	03/06/2025	Hybrid: Sacramento & Webex	Y
Board Meeting	03/07/2025	Hybrid: Sacramento & Webex	Y
Board Meeting	06/13/2025	Hybrid: Sunnyvale & Webex	Y
Enforcement Committee Meeting	11/05/2025	Hybrid: Los Angeles & Webex	Y
Board Meeting	11/06/2025	Hybrid: Los Angeles & Webex	Y
Board Meeting	03/26/2026	Hybrid: Sacramento & Webex	Y
Board Meeting	05/15/2026	Hybrid: Sacramento & Webex	Y

Farshid Namin			
Date Appointed: 04/22/2026			
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Board Meeting	05/15/2026	Hybrid: Sacramento & Webex	Y

Table 1b. Board/Committee Member Roster					
Member Name (Include any vacancies and a brief member biography)	Date First Appointed	Date Reappointed	Date Term Expires	Appointing Authority	Type (public or professional)
Yong Ping Chen	03/05/2020	06/27/2025	06/01/2029	Governor	Professional
John Harabedian	12/22/2017	7/30/2021	06/01/2025	Governor	Public
Hyun "Francisco" Kim	11/02/2018	06/27/2025	06/01/2029	Governor	Professional
Gregory Leung	08/30/2024	06/27/2025	06/01/2029	Governor	Public
Shu Dong Li	11/05/2018	06/08/2026	06/01/2029	Speaker of the Assembly	Public
Amy Matecki	11/05/2016	07/02/2021	06/01/2025	Governor	Professional
Ruben Osorio	06/01/2017	10/02/2021	06/01/2025	Senate Rules Committee	Public
Farshid Namin	04/22/2026	04/22/2026	06/01/2029	Governor	Professional
Vacant (Osorio)				Senate Rules Committee	Public
Vacant (Harabedian)				Governor	Public

2. In the past four years, was the board unable to hold any meetings due to lack of quorum? If so, please describe. Why? When? How did it impact operations?

The Board has not had any meetings cancellations due to lack of quorum in the past four years.

3. Describe any major changes to the board since the last Sunset Review, including, but not limited to:

- **Internal changes (i.e., reorganization, relocation, change in leadership, strategic planning).**

<u>New Strategic Plan (2024–2028)</u>

In March 2024, the Board adopted its 2024–2028 Strategic Plan, developed in partnership with the DCA's SOLID Planning Unit using input from stakeholder surveys, environmental scans, and an October 2023 planning session. The plan establishes five goal areas: licensing & education; enforcement; legislation & regulation; outreach & communication; and administration & customer service. Refer to Attachment C2 for the Board's 2024-2028 Strategic Plan.

<u>Executive Officer Classification Update (June 2025)</u>

The Board approved moving its Executive Officer position from salary classification O to classification N.

<u>Leadership Continuity (2021–2026)</u>

John Harabedian served as Board president from 2020 to 2024. In 2024, Yong Ping Chen was elected as president, and Francisco Kim as Vice President, and they continue to serve in this capacity today. The Governor reappointed Yong Ping Chen and Francisco Kim to the Board in July 2025, with both confirmed by the Senate in April 2026.

Internal Program Reorganization (2025–2026)

The Board reorganized internal operational oversight duties by assigning Licensing and Administrative functions to the Licensing & Administrative Supervisor, and Business Development & Enforcement functions under the Enforcement & Business Development Supervisor. As part of this reorganization, the Supervisor titles were updated to reflect current program responsibilities and clarify operational roles. This restructuring better aligned staffing with operational needs.

Statewide Agency Reorganization (Effective July 1, 2026)

As part of the Governor's Reorganization Plan, DCA, and therefore the Board, transitioned to the newly established Business and Consumer Services Agency. While this did not alter the Board's mission or statutory authority, it represents a structural administrative change with future strategic implications.

- **All legislation sponsored by the board and affecting the board since the last Sunset Review.**

The Board has not sponsored any legislation since the last Sunset Review.

The Board has been affected by the following legislation since its last Sunset Review:

AB 1264 (Berman, Chapter 682, Statutes of 2023)

Allows acupuncturists to utilize acupuncture assistants; defines their roles and supervision. This bill also authorized the Board, or its designee, to inspect premises, places of practice, or clinics where acupuncture services are provided in response to a complaint filed with the Board.

AB 883 (Mathis, Chapter 348, Statutes of 2023)

Required boards and bureaus within the DCA, beginning July 1, 2024, to expedite applications for licensure for active-duty military members participating in the Department of Defense's SkillBridge program.

SB 372 (Menjivar, Chapter 225, Statutes of 2023)

Required licensing entities within the DCA to update license records if that licensee receives government-issued documentation demonstrating a legal change of name or gender, as specified. This bill also allowed licensees to request their prior name be removed from online license verification systems operated by the licensing entities and established a process for members of the public to access a licensee's enforcement records under their prior name.

AB 1707 (Pacheco, Chapter 258, Statutes of 2023)

Prohibits healing arts boards within DCA from denying licensure or imposing discipline on individuals solely because they were punished in another state for performing sensitive services that would be lawful to provide in California.

SB 345 (Skinner, Chapter 260, Statutes of 2023)

Safeguards reproductive and gender affirming care by protecting health care licensees from criminal or disciplinary action solely for providing that care.

AB 1991 (Bonta, Chapter 369, Statutes of 2024)

Effective January 1, 2025, licensees and registrants of healing arts boards within the DCA are required to provide their National Provider Identifier (NPI), if they have one, at the time of electronic license or registration renewal.

AB 45 (Bauer-Kahan, Chapter 134, Statutes of 2025)

This bill enhanced health data privacy protections, particularly for individuals seeking reproductive health services. These laws prohibit the collection, use, or sharing of personal data near family planning centers and ban geofencing around in-person health care providers. It also restricted the release of identifiable medical research records in response to legal actions from states or countries that oppose abortion rights. Individuals may file civil lawsuits for violations, and the Attorney General is authorized to enforce penalties, with proceeds supporting the California Reproductive Justice and Freedom Fund.

AB 489 (Bonta, Chapter 615, Statutes of 2025)

Effective January 1, 2026, new laws were enacted that regulate the use of artificial intelligence (AI) and generative AI (GenAI) in health care professions. These laws defined key terms and applied to Division 2 healing arts licensees, placing enforcement under the jurisdiction of relevant licensing boards. They prohibit developers and users of AI or GenAI systems from using protected titles or language that falsely imply a licensed health care professional was involved. Licensing boards are also authorized to seek injunctions or restraining orders to enforce these provisions.

SB 470 (Laird, Chapter 222, Statutes of 2025)

This bill extended existing teleconference rules for state and advisory body meetings through January 1, 2030. These laws continue to allow remote participation under specific conditions—such as requiring a majority of members to be physically present at a shared location, on-camera participation during public sessions, and limited use of private locations. The bill also maintained requirements for public access and transparency in teleconference meetings.

- **All regulation changes approved by the board since the last Sunset Review. Include the status of each regulatory change approved by the board.**

The following regulations have been approved by the Board since the last Sunset review:

Continuing Education: Law and Ethics Requirement

(Title 16 CCR §§1399.480, 1399.489, and 1399.489.1)

Effective October 1, 2024, this rulemaking revised the continuing education (CE) requirements for licensed acupuncturists by adding a requirement to complete at least four hours of law and ethics education as part of the total CE hours necessary to renew an active license or to restore an inactive license to active status. In the case of a license that has been inactive for less than one year, this action also changes from 22 hours to 22.5 hours the total amount of Category 1 CE necessary to return the license to active status.

Telehealth Services

(Title 16 CCR §1399.452.1)

The Board reconsidered previously approved language and approved new language at its October 2023 meeting. The regulatory proposal would establish standards for licensees providing acupuncture services via telehealth, defining what constitutes telehealth-delivered

acupuncture and clarifying its alignment with BPC section 4937. It specifies who may perform acupuncture through telehealth and outlines criteria for determining which modalities are appropriate. The proposal also sets requirements for obtaining patient consent and the information that must be disclosed. This regulatory proposal was submitted to the Office of Administrative Law for final filing on June 25, 2026. The Office of Administrative Law approved the Telehealth regulation on August 6th, 2026, with an implementation date of October 1st, 2026.

Disciplinary Guidelines and Uniform Standards Related to Substance Abusing Licensees

(Title 16 §1399.469)

The Board reconsidered previously approved language and approved new language at its October 2023 meeting. After an initial review of the proposal from the DCA Regulation Unit, staff brought additional amendments to the language and the Disciplinary Guidelines document. Those amendments were approved by the Board at its November 2025 meeting.

The regulatory proposal would update the Board's disciplinary guidelines and would implement SB 1441 Uniform Standards Related to Substance Abusing Licensees (Ridley-Thomas, Chapter 548, Statutes of 2008) and SB 1448 (Hill, Chapter 570, Statutes of 2018). The proposal also would add new Article 6.1 entitled, 'Citations' and new Article 6.2 entitled, 'Enforcement.' Staff are working with the DCA's Regulation Unit on edits to the production rulemaking documents. This regulatory proposal is still in process.

Application Process for Licensing Examination and Re-examination, and Criteria, and Procedures for Approval of a Credential Evaluation Service

(Title 16 §§1399.409, 1399.411, 1399.413, 1399.414, 1399.416, 1399.416.2, 1399.416.3, 1399.416.4, 1399.417, 1399.419)

Effective October 1, 2024, this rulemaking amended regulations concerning application procedures for licensing and examination to define terms, establish minimum requirements for Board approval of credential evaluation services, update documentation and submission requirements, and specify requirements for applicants applying and re-applying for the California Acupuncture Licensing Examination. After initial submission of the proposal to the Office of Administrative Law there were several clarifying amendments to the language that the Board approved at its March 2024 meeting.

Application for Retired Status; Retired Status; Restoration

(Title 16 §§1399.419.3 and 1399.460)

Effective April 1, 2026, this rulemaking established requirements for a retired license, set forth conditions to maintain a retired license status, and define the term "disciplinary reasons." The Board reconsidered previously approved language and approved new language at its March 2024 meeting.

Continuing Education Credit for Board Meeting Attendance

(Title 16 §1399.489)

The Board approved staff to develop language for earning continuing education regarding attendance at Board meetings at its June 2025 meeting. Staff have completed research on language options and implementation considerations in the development of language to bring back to the Board. This regulatory proposal is still in process.

Hand Hygiene Requirements

(Title 16 §1399.451)

The Board reconsidered previously approved language and approved new language at its June 2025 meeting to update the method of handwashing to align with CDC guidelines and provide an option to use an alcohol-based hand rub as an alternative to soap and water. The proposal was submitted to the Business, Consumer Services and Housing Agency on June 15, 2026, and is currently under review.

4. Describe any major studies conducted by the board (cf. Section 12, Attachment C).

The Board requested that DCA's Office of Professional Examination Services (OPES) conduct an occupational analysis (OA) of the practice of acupuncture in California. The purpose of the OA is to define practice for acupuncturists in terms of the tasks that newly licensed acupuncturists must be able to perform at the time of licensure and the knowledge required to perform those tasks safely and competently. The results of the OA provide a description of practice for the acupuncturist profession that can be used to develop the California Acupuncture Licensing Examination (CALE). The final report was completed in July 2026 and can be found under attachment C1.

5. List the status of all national associations to which the board belongs.

- **Does the board's membership include voting privileges?**
- **List committees, workshops, working groups, task forces, etc., on which the board participates.**
- **How many meetings did board representative(s) attend? When and where?**
- **If the board is using a national exam, how is the board involved in its development, scoring, analysis, and administration?**

The Board does not maintain membership in any national associations. Board staff periodically attend national level stakeholder events. Specifically, staff have participated in the Council of Colleges of Acupuncture and Herbal Medicine (CCAHM) annual conference to provide updates on California licensing and education requirements, address training programs, and collaborate on issues relevant to the regulation of acupuncture nationwide. Board staff attend CCAHM conferences when remote participation is available and have attended on October 30, 2025, April 17, 2025, May 8, 2024, and November 1, 2023.

The Board does not use a national licensing examination. Therefore, the Board is not involved in any national exam development, scoring, analysis, or administration. All examination related responsibilities remain within California's statutory and regulatory framework.

Section 2 – Fiscal and Staff

Fiscal Issues

6. **Is the board's fund continuously appropriated? If yes, please cite the statute outlining this continuous appropriation.**

   No, the Board's fund is not continuously appropriated.

7. **Using *Table 2. Fund Condition,* describe the board's current reserve level, spending, and if a statutory reserve level exists.**

Table 2. Fund Condition (list dollars in thousands)

	FY 2022/23	FY 2023/24	FY 2024/25	FY 2025/26	FY 2026/27**	FY 2027/28**
Beginning Balance[1]	$3,475	$4,166	$4,847	$6,227	$4,317	$4,440
Revenues and Transfers	$4,228	$4,133	$4,448	$4,340	$4,413	$4,256
Total Resources	$7,703	$8,299	$9,295	$8,067	$8,730	$8,696
Budget Authority	$3,987	$4,050	$3,709	$3,884	$4,011	$4,131
Expenditures[2]	$3,549	$3,737	$3,125	$3,7501	$4,290	$4,410
Loans to General Fund	$0	$0	$0	$2,500	$0	$0
Accrued Interest, Loans to General Fund	$0	$0	$0	$0	$0	$0
Loans Repaid From General Fund	$0	$0	$0	$0	$0	$0
Fund Balance	$4,154	$4,562	$6,170	$4,317	$4,440	$4,286
Months in Reserve	13.3	17.5	19.7	12.1	12.1	11.3

1Actuals include prior year adjustments
2 Expenditures include reimbursements and direct draws to the fund
** Estimate

8. **Describe if/when a deficit is projected to occur and if/when a fee increase or reduction is anticipated. Describe the fee changes (increases or decreases) anticipated by the board.**

   The Board does not project a deficit, and no fee increases or decreases are expected.

9. **Using *Table 2, Fund Condition*, describe year over year expenditure fluctuations and the cause for the fluctuations.**

   The Board's expenditures have trended up year over year, increasing from $3.5 million in 2022–23 to $3.8 million in 2025-26. This increase is primarily attributed to the following factors:

Salary Adjustments:

Personnel expenses increased in line with statewide adjustments to employee compensation and benefits. These changes reflect routine salary and benefit updates established through collective bargaining and CalHR directives, as well as employer retirement contribution rate adjustments required under the annual Budget Act. Together, these statewide cost changes were incorporated into the Board's budget each fiscal year.

Business Modernization:

Expenditures increased steadily due to ongoing development, implementation, and maintenance of the Board's Connect system. Initial costs were tied to system build-out and onboarding, while later increases reflect continued enhancements, user-support needs, and maintenance activities as the system matured. Overall, the Acupuncture Fund contributed a total of $728,150 over the four-year period.

Enforcement Activity:

Enforcement Unit staffing stabilized in 2023, resulting in increased capacity to process complaints and advance cases to DCA's Division of Investigations (DOI) and to the Department of Justice for formal discipline.

The Board continues to monitor these cost drivers closely to ensure fiscal sustainability while maintaining its commitment to public protection.

10. Using *Table 3, Expenditures by Program Component,* describe the amounts and percentages of expenditures by program component, including the cause of fluctuations aside from increasing personnel costs. Provide a breakdown of the expenditures by the board in each program area. Expenditures by each component (except for pro rata) should be broken out by personnel expenditures and other expenditures.

Enforcement, Examination, Licensing, and Administration expenditures remained generally consistent year-to-year, with routine fluctuations driven by changes in workload, examination development cycles, meeting operations, and technology support needs.

For Enforcement, DOI case processing contributed to Operational Expenses and Equipment (OE&E) changes. Examination expenditures fluctuated with exam administration schedules. Licensing costs were influenced by ongoing development, implementation, and maintenance of the Board's Connect system. Administrative expenditures have remained relatively stable, with modest increases tied to staffing and operational support.

DCA Pro Rata costs varied annually based on statewide cost distribution formulas rather than Board-specific operational changes.

Table 3. Expenditures by Program Component								(list dollars in thousands)
	FY 2022/23		FY 2023/24		FY 2024/25		FY 2025/26	
	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E
Enforcement	$221	$391	$270	$387	$278	$207	$289	$363
Examination	$270	$359	$331	$458	$340	$396	$354	$451
Licensing	$348	$206	$426	$247	$439	$179	$456	$249
Administration *	$398	$171	$475	$205	$492	$149	$507	$207
DCA Pro Rata	$0	$751	$0	$704	$0	$470	$0	$612
Diversion (if applicable)	$0	$0	$0	$0	$0	$0	$0	$0
TOTALS	$1,237	$1,878	$1,502	$2,001	$1,549	$1,401	$1,606	$1,882

* Administration includes costs for executive staff, board, administrative support, and fiscal services.

11. Describe the amount the board has spent on business modernization, including contributions to the BreEZe program, which should be described separately.

The Acupuncture Fund has contributed $840,556 from 2022-23 through 2025-26 toward the development, implementation, and maintenance of *Connect*, the Board's modern application, licensing, and enforcement system. Annual contributions during the reporting period are as follows:

- 2022-23: $159,751.63
- 2023-24: $151,511.70
- 2024-25: $202,253.09
- 2025-26: $327,039.18

The Board was originally scheduled for Release 3 of the BreEZe system and contributed a total of $171,931 through fiscal year 2017-18. The Board and other Release 3 programs were eliminated from the project due to technical issues.

12. Describe license renewal cycles and the history of fee changes over the last 10 years. Give the fee authority (Business and Professions Code and California Code of Regulations citations) for each fee charged by the board.

The Board has two license types: the acupuncture license (L.Ac.) which allows the licensee to practice acupuncture, and the wall license (WL) which licensees display at each practice location. Both license types renew on a biennial cycle tied to the licensee's birth month, with first-time renewals pro-rated based on the date of issuance and the licensee's birth month.

Over the past 10 years, the Board's fees have been adjusted once through a statutory change effective January 1, 2021. Assembly Bill AB 3330 revised several fee amounts, including the application, examination, initial license, renewal, delinquency, and continuing education provider fees. These statutory changes were reported in the Board's prior Sunset Review. (B&PC Sections 4970 and 4971 and Title 16, California Code of Regulations section 1399.460 – 1399.462)

In addition, the Board has also added new fee types through regulation. The Board established the Retired License Status fee of $85, created by regulation under Title 16 of the California Code

of Regulations, allowing licensees who no longer actively practice to maintain a retired license designation.

The Board's fees authority is found in B&PC Sections 4970, 4971, and 4972, and regulatory authority is set in Title 16, California Code of Regulations section 1399.460 – 1399.462.

Table 4. Fee Schedule and Revenue (list revenue dollars in thousands)

Fee	Current Fee Amount	Statutory Limit	FY 2022-23 Revenue	FY 2023-24 Revenue	FY 2024-25 Revenue	FY 2025-26 Revenue	% of Total Revenue
Delinquent Renewal - License	$150	$150	$60	$57	$72	$53	1.4%
Delinquent Renewal - Tutorial Trainee	$100	$200	$2	$1	$2	$3	0.0%
Delinquent Renewal - Tutorial Supervisor	$100	$150	$2	$2	$2	$3	0.1%
Delinquent - Wall License	$25	$150	$0	$0	$0	$0	0.0%
Duplicate Renewal Receipt	$50	$150	$3	$4	$3	$10	0.2%
Endorsement	$100	$100	$10	$8	$6	$7	0.3%
Replacement - Wall License	$50	$50	$1	$1	$1	$0	0.0%
Continuing Education Provider Fee	$500	$700	$16	$18	$20	$24	0.5%
Continuing Education Course Fee	$10	$20	$238	$244	$260	$257	7.2%
Renewal - Tutorial Trainee	$500	$2,500	$12	$25	$36	$29	0.7%
Exam	$800	$800	$309	$287	$280	$275	8.7.%
Initial - License	$500	$500	$118	$122	$107	$119	3.4%
Application Fee - License	$250	$350	$96	$81	$85	$87	2.6%
Re-Exam	$800	$800	$81	$100	$106	$120	2.6%
Application - Tutorial Supervisor	$100	$200	$3	$3	$4	$3	0.1%
Initial - Wall License	$50	$50	$77	$69	$77	$96	2.4%
Foreign Application Fee	$350	$500	$5	$14	$12	$15	0.3%
Renewal - License	$500	$775	$2,939	$2,722	$2,910	$2,733	81.7.%
Renewal - Tutorial Supervisor	$200	$500	$8	$7	$8	$12	0.2%
Renewal - Tutorial Trainee	$500	$600	$22	$17	$19	$29	0.6%
Renewal - Wall License	$50	$50	$45	$85	$102	$121	2.1%
Renewal - Continuing Education Provider	$500	$700	$75	$63	$70	$66	2.1%
Miscellaneous Revenue	Various		$106	$203	$266	$278	5.0%

13. Describe Budget Change Proposals (BCPs) submitted by the board in the past four fiscal years.

The Board did not submit any BCPs in the past four fiscal years.

Table 5. Budget Change Proposals (BCPs)								
BCP ID #	Fiscal Year	Description of Purpose of BCP	Personnel Services				OE&E	
			# Staff Requested (include classification)	# Staff Approved (include classification)	$ Requested	$ Approved	$ Requested	$ Approved

Staffing Issues

14. Describe any board staffing issues/challenges, i.e., vacancy rates, efforts to reclassify positions, staff turnover, recruitment and retention efforts, succession planning.

Vacancy rates fluctuated over the review period, with the highest vacancy occurring in 2022–23 at 19%. In the following years, the Board's staffing levels stabilized, reducing vacancies to 4% in 2023–24 and 3% in 2024–25 and 2025–26.

In January 2026, the Board made the decision to reclass the 0.5 Special Investigator position to an Analyst I classification to better support enforcement operations and align staff duties with current workload needs. As of July 2026, recruitment is underway, and interviews are actively being conducted to fill the position.

The Board also completed two promotions-in-place during this reporting period. Both positions were at the Staff Services Analyst/Analyst I (SSA/A1) level and were promoted in place to the Associate Governmental Program Analyst/Analyst II (AGPA/A2) level: one in August 2022 and one in November 2023.

15. Describe the board's staff development efforts and total spent annually on staff development. (cf., Section 12, Attachment D).

In support of staff development, the Board utilizes and encourages staff to attend internal training services provided by the DCA's Strategic Organization, Leadership, and Individual Development (SOLID) Office via the DCA's Learning Management System. SOLID offers a range of training and services to provide opportunity for employee development and learning through various platforms.

Trainings provided by SOLID are included in the Board's DCA Pro Rata expenses. Over the past four fiscal years, the Board has spent the following on training outside of SOLID:

- 2022-23: $175
- 2023-24: $525
- 2024-25: $0
- 2025-26: $0

Section 3 – Licensing Program

Table 6. Licensee Population					
		FY 2022/23	FY 2023/24	FY 2024/25	FY 2025/26
Acupuncture License	Active[3]	10116	10119	10093	10079
	Out of State	657	607	506	516
	Out of Country	35	34	30	25
	Delinquent/Expired	1805	1675	1507	1195
	Retired Status *if applicable*	N/A	N/A	N/A	69
	Inactive	1534	1473	1400	1383
	Other[4]	N/A	N/A	N/A	N/A
Wall License	Active	4175	5003	5747	6664
	Out of State	N/A	N/A	N/A	N/A
	Out of Country	N/A	N/A	N/A	N/A
	Delinquent/Expired	258	635	921	906
	Retired Status *if applicable*	N/A	N/A	N/A	N/A
	Inactive	N/A	N/A	N/A	N/A
	Other	N/A	N/A	N/A	N/A

Note: 'Out of State' and 'Out of Country' are two mutually exclusive categories. A licensee should not be counted in both.

16. What are the board's performance targets/expectations for its licensing[5] program? Is the board meeting those expectations? If not, what is the board doing to improve performance?

The Board strives to meet a target of nine days or less in its licensing performance targets and has been successful in doing so. This performance measure represents the time starting with receipt of the initial license payment to the issuance of the license number. The average processing time was three days.

17. Using *Table 7a, Licensing Data by Type*, describe any increase or decrease in the board's average time to process applications, administer exams and/or issue licenses. Have pending applications grown at a rate that exceeds completed applications? If so, what has been done by the board to address them? What are the performance barriers and what improvement plans are in place? What has the board done and what is the board going to do to address any performance issues, i.e., process efficiencies, regulations, BCP, legislation?

The Board has not experienced an increase in its average time to process applications, administer exams, or issue licenses since the last Sunset Report.

The only application types that have increased are renewals and wall licenses. Wall license outreach projects have led to an increase in the number of wall licenses issued and improved licensee compliance with this requirement.

[3] Active status is defined as able to practice. This includes licensees that are renewed, current, and active.

[4] Other is defined as a status type that does not allow practice in California, other than retired or inactive.

Table 7a. Licensing Data by Type										
					Pending Applications			Application Process Times		
		Received	Approved /Issued	Closed	Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY))
FY 2022/23	(Exam)	467	450	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	(License)	303	303	N/A	N/A	N/A	N/A	3	N/A	N/A
	(Wall)	1362	1362	N/A	N/A	N/A	N/A	3	N/A	N/A
	(Renewal)	6506	6506	N/A	N/A	N/A	N/A	3	N/A	N/A
FY 2023/24	(Exam)	464	480	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	(License)	363	321	N/A	N/A	N/A	N/A	3	N/A	N/A
	(Wall)	1659	1612	N/A	N/A	N/A	N/A	3	N/A	N/A
	(Renewal)	7035	7035	N/A	N/A	N/A	N/A	3	N/A	N/A
FY 2024/25	(Exam)	457	458	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	(License)	394	277	N/A	N/A	N/A	N/A	3	N/A	N/A
	(Wall)	1765	1664	N/A	N/A	N/A	N/A	3	N/A	N/A
	(Renewal)	7607	7607	N/A	N/A	N/A	N/A	3	N/A	N/A
FY 2025/26	(Exam)	496	415	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	(License)	400	298	N/A	N/A	N/A	N/A	3	N/A	N/A
	(Wall)	2080	2100	N/A	N/A	N/A	N/A	3	N/A	N/A
	(Renewal)	7649	7649	N/A	N/A	N/A	N/A	3	N/A	N/A

* Optional. List if tracked by the board.
N/A – Not tracked by Board

Table 7b. License Denial				
	FY 2022/23	FY 2023/24	FY 2024/25	FY 2025/26
License Applications Denied (no hearing requested)	0	1	0	0
SOIs Filed	0	0	0	0
Average Days to File SOI (from request for hearing to SOI filed)	0	0	0	0
SOIs Declined	0	0	0	0
SOIs Withdrawn	0	0	0	0
SOIs Dismissed (license granted)	0	0	0	0
License Issued with Probation / Probationary License Issued	0	0	0	0
Average Days to Complete (from SOI filing to outcome)	0	0	0	0

18. How many licenses or registrations has the board denied over the past four years based on criminal history that is determined to be substantially related to the qualifications, functions, or duties of the profession, pursuant to BPC § 480? Please provide a breakdown of each instance of denial and the acts the board determined were substantially related.

There have been no license denials based on criminal history in the last four years pursuant to BPC § 480.

19. How does the board verify information provided by the applicant?

- **What process does the board use to check prior criminal history information, prior disciplinary actions, or other unlawful acts of the applicant? Has the board denied any licenses over the last four years based on the applicant's failure to disclose information on the application, including failure to self-disclose criminal history? If so, how many times and for what types of crimes (please be specific)?**

  Each applicant for licensure is required to be fingerprinted prior to obtaining a license. The results from the fingerprinting are sent to the Board from the Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI). The results reveal any past criminal record. Additionally, certified court records, law enforcement arrest/incident reports, and National Practitioner Data Bank (NPDB) records can also be obtained as needed. The Board has not denied a license based on a failure to disclose prior discipline.

- **Does the board fingerprint all applicants?**

  Yes, the Board fingerprints all applicants. If a clear fingerprint is not received from DOJ and FBI, then the Board's Enforcement Unit gathers relevant documentation for any prior discipline an applicant may have before the Executive Officer can review and decide if a license will be granted.

- **Have all current licensees been fingerprinted? If not, explain.**

  Yes, all current valid licensees have been fingerprinted.

- **Is there a national databank relating to disciplinary actions? Does the board check the national databank prior to issuing a license? Renewing a license?**

  Yes, the Board contracts with the National Practitioner Data Bank (NPDB), which is a database of reports submitted containing information on medical malpractice payments and certain adverse actions related to health care practitioners, providers, and suppliers in the United States. Applicants for initial licensure or renewal are not run through the NPDB.

  The Board receives ongoing electronic malpractice reports from mandated reporters via the NPDB.

- **Does the board require primary source documentation?**

  Yes, the Board requires that all certified diplomas and transcripts submitted to the Board as part of a prospective licensee's application are official documents sent directly from the issuing institution. All foreign trained applicants must use a foreign transcript evaluator approved by the Board which includes translations of foreign documents, verification that the school is accredited, and a course-by-course evaluation.

- **Does the board send No Longer Interested notifications to DOJ on a regular and ongoing basis? Is this done electronically? Is there a backlog? If so, describe the extent and efforts to address the backlog.**

  The Board sends No Longer Interested notifications to DOJ on a regular and ongoing basis. These are now electronically submitted with an automated process for deceased and cancelled licenses. The Board does not have any backlog with No Longer Interested notifications.

20. Describe the board's legal requirement and process for out-of-state and out-of-country applicants to obtain licensure.

All out-of-state and out-of-country applicants must meet the same statutory requirements as first-time California applicants and must qualify for and pass the CALE before obtaining licensure to practice in the state.

Foreign-trained applicants are not required to graduate from Board-approved programs but must demonstrate that their education and clinical training are equivalent to California's curriculum standards through a Board-approved credential evaluation. The Board reviews the evaluation to determine compliance with statutory requirements and identifies any deficiencies which are to be completed at an approved domestic program.

21. Describe the board's process, if any, for considering military education, training, and experience for purposes of licensing or credentialing requirements, including college credit equivalency.

- **How many applicants offered military education, training or experience towards meeting licensing or credentialing requirements, and how many applicants had such education, training or experience accepted by the board?**

  Since the last Sunset Review Report, the Board has not received applications where the applicant offered military education for qualification for the CALE.

- **How many licensees has the board waived fees or requirements for pursuant to BPC § 114.3, and what has the impact been on board revenues?**

  Since the last Sunset Review Report, the Board has waived four renewal licensees pursuant to BPC § 114.3. There has been a minimal impact on Board revenue (-$2,000.00) as a result of BPC § 114.3.

- **How many applications has the board expedited pursuant to BPC § 115.5?**

  The Board has not had any applications for licensure pursuant to BPC § 115.5 since the last Sunset Report. Since the last Sunset reporting, Federal Professional License Portability and State Registration was enacted. The federal Servicemembers Civil Relief Act (SCRA) authorizes service members or their spouses who currently hold a valid license in good standing in another state to practice in California within the same profession or vocation, if they are required to relocate to California because of military orders. California recognizes these qualifying out-of-state licenses as valid. This eliminates the need to apply for exam/licensure at all if the service member or their spouse military orders keep them in California.

Examinations

22. Describe the examinations required for licensure. Is a national examination used? Is a California specific examination required? Are examinations offered in a language other than English? Are interpreters or translation services permitted?

Passing the CALE is required for licensure in California. A national examination is not a requirement for licensure nor is it accepted in lieu of the CALE. The CALE is currently offered in English, Chinese, and Korean.

23. What are pass rates for first time vs. retakes in the past 4 fiscal years? Please include pass rates for *all* examinations offered, including examinations offered in a language other than English.

Include a separate data table for each language offered.

Table 8(a). Examination Data[6]				
California Examination				
	License Type: Acupuncture	English	Chinese	Korean
	Exam Title: CA Licensing Exam			
FY 2022/23	Number of Candidates	284	120	59
	Overall Pass %	64%	70%	71%
	Overall Fail %	36%	30%	29%
FY 2023/24	Number of Candidates	298	120	49
	Overall Pass %	65%	78%	73%
	Overall Fail %	35%	22%	27%
FY 2024/25	Number of Candidates	300	92	38
	Overall Pass %	60%	70%	58%
	Overall Fail %	40%	30%	42%
FY 2025/26	Number of Candidates	318	142	36
	Overall Pass %	61%	65%	69%
	Overall Fail %	39%	35%	31%
	Date of Last OA	2026		
	Name of OA Developer	Office of Professional Examination Services		
	Target OA Date	2031		

Table 8(b). National Examination.			
License Type	N/A	N/A	N/A
Exam Title	N/A	N/A	N/A

24. Is the board using computer based testing? If so, for which tests? Describe how it works. Where is it available? How often are tests administered?

Yes, the Board is using computer-based testing. The exam is available at contracted PSI, Inc. sites with 20 sites available in California, as well as additional sites across the United States. The exam is offered six days a week except holidays. Applicants can schedule the date and site of their choosing. Results are given at the test site immediately following the exam.

25. Are there existing statutes that hinder the efficient and effective processing of applications and/or examinations? If so, please describe. Has the board approved any amendments, or is the

[6] This table includes all exams for all license types as well as the pass/fail rate. Include as many examination types as necessary to cover all exams for all license types.

board considering amendments to address the hindrances presented by these statutes?

The Board recommends that BPC § 4938 (a)(2)(A)(i) should clarify "completion" of a Board-approved educational and training program refers to an applicant graduating from a Board-approved educational and training program. The Board has not discussed amendments however staff are preparing language for the Board to consider.

26. When did the board last conduct an occupational analysis that validated the requirement for a California-specific examination? When does the board plan to revisit this issue? Has the board identified any reason to update, revise, or eliminate its current California-specific examination?

The Board completed a comprehensive Occupational Analysis (OA) in July 2026. This OA was carried out in collaboration with the DCAs Office of Professional Examination Services (OPES), involving subject matter experts (SMEs), surveys, and workshops to define entry-level competencies based on actual job tasks. Under BPC Section 139, this OA aligns with the requirement that examinations be reviewed every five years. The Board is scheduled to complete another OA in 2031, to ensure ongoing relevance and alignment with current practice.

The Board has not identified any substantive need to eliminate the California-specific examination.

School Approvals

27. Describe legal requirements regarding school approval. Who approves your schools? What role does BPPE have in approving schools? How does the board work with BPPE in the school approval process?

The Board does not have authority to approve schools, but rather it approves educational and training programs. Acupuncture schools seeking Board approval of curriculum to be an approved educational and training programs must meet the requirements set forth in BPC § 4927.5. These include compliance with the Board-specified curriculum standards under CCR § 1399.434, maintaining approval from the Bureau for Private Postsecondary Education (BPPE) or qualifying for exemption through regional accreditation, and holding accreditation or pre-accreditation status with the Accreditation Commission for Acupuncture and Herbal Medicine (ACAHM).

Under CCR § 1399.434 and related sections, schools must provide the minimum Board-required curriculum and clinical training hours, meet institutional and faculty standards, and formally submit their curricula for Board review. BPPE authorizes eligible institutions to operate in California and oversee their regulatory and institutional compliance, while the Board evaluates curricula. The Board verifies BPPE approval (or exemption) before granting curriculum approval and coordinates with BPPE when institutional actions or compliance issues affect a program's eligibility for Board approval.

In addition, there is a narrow exception to Board approval of schools offering education and training in the practice of acupuncture that was approved by the Board prior to January 1, 2017. The Board believes that this provision was enacted to help schools transition to new curriculum approval process. As the process has been in place for nearly a decade, the Board would like to consider whether this exception should be eliminated.

For ACAHM accreditation, schools are also deemed in compliance with this requirement if they have submitted a letter of intent to pursue accreditation to ACAHM and are granted pre-accreditation status within three years of the date that letter was submitted. However, if they fail to obtain pre-accreditation status within three years, the program no longer qualifies as an approved program under the law, even if the school is diligently working towards pre-accreditation status.

28. How many schools are approved by the board? How often are approved schools reviewed? Can the board remove its approval of a school?

As of July 24, 2026, the Board recognizes 35 approved programs; 23 are in California and 12 are in other states.

The Board does not have statutory authority to conduct annual reviews or periodic reapproval of schools. Under CCR § 1399.437(e), Board review is required only when a school reports changes to its curriculum under CCR § 1399.434, at which point the school must submit a new Application for Board Approval of Curriculum for Board evaluation. BPPE (or an accepted regional institutional accreditor) and ACAHM conduct institutional and programmatic accreditation reviews, and the Board monitors these statuses to ensure ongoing compliance with BPC Section 4927.5. Under BPC Section 4927.5, educational and training programs lose their ability to send their students to test for the California Acupuncture Licensing Exam if it loses institutional accreditation (or the BPPE equivalent) or programmatic accreditation from ACAHM.

29. What are the board's legal requirements regarding approval of international schools?

The Board does not have authority to approve acupuncture training programs outside of the United States.

Continuing Education/Competency Requirements

30. Describe the board's continuing education/competency requirements, if any. Describe any changes made by the board since the last review.

After an acupuncture license is granted, licensees are required to complete 50 Continuing Education hours (CEs) every two years. The course-hours earned must be from Board-approved Continuing Education Providers (CE Providers). CE courses must also be approved by the Board. Providers and courses must meet the Board's regulatory requirements set out in California Code of Regulations section 1399.480 – 1399.489.1. Of the 50 hours of CE required at time of renewal, at least 45 hours must be in Category 1, which refers to content relating to clinical practice. The remaining five hours can be taken in subject matter falling into Category 2, which addresses non-clinical, business-related, or personal well-being content. The Board requires that a minimum of four of the 50 hours of required CE must be in the content area of law and ethics. The regulations allow licensees to complete up to 50% of the required CE hours via distance education to allow for independent or home study. The Board only allows licensees to complete at most half of the required CEs in a distance setting.

A significant change since the last Sunset Report is that the Board is now able to address the Licensee CE Audit through its Connect platform, allowing for timely processing, communication, and enforcement actions, if needed. Prior to development of this feature in the Connect platform, the Board was conducting paper Licensee CE Audits.

Continuing Education			
Type	Frequency of Renewal	Number of CE Hours Required Each Cycle	Percentage of Licensees Audited
L.Ac.	Every 2 years	50	5%

- **How does the board verify CE or other competency requirements? Has the board worked with the Department to receive primary source verification of CE completion through the Department's cloud?**

  Per BPC section 4945, when a licensee renews, they must attest that they have completed the required 50 CE hours. The Board then follows up by conducting audits of its licensees' education. Every month the Board randomly selects five percent of the renewing population to audit. Once selected, licensees submit their CE certificates of completion by uploading them to the Connect platform. Board staff then review the licensee's course completion certificates to ensure the regulatory requirements have been met.

  The Board is working with the Department to receive primary source submissions through Connect platform.

- **Does the board conduct CE audits of licensees? Describe the board's policy on CE audits.**

  The Board audits its renewing licensees monthly. CCR section 1399.489 requires that licensees obtain 50 hours of Board-approved continuing education hours every two years. Board approved CE Providers must issue licensees a certificate of course completion for each course completed within 60 days of completion. When a licensee is selected for an audit, they must upload the certificates of completion to the Connect licensee portal. Board staff review the certificates to ensure they meet the regulatory requirements. Licensee are notified of the audit outcome by both email and postal mail.

- **What are consequences for failing a CE audit?**

  When a licensee fails an audit, a citation is issued to bring the licensee back into compliance.

- **How many CE audits were conducted in the past four fiscal years? How many fails? What is the percentage of CE failure?**

  The Board paused its licensee CE audits during the pandemic due to the CE waivers in place at the time. In 2023, the Board prioritized development of a CE Audit module in its licensing platform, Connect. This functionality went live on January 1, 2026. As of January, the Board has audited 247 licensees. Thirty licensees were identified as non-compliant, approximately 12% of the audited population.

- **Who approves CE courses? What is the board's course approval policy?**

  The Board approves all continuing education courses. Thes requirements are set forth in CCR 1399.483 and 1399.484, Application for Course Approval. Board staff have 30 days to review all course applications and issuing determinations. Board staff communicates course approvals through the Connect CE Provider Portal. When an application has deficiencies, they are

communicated to the CE Provider via the portal. Providers then make the necessary changes and resubmit the application.

- **Who approves CE providers? If the board approves them, what is the board's application review process?**

  The Board approves all CE Providers. The Board's process for approving CE Providers is set forth in CCR 1399.481 – Criteria for CE Provider Approval. A CE Provider can obtain approval by submitting the CE Provider application along with the $500 application fee. CE providers are approved for two years which they can renew prior to expiring to allow for uninterrupted approval. Once a CE Provider is approved, they can submit CE Course applications for Board review and approval.

- **How many applications for CE providers and CE courses were received? How many were approved?**

CE Course Applications	FY 22-23	FY 23-24	FY 24-25	FY 25-26
Received	3781	3592	2270	2005
Approved	3285	3790	2308	2134

CE Providers	FY 22-23*	FY 23-24	FY 24-25	FY 25-26
New	11*	19	30	46
Renewing	106*	106	128	139
Total CE Providers at FY End	117*	125	158	185

*Does not include FY 22/23 Q1 Data due to new system implementation

- **Does the board audit CE providers? If so, describe the board's policy and process.**

  CCR 1399.482(g) provides the Board with the authority to audit CE providers.
  The Board conducts a parallel audit of CE Providers at the time of a Licensee's CE audit. During the CE Provider audit, the Board reviews the certificates of completion for each course to ensure requirements are met, such as:

  - Is the CE Provider a Board approved
  - Is the CE provider currently active (or were at the time the course(s) were offered)
  - Are the appropriate hours being earned/issued.
  - Confirm the education delivery system (live vs distance education).

- **Describe the board's effort, if any, to review its CE policy for purpose of moving toward performance-based assessments of the licensee's continuing competence.**

  The Board currently requires performance-based assessments and testing for distance education coursework. Courses that require practical or hands-on technique training are not approved for independent or home study. All licensees taking distance CE courses are required to complete and pass an examination at the end of the course. The examination must test participants mastery of the course material to receive CE credit.

Section 4 – Enforcement Program

31. What are the board's performance targets/expectations for its enforcement program? Is the board meeting those expectations? If not, what is the board doing to improve performance?

The Board tracks the following three performance expectations.

1 – Intake – Cycle Time: Targe is 10 days average for complaint intake cycle time
2 – Investigations – Cycle Time: Target is 200 days average for days to complete cases not resulting in formal discipline
3 – Formal Discipline – Cycle Time: Target is 540 days average to complete cases resulting in formal discipline

Intake - Cycle Time

The Board is meeting its performance expectations for Intake Cycle Time.

Investigation - Cycle Time

The Investigations Cycle Time, with a target of an average of 200 days, was not met in FYs 23/24, 24/25, and 25/26, exceeding the target with averages of 294, 565, and 684 average days in those FY respectively. These challenges were a result of a building backlog due to the following personnel changes:

- At the end of 20/21 the Board lost a limited term analyst in the enforcement unit.
- At the end of FY 21/22 the Board experienced vacancies in its two authorized enforcement analyst position. Throughout FYs 21/22 and 22/23 the Board experienced high turnover as it worked to fill the enforcement analyst positions. The Board filled an enforcement analyst vacancy in Fall 2022, and it's second vacancy in the Spring of 2023.
- These positions were filled by Spring of 2023 and after their training was completed these analysts started addressing the backlog. The higher average days for Investigations cycle times started increasing in 23/24 as these analysts started to close cases that had been aging which is evidenced by the increase in average days to close. This average has continued to increase throughout the reporting period as more cases have been closed.

Formal Discipline – Cycle Time

The Formal Discipline Cycle Time, with a target of 540 days, was not met in all reporting FYs. In FY 22/23 the average days to close was 1376 days, in FY 23/24 the average was 1816 days, in FY 24/25 the average was 2469, and in FY 25/26 the average was 2389 days.

The Board sends a relatively small number of cases to the AG Office for action and when they close, they significantly affect the average cycle times. Additionally, the cases that the Board had sent over for AG action were more complicated cases that required interaction with several governmental agencies, including federal agencies. California state agencies (DCA Division of Investigation) and federal agencies, on behalf of the Board, coordinated communications with foreign governmental agencies required to authenticate fraudulent foreign transcripts. These communications were slow, requiring multiple touch points, with most of these investigations taking place during the pandemic, which further slowed down communications. The vacancies,

staff turnover, and time to train new staff, added to these cycle times. Once the analysts' training was completed the Board started to see a reduction in Formal Discipline cycle time for the final FY year reported.

Measures to Improve Performance

The Board has filled its vacancies and has retained staff since they have been filled, which has greatly helped address the backlog. In March of 2026, the Board identified that it could not use its 0.5 PY Special Investigator position to effectively address enforcement investigations and reclassified this position to a 1.0 PY Enforcement Analyst I classification. The hiring process for this position started in May with the position being filled in Q1 of the following fiscal year.

Board enforcement analysts successfully completed the DCAs Enforcement Academy training with Board management actively seeking to provide additional training when offered.

In the Fall of 2024, the Board started developing its enforcement management system on its Connect platform. While it was not ideal that the Board's attention was divided between onboarding and training new staff, and developing the enforcement module, the knowledge gained by doing both at the same time allowed for process improvements of current processes as well as designing more efficient processes in the new module. The Board will stand to gain increased efficiency when implementing the new module as current development is focused on localizing as much of the enforcement processes as possible in the new module. Current processes require the use of paper files, digital files, tracking spreadsheets, and emails. The enforcement module will house all these processes within the system, reducing the need to shift between different media and programs, keeping all enforcement information in one location. The enforcement module is anticipated to go live in the Q1 FY 27/28.

32. Referring to *Table 9., Enforcement Statistics*, explain trends in enforcement data and the board's efforts to address any increase in volume, timeframes, ratio of closure to pending cases, or other challenges. What are the performance barriers? What improvement plans are in place? What has the board done and what is the board going to do to address these issues, i.e., process efficiencies, regulations, BCP, legislation?

Table 9. Enforcement Statistics				
	FY 2022/23	FY 2023/24	FY 2024/25	FY 2025/26
COMPLAINTS				
Intake				
Received	112	118	116	153
Closed without Referral for Investigation	0	0	0	0
Referred to INV	112	118	116	153
Pending (close of FY)	0	0	0	0
Conviction / Arrest				
CONV Received	17	29	27	20
CONV Closed Without Referral for Investigation	0	0	0	0
CONV Referred to INV	17	29	27	20
CONV Pending (close of FY)	0	0	0	0
Source of Complaint[7]				
Public	68	113	115	122
Licensee/Professional Groups	3	0	0	0

[7] Source of complaint refers to complaints and convictions received. The summation of intake and convictions should match the total of source of complaint.

Governmental Agencies	20	24	27	39
Internal	1	0	0	30
Other	7	1	0	6
Industry	15	9	0	1
Anonymous	9	0	1	1
Average Time to Refer for Investigation (from receipt of complaint / conviction to referral for investigation)	2	4	3	2
Average Time to Closure (from receipt of complaint / conviction to closure at intake)	144	294	565	684
Average Time at Intake (from receipt of complaint / conviction to closure or referral for investigation)	138	299	557	737
INVESTIGATION				
Desk Investigations				
Opened	129	147	143	173
Closed	19	176	137	175
Average Days to Close (from assignment to investigation closure)	49	290	557	737
Pending (close of FY)	294	315	300	255
Non-Sworn Investigation				
Opened	n/a	n/a	n/a	n/a
Closed	n/a	n/a	n/a	n/a
Average Days to Close (from assignment to investigation closure)	n/a	n/a	n/a	n/a
Pending (close of FY)	n/a	n/a	n/a	n/a
Sworn Investigation				
Opened	0	24	6	7
Closed	2	5	24	28
Average Days to Close (from assignment to investigation closure)	985	609	1366	1990
Pending (close of FY)	45	64	46	25
All investigations[8]				
Opened	129	171	143	180
Closed	21	181	161	203
Average Days for All Investigation Outcomes (from start investigation to investigation closure or referral for prosecution)	136	299	565	743
Average Days for Investigation Closures (from start investigation to investigation closure)	137	256	551	737
Average Days for Investigation When Referring for Prosecution (from start investigation to referral for prosecution)	0	724	431	1550
Average Days from Receipt of Complaint to Investigation Closure	138	264	550	741
Pending (close of FY)	342	315	300	255
DIVISION OF INVESTIGATION[9]				
Average Days to Refer to Division of Investigation (from complaint receipt to referral for investigation)	635	239	538	294
Average Days for Division of Investigation to Complete (from DOI receipt to return to program of referral)	431	218	342	362
Average Days from Return to Referral to AG (from DOI investigation to AG referral)	n/a	n/a	n/a	n/a
CITATION AND FINE				

[8] The summation of desk, non-sworn, and sworn investigations should match the total of all investigations.

[9] Include if applicable and able to obtain data.

Citations Issued	0	1	4	38
Average Days to Complete (from complaint receipt / inspection conducted to citation issued)	0	296	789	447
Amount of Fines Assessed	0	1250.00	$2150	$24,620
Amount of Fines Reduced, Withdrawn, Dismissed	0	0	0	$2160
Amount Collected	$1100	$2150	$1850	$13,025
CRIMINAL ACTION				
Referred for Criminal Prosecution	0	0	0	1
ACCUSATION				
Accusations Filed	3	1	0	10
Accusations Declined	0	0	0	0
Accusations Withdrawn	0	0	0	0
Accusations Dismissed	0	0	0	0
Average Days from Referral to Accusations Filed (from AG referral to Accusation filed)	536	760	0	76
INTERIM ACTION				
ISO & TRO Issued	0	0	0	0
PC 23 Orders Issued	0	1	1	1
Other Suspension/Restriction Orders Issued	0	0	0	0
Referred for Diversion	0	0	0	0
Petition to Compel Examination Ordered	0	0	0	0
DISCIPLINE				
AG Cases Initiated (cases referred to the AG in that year)	0	5	2	15
AG Cases Pending Pre-Accusation (close of FY)	0	1	1	2
AG Cases Pending Post-Accusation (close of FY)	8	1	3	11
DISCIPLINARY OUTCOMES				
Revocation	3	1	0	0
Surrender	5	1	2	1
Suspension only	0	0	0	0
Probation with Suspension	1	0	0	0
Probation only	0	0	0	0
Public Reprimand / Public Reproval / Public Letter of Reprimand	1	0	0	0
Other	0	0	0	0
DISCIPLINARY ACTIONS				
Proposed Decision	1	1	1	1
Default Decision	2	1	0	0
Stipulations	5	1	2	1
Average Days to Complete After Accusation (from Accusation filed to imposing formal discipline)	414	416	1259	102
Average Days from Closure of Investigation to Imposing Formal Discipline	720	636	1754	185
Average Days to Impose Discipline (from complaint receipt to imposing formal discipline)	1376	1816	2469	2389
PROBATION				
Probations Completed	4	8	4	1
Probationers Pending (close of FY)	16	7	3	1
Probationers Tolled *	n/a	n/a	n/a	n/a
Petitions to Revoke Probation / Accusation and Petition to Revoke Probation Filed	0	2	1	0
SUBSEQUENT DISCIPLINE[10]				
Probations Revoked	0	1	1	1

[10] Do not include these numbers in the Disciplinary Outcomes section above.

Probationer License Surrendered	0	0	0	0
Additional Probation Only	0	0	0	0
Suspension Only Added	0	0	0	0
Other Conditions Added Only	0	0	0	0
Other Probation Outcome	0	0	0	0
SUBSTANCE ABUSING LICENSEES **				
Probationers Subject to Drug Testing	0	0	0	0
Drug Tests Ordered	0	0	0	0
Positive Drug Tests	0	0	0	0
PETITIONS				
Petition for Termination or Modification Granted	0	0	0	0
Petition for Termination or Modification Denied	0	0	0	0
Petition for Reinstatement Granted	0	0	0	0
Petition for Reinstatement Denied	0	0	1	0
DIVERSION **				
New Participants	n/a	n/a	n/a	n/a
Successful Completions	n/a	n/a	n/a	n/a
Participants (close of FY)	n/a	n/a	n/a	n/a
Terminations	n/a	n/a	n/a	n/a
Terminations for Public Threat	n/a	n/a	n/a	n/a
Drug Tests Ordered	n/a	n/a	n/a	n/a
Positive Drug Tests	n/a	n/a	n/a	n/a

Table 10. Enforcement Aging

	FY 2022/23	FY 2023/24	FY 2024/25	FY 2025/26	Cases Closed	Average %
Investigations (Average %)						
Closed Within:						
90 Days	17	62	47	67	193	35
91 – 180 Days	1	17	28	34	80	14
181 – 1 Year	1	35	22	23	81	15
1 – 2 Years	1	58	15	20	94	17
2 – 3 Years	0	3	14	2	19	3
Over 3 Years	1	1	27	58	87	16
Total Investigation Cases Closed	21	176	153	204	554	100
Attorney General Cases (Average %)						
Closed Within:						
0 – 1 Year	0	1	2	2	5	21
1 – 2 Years	1	3	1	1	6	25
2 – 3 Years	2	0	0	0	2	8
Over 3 Years	8	0	0	0	8	33
Over 4 Years	0	0	2	1	3	13
Total Attorney General Cases Closed	11	4	5	4	24	100

Trends in Enforcement Data and the Board's Response to Address these Trends

Complaints

Complaint Intake remained stable for the first three years of reporting with a roughly 30 % increase in FY 25/26. With the Board resuming CE Audits, violations of CE requirements increased the total complaints processed by the Board. This is evidenced by the 30 complaints whose source was the Board (See Source of Complaint – Internal section of table). The Board anticipates that this number will increase as it completes a full year of auditing before a baseline for complaints can be established.

The Board continues to stay under the 10-day target date for average number of days from intake to opening an investigation.

Due to the vacancies and turnover identified in Question 31, the Board is seeing increases in the Average Time to Close a complaint/conviction to closure at intake. This also applies to the Average Time to close a complaint/conviction to referral for investigation. Once staff were hired and trained, they were able to address the pending complaints and close or refer them to investigations which brought the average time up for the closure of the aging cases.

Investigations

Vacancies and turnover in Enforcement staffing addresses the increase in the number of both desk investigations opened and closed as we progress through the reporting years and the average number of days to close from assignment of investigation to closure.

Pending investigations at the close of the FYs did trend upwards for Fys 22/23 and 23/24 with the numbers dropping in the next two Fys as staff worked through the aging cases.

Average days to close for all Outcomes and Closures increased over the reporting years as newly trained staff worked through the aging cases and investigation reports on complex cases were completed for the Board allowing for the initiation of disciplinary action. The Board anticipates that this will start trending down as staff continue to address ageing cases.

Division of Investigation (DOI)

This section of the data reporting is new to the Board and does not have a baseline for comparison currently. The data for the Average Days to Refer to DOI changes drastically between the reporting years. The Board anticipates that with its retained staffing, and their completed training, these variances between these numbers will stabilize. As this is a new reporting, the Board will continue to monitor this performance measure to understand how to best address the trends it presents.

There is a lesser variance in the Average Days for DOI to Complete their investigations. In FY 22/23 the number of days was high but only two cases closed that FY indicating a more complex set of cases to investigate. This number dropped in FY 23/24 with only five cases closing and yet even lower average number of days to return to the referral. Fys 24/25 and 25/26 both show DOI closing under thirty cases each FY, with their Average days to refer to the Board holding steady at around a year. The Board will continue to monitor these numbers to identify a baseline for future trends.

The Board has not tracked the average days from return to referral to AG but will begin doing so and develop this metric to be reported on in its Connect platform.

Citation and Fine

Trends for Citations and Fines show the expected increase in these numbers as staff were onboarded and trained. The Board anticipates seeing a slight to moderate increase in the number of citations issued moving forward.

The average days to complete reflects the Board's staffing experience. With no citations issued in FY 22/23 the number of days would equal zero. In FY 23/24, the Board issued a citation with staff turning to the case load. The following FY (24/25) reflects additional citations issued and a great increase in the average number of days to 789 days as the aging citations were addressed. As staff were able to address more citations, the average days to close dropped to 447 days in FY 25/26. The Board anticipates that this number will continue to drop as it moves through the aging caseload.

The Amount of Fines Assessed and Collected are consistent with the vacancies and turn over the Board experienced that led to little action on cases in FY 22/23. As staff were onboarded, and citations were reinitiated, the fees assessed and collected began to increase as seen with the increasing amounts in FYs 23/24 and 24/25. FY 25/26 shows the most increase in fines assessed and collected with staff now trained and moving through the aging cases to complete investigations and issue citations, as evidenced by 38 citations issued.

Criminal Action

There Board has seen a drop in actions referred for Criminal Prosecution. With less cases moving to DOI investigation, less incidences of egregious violations requiring referral for Criminal Prosecution were identified.

Accusation

The Board saw a drop in accusations in FYs 22/23, 23/24, and 24/25 as it experienced its vacancies, then began addressing onboarding and training of new staff. FY 25/26 shows a jump to 10 accusations once staff began addressing the case load. The Board will continue to monitor these numbers as it moves through the caseload.

Interim Action

The Board did not identify any trends in Interim Actions. The number holds steady at an average of one Interim Action a year.

Discipline

The Board saw a drop in AG cases initiated over the reporting years. This is attributed to the vacancies during the reporting years with the number of AG cases initiated increasing to 15 in FY 25/26 once staff had attained training and familiarity with Board enforcement processes compared to the seven cases in the preceding three years. With staff completing training, case review completions increased allowing for more submissions to the Office of the AG.

AG Cases pending Pre- and Post-Accusation follows the drop for AG Cases initiated in the first three reporting years, reflecting that with less cases referred to the AG, less cases remained pending at close of FY. As more cases were referred to the AG office in FY 25/26 this number increased,

The Board will continue to monitor these numbers.

Disciplinary Outcomes

The Board saw several cases in FY 22/23 that resulted in revocations or surrenders that is consistent with the Board's findings of fraudulent documents relating to examination qualification. As the Board experienced vacancies, the number of these outcomes dropped as fewer cases were opened with the AG.

Disciplinary Actions

The low number of disciplinary actions are consistent with the lower number of actions referred to the AG in the reporting years.

The Average Days to Complete after Accusation does show an increase from previous reporting years by an average of 100 additional days for these AG actions. There was a large increase in FY 24/25 but a drop in FY 25/26. The Board will continue monitoring these timeframes.

The Average Days from Closure of Investigation to Imposing Formal Discipline averaged 400 days in the prior Sunset Reporting period, increasing by an average of 365 days for FYs 22/23 and 23/24. FY 24/25 shows a jump to 1754 days average reflecting the closure of the more complex cases with discipline that took longer times for investigations. As staff began working through the case load, this number dropped to an average of 185 days. This drop is attributed to less complex cases closing in that year. It is helpful to consider that with only two to three cases closing per year with formal discipline, the averages of such few cases can show drastic differences from year to year, depending on their complexity.

The Average Days to Impose Discipline (from complaint receipt to imposing formal discipline) reflects a combination of the vacancies previously mentioned and then the completion of a few complex cases requiring multiple agencies' participation that extended the investigation times.

Probation

There is downward trend in the number of probationers the Board is monitoring over this Sunset reporting period. With fewer disciplinary actions with the AG, and the few AG actions that did occur resulting in revocations, the total pending probationers dropped respectively.

The Board cannot determine how this trend will change as each disciplinary case results in different outcomes based on the underlying factual scenario, but the number of probationers is likely to increase as more disciplinary cases are addressed.

Subsequent Discipline

There is an average of one probation revocation a year. As such, there is not enough data to review to identify any trends. The Board will continue to monitor these metrics.

Substance Abusing Licensees

The Board did not have any substance abusing licensees as probationers in this reporting period.

Petitions

The Board did not receive any petitions in this reporting period.

Diversion

The Board does not have a diversion program.

33. What do overall statistics show as to increases or decreases in disciplinary action since last review?

- **Please explain any challenges contributing to unmet performance targets, such as outlier cases, procedural barriers, difficulties in obtaining evidence, etc.**

The overall statistics show that the Board has few disciplinary cases per year and that when these close it can drastically affect the ageing of the case. The complexity of the individual cases also adds to the aging of a case. The Board has experienced long time frames when having to work cases with multiple parties, agencies, and governments to complete these cases.

34. How are cases prioritized? What is the board's compliant prioritization policy?

- **Please provide a brief summary of the board's formal discipline.**

The Board utilizes the DCA's Complaint Prioritization and Referral Guidelines for Healing Arts Board (March 2024) to identify a complaint's priority. Cases are categorized by the nature and severity of the complaint. Case priority is determined during complaint intake and fall under four categories:

A) Category 1 - Urgent – requires DOI's immediate attention – addresses complaints alleging imminent and/or ongoing public safety risk

B) Category 2 – High – Consult with DOI – addresses serious patient/consumer harm, gross negligence, or incompetence resulting in great bodily injury or death (non-criminal).

C) Category 3 – Routine – General unprofessional conduct, malpractice

D) Category 4 – Routine – Simple departures from practice standards

Cases are further prioritized by case age.

The Board engages with the AG Office when investigative outcomes identify serious violations. The AG Office and Board staff then review the violations and evidence found to determine if formal discipline is advised.

35. Are there mandatory reporting requirements? For example, requiring local officials or organizations, or other professionals to report violations, or for civil courts to report to the board actions taken against a licensee. Are there problems with the board receiving the required reports? If so, what could be done to correct the problems?

Under BPC § 801, insurers and uninsured licensees are required to report malpractice settlements and judgments of $3,000.00 or more. With the Board's active and continued use of the National Practitioner Databank (NPDB), the Board does not have any problems receiving the ongoing electronic malpractice reports from mandated reporters.

- **What is the dollar threshold for settlement reports received by the board?**

  The Board receives malpractice settlements and judgments of $3,000.00 or more.

- **What is the average dollar amount of settlements reported to the board?**

  The average dollar amount of settlements reported to the Board was $53,000.00.

36. Describe settlements the board, and Office of the Attorney General on behalf of the board, enter into with licensees.

- **What is the number of cases, pre-accusation, that the board settled for the past four years, compared to the number that resulted in a hearing?**

  The Board does not settle cases prior to filing a formal Accusation or Statement of Issues; therefore, there have been no pre-accusation cases that resulted in hearings.

- **What is the number of cases, post-accusation, that the board settled for the past four years, compared to the number that resulted in a hearing?**

Decision Type	FY 22/23	FY 23/24	FY 24/25	FY 25/26
Settlements	5	1	2	1
Hearings	3	2	1	2

- **What is the overall percentage of cases for the past four years that have been settled rather than resulted in a hearing?**

  In the last four years, 53% of the cases have gone to settlement rather than resulting in a hearing.

37. Does the board operate with a statute of limitations? If so, please describe and provide the citation. If so, how many cases have been lost due to statute of limitations? If not, what is the board's policy on statute of limitations?

The Board does not have statute of limitations, nor does it have any policy regarding statute of limitations for any of its administrative enforcement statutes. There are no recorded cases that have been lost due to statute of limitations.

38. Describe the board's efforts to address unlicensed activity and the underground economy.

The Board investigates every complaint received, including for unlicensed practice, where the complaint investigation begins with a desk investigation by the Board enforcement analyst. If the violations can be confirmed with evidence at this time, the Board pursues a citation for unlicensed practice. If additional evidence is required, the Board engages the services of the Division of Investigation.

Cite and Fine

39. Discuss the extent to which the board utilizes cite and fine authority. Discuss any changes from last review and describe the last time regulations were updated and any changes that were made. Has the board increased its maximum fines to the $5,000 statutory limit? Does the board have authority to issue fines greater than $5,000? If so, under what circumstances?

The Board uses its cite and fine authority in cases in which violations can be remedied through an order of abatement and fine. The Board typically addresses more technical violations through citations. The Board also issues citations only in cases that do not necessitate restrictions on the license to ensure consumer protection. There have been no changes with the Board's cite and fine authority since the last Sunset Review nor has there been any update to the regulations. The Board has authority to issue a citation with a maximum of $5,000.00.

40. How is cite and fine used? What types of violations are the basis for citation and fine?

The Board uses citations to educate its recipient (in the case of unlicensed practice) or the licensee and bring them into compliance with the laws and regulations. A fine is most often used as a deterrent for future violations. Citations cannot be used for any cases involving patient harm; therefore, citations are generally issued for simple departures from standard of care, professionalism, or conditions of office (e.g., failure to register a practice address, failure to keep adequate records/charting, failing a CE Audit). Although unlicensed practice cases pose a risk to public safety, the Board's jurisdiction and authority generally limited to licensed individuals. In these cases, citations are the primary recourse available to the Board to prevent unlicensed activity involving acupuncture.

41. How many informal office conferences, Disciplinary Review Committees reviews and/or Administrative Procedure Act appeals of a citation or fine has the board held or requested in the last 4 fiscal years?

Setting	FY 22/23	FY 23/24	FY 24/25	FY 25/26
Informal conferences	0	0	2	7
Disciplinary Review Committees	N/A	N/A	N/A	N/A
APA Appeals	0	0	0	1

42. What are the five most common violations for which citations are issued?

1) CCR 1399.489(a) – Failure to meet Continuing Education Renewal requirements (28)
2) CCR 1399.469.2 - Failure to keep complete and accurate records (5)
3) BPC 4961 – Failure to register a Wall License (4)
4) CCR 1399.469.2(b) – Failure to provide requested documents (4)
5) CCR 1399.469.2(c) – Failure to cooperate with a Board Investigation (4)

43. What is average fine pre- and post- appeal?

The average fine pre-appeal was $841.00.

The average fine post-appeal was $255.00.

44. Describe the board's use of Franchise Tax Board intercepts to collect outstanding fines. If the board does not use Franchise Tax Board intercepts, describe the rationale behind that decision and steps the board has taken to increase its collection rate.

Cited individuals that have not paid their assessed fines by the dates set therein are sent three (3) Demand for Payment letters, with the last being certified. If still no payment is received, the Board works with the DCA to send the unpaid amounts to the Franchise Tax Board's (FTB) Interagency Interception Program (IIP).

Cost Recovery and Restitution

45. Describe the board's efforts to obtain cost recovery. Discuss any changes from the last review.

Respondents addressing the terms of their citation or formal discipline, pay the total balance or make regular payments through an installment plan. Respondents who have failed to address

the terms of the citation or the formal discipline have their information sent to the FTB IIP in a final attempt to secure the funds that would have come through the terms of cost recovery.

In current probationary cases, the Board's probation monitor ensures that the probationer is making payments towards his or her cost recovery on a regular basis or has received approval from the probation monitor for a modification to the payment plan (such as if they are tolling). When a licensee's probation is coming to an end, a review is conducted to assess if there is any unpaid balance. The Board works with the probationer to ensure that this cost is recovered prior to the completion of probation, as cost recovery met is a condition of probation. The Board is allowed to have continuing jurisdiction over a licensee (extend probation) past the respondent's set probation term if costs are not paid in full. Should the respondent fail to meet the cost recovery condition, the Board can file a petition to revoke the probationer's license for a violation of their probation.

When the Board works with stipulated surrenders, cost recovery is sometimes stipulated to being due at the time the individual attempts to get re-licensed with the Board. Using such stipulations allows the Board to facilitate the surrender of license.

46. How many and how much is ordered by the board for revocations, surrenders and probationers? How much do you believe is uncollectable? Explain.

Seventeen cases were ordered with cost recovery, totaling $(TBD).
Nine (9) cases are determined to be uncollectable because they are revocations and voluntary surrenders, totaling $230,540.95.

47. Are there cases for which the board does not seek cost recovery? Why?

BPC § 4959 (a) authorizes cost recovery only in cases where a licensee has been found guilty of unprofessional conduct. It does not allow cost recovery for Statements of Issues. Therefore, the Board does not seek cost recovery for decisions involving applicants for licensure. BPC § 125.3 also only allows cost recovery for violations of the Acupuncture Licensure Act. In addition, the Board may waive costs to achieve a stipulated surrender of a license to resolve the case, or make the repayment required as a condition of reinstatement.

48. Describe the board's use of Franchise Tax Board intercepts to collect cost recovery. If the board does not use Franchise Tax Board intercepts, describe methods the board uses to collect cost recovery.

The Board submits all outstanding cost recovery cases to FTB IIP for collection purposes, relying on FTB IIP for all its outstanding recovery costs as ordered.

Table 11. Cost Recovery[11] (list dollars in thousands)

	FY 2022/23	FY 2023/24	FY 2024/25	FY 2025/26
Total Enforcement Expenditures	612	657	485	652
Potential Cases for Recovery *	0	0	0	10
Cases Recovery Ordered	11	3	2	1
Amount of Cost Recovery Ordered				
Amount Collected	$47	$49	$26	$3

[11] Cost recovery may include information from prior fiscal years.

* "Potential Cases for Recovery" are those cases in which disciplinary action has been taken based on violation of the license practice act.

49. Describe the board's efforts to obtain restitution for individual consumers, any formal or informal board restitution policy, and the types of restitution that the board attempts to collect, i.e., monetary, services, etc. Describe the situation in which the board may seek restitution from the licensee to a harmed consumer.

The Board's Disciplinary Guidelines provide that the Board may order restitution for offenses involving breach of contract, with the amount of restitution to be the amount of actual damages sustained as a result of breach of contract. Evidence relating to the amount of restitution would have to be introduced at the Administrative Hearing. The Board has not had a decision ordering restitution in this reporting period.

Table 12. Restitution (list dollars in thousands)

	FY 2022/23	FY 2023/24	FY 2024/25	FY 2025/26
Amount Ordered	$0	$0	$0	0 $
Amount Collected	$0	$0	$0	0 $

Section 5 –
Public Information Policies

50. How does the board use the internet to keep the public informed of board activities? Does the board post meeting materials online? When are they posted? How long do they remain on the board's website? When are draft meeting minutes posted online? When does the board post final meeting minutes? How long do meeting minutes remain available online?

The Board utilizes the internet to inform the public of its activities through its website, ListServ notifications, and online meeting webcasts. Agendas are posted for a minimum of 10 business days prior to each meeting. Board meeting materials are posted online, and the public is notified through ListServ when they become available, generally one to two weeks before the meeting date. Draft meeting minutes are posted online together with the meeting materials for the next scheduled meeting. Final meeting minutes are posted after they are approved by the Board and remain available indefinitely on the Board's website to ensure continued public transparency.

51. Does the board webcast its meetings? What is the board's plan to webcast future board and committee meetings? How long will archived webcast meetings remain available online?

The Board's meetings are generally webcast live by the Department of Consumer Affairs, and the Board plans to continue webcasting all future Board and committee meetings when DCA resources are available. Archived webcasts are uploaded to YouTube, where they will remain accessible for as long as YouTube continues to provide hosting services; direct links to these archived webcasts are also maintained on the Board's meeting webpage.

In addition to livestreaming meetings, the Board provides public participation through Webex, a practice initiated during the COVID-19 health emergency and continued thereafter. The Board values Webex participation as an additional access point for stakeholders and appreciates the DCAs support in providing meeting moderators for these hybrid and virtual formats.

52. Does the board establish an annual meeting calendar and post it on the board's web site?

The Board does not set a fixed annual meeting calendar in advance; however, once a meeting date is confirmed, it is posted on the Board's website and included on the Department of Consumer Affairs' public meeting calendar.

53. Is the board's complaint disclosure policy consistent with DCA's *Recommended Minimum Standards for Consumer Complaint Disclosure*?

Yes, the Board's complaint disclosure policy is consistent with DCA's recommended Minimum Standards for Consumer Complaint Disclosure.

- **Does the board post accusations and disciplinary actions consistent with BPC § 27, if applicable?**

  The Board posts all Penal Code Section 23 suspension and bail condition Orders, Accusations, and final Decision and Orders on its website, on its website at:

  https://acupuncture.ca.gov/consumers/board_actions.shtml

  The Board also post disciplinary information to DCA's License Look-Up for consumers to see when the check a licensee's status.

- **Does the board post complaint date on its website? If so, please provide a brief description of each data point reported on the website along with any statutory or regulatory authorization.**

  The Board does not post complaint data on its website.

- **Does the board post citations for unlicensed practice on its website?**

  The Board does not post citations for unlicensed practice on its website.

54. What information does the board provide to the public regarding its licensees (i.e., education completed, awards, certificates, certification, specialty areas, disciplinary action, etc.)?

The Board provides key licensee information online through its "Verify a License" portal, which allows the public to view the following licensee information:

- Licensee's Name;
- License type, number, issue date, expiration date, and status;
- Current Address of Record;
- Practice Address(es)
- Disciplinary Actions with any public documents (if any)

The Board does not post education completed, awards, certificates, or specialty areas.

55. What methods does the board use to provide consumer outreach and education?

The Board provides consumer outreach and education primarily through its website, which includes licensing information, disciplinary actions, meeting materials, and resources for consumers and applicants. The Board also uses its ListServ email subscription system to distribute announcements, updates, meeting notices, and other important information to stakeholders, and encourages public participation by attending Board and committee meetings.

The Board works to provide a Webex component to its Board meetings to allow greater public participation in its policy making.

Section 6 – Online Practice Issues

56. Discuss the prevalence of online practice and whether there are issues with unlicensed activity.

- **How does the board regulate online/internet practice?**

  Online/internet practice is regulated the same as in-person: licensees providing acupuncture services remotely must comply with the telehealth requirements in BPC § 2290.5 and all standards of practice under the Acupuncture Licensure Act. The Board has also developed a telehealth regulation (proposed 16 CCR § 1399.452.1) to clarify expectations for acupuncture delivered via telehealth. This regulatory proposal was submitted to the Office of Administrative Law for final filing on June 25, 2026. This regulation was approved by the Office of

Administrative Law on August 6th, 2026, with an implementation date of October 1st, 2026. Alleged telehealth violations are investigated in the same manner as in-person violations.

- **How does the board regulate online/internet business practices outside of California?**

  For online business practices occurring outside California, the Board's authority applies only when those services are directed to or provided to patients located in California; activities occurring entirely outside the state fall under the laws and regulatory oversight of that jurisdiction.

- **Does the board need statutory authority or statutory clarification to more effectively regulate online practice, if applicable?**

  No, existing statutes are sufficient to effectively regulate online practice.

Section 7 – Workforce Development and Job Creation

57. What actions has the board taken in terms of workforce development?

The Board reports the pass rates of the CALE, including the rates for each approved acupuncture and educational training program. The information is provided in Board meeting materials, twice a year, and posted on the Board's website.

The Board completes an OA every five years, which is used to update licensing examinations and align competencies with current practice. This supports workforce development by ensuring new licensees are evaluated against current professional standards.

Additionally, the Board enforces continuing education requirements for licensees, ensuring the existing workforce stays current with evolving standards of care.

58. Describe any assessment the board has conducted on the impact of licensing delays.

The Board has not conducted a formal assessment of the impact of licensing delays as the Board does not experience delays in its licensing processes. Applications are processed timely, and the Board consistently meets its internal performance measures for reviewing and issuing licenses. The Board will continue to monitor workload and staffing to ensure applicants are not adversely affected by potential delays in the future.

59. Describe the board's efforts to work with schools to inform potential licensees of the licensing requirements and licensing process.

The Board provides twice annual reporting of CALE pass rates, including pass rates for each Board approved acupuncture and educational training program, if their graduates test in that time frame. These reports are presented at public Board meetings and posted on the Board's website, allowing schools to monitor student performance and adjust their curriculum to better prepare candidates for licensure. This transparency supports schools in advising prospective licensees and aligning instruction with examination expectations.

The Board maintains comprehensive licensing information on its website, including requirements for examination eligibility, documentation needed for licensure, and information about continuing education.

The Board also seeks to hold its Board meetings on the campuses of approved Acupuncture educational and training programs to provide prospective licensees with the opportunity to observe or participate in the Board's meetings.

Collectively, these activities ensure that schools remain well informed about licensing requirements, examination expectations, and regulatory updates, enabling them to effectively guide students and support their transition into licensed practice.

60. Describe any barriers to licensure and/or employment the board believes exist.

Recent changes at the Federal level regarding gainful employment statistics as a requirement for access to federal student loans, as well as new lower loan amounts available to students will likely create financial barriers to prospective students seeking acupuncture education. A drop in newly applying students to acupuncture programs could likely lead to less schools operating. Barriers to employment exist as few acupuncturists are employed directly in the health care system, with most licensees self-employed.

61. Provide any workforce development data collected by the board, such as:

a. Workforce shortages

The Board monitors several areas related to workforce development through licensing trends, exam performance, and education program oversight. Although the Board has not conducted formal workforce studies, these routine data points help identify general trends, such as fluctuations in licensure volume, exam pass rates that influence the number of new acupuncturists entering the field, and changes in educational program offerings.

Additionally, since 2022, all DCA healing arts boards implemented a voluntary workforce survey for licensees at the time of renewal. The survey collects data related to demographics, race, ethnicity, languages spoken, license specialties, clinic types, etc., which is provided to the Department of Health Care Access and Information (HCAI) for analysis and public reporting. HCAI has created dashboards that cover all Board license types, providing valuable insights that support the Board's workforce planning and discussions. While HCAIs public dashboards do not report acupuncture as a standalone profession and instead combine acupuncturists within a broader licensee grouping, the Board's participation ensures that acupuncturists are represented within statewide workforce monitoring efforts.

b. Successful training programs.

The Board does not conduct formal evaluations of a training program's effectiveness beyond its statutory oversight role. However, trends in exam pass rates could provide insight into how well training programs prepare candidates for licensure and practice.

62. What actions has the board taken to help reduce or eliminate inequities experienced by vulnerable communities, including low- and moderate-income communities, communities of color, and other marginalized communities, or otherwise avoid harming those communities?

The Board administers the California Acupuncture Licensing Examination (CALE) in English, Chinese, and Korean. Providing the examination in multiple languages increases access to licensure for applicants who are not fluent in English and helps ensure there are practitioners available to serve communities that primarily speak Chinese or Korean.

Effective October 1, 2024, the Board implemented a regulatory requirement that all licensees completing the standard 50 hours of continuing education must include a minimum of four hours of law and ethics coursework as a condition of active license renewal. This requirement is designed to reinforce practitioner understanding of legal responsibilities, patient rights, informed consent, cultural considerations, and ethical standards. By strengthening competence in these areas, the Board supports safer and more equitable treatment for vulnerable communities who may be disproportionately affected by misunderstandings, unethical conduct, or barriers to informed decision-making.

Section 8 – Current Issues

63. Describe how the board is participating in development of online application and payment capability and any other secondary IT issues affecting the board.

- **Is the board utilizing BreEZe? What Release was the board included in? What is the status of the board's change requests?**

  The Board is not utilizing BreEZe.
  The Board was identified as a Release Three board and has proceeded in developing its own systems on the Connect platform. No change requests were made for BreEZe.

- **If the board is not utilizing BreEZe, what is the board's plan for future IT needs? What discussions has the board had with DCA about IT needs and options? Is the board currently using a bridge or workaround system?**

  The Board was part of DCA's Business Modernization Cohort 1 (BMC1). Development started in January 2020, with exam, initial license, license renewal functionality deployed September 2020. The Board has focused on continuous development since that time adding features like wall license applications, active/inactive license applications, CE and CE Provider applications, a searchable CE active database, and CE Audit functionality. While refinements to licensing processes continue under a maintenance and operation contract, the Board has secured a development contract to now focus on bringing enforcement processes into Connect. The Board anticipates all of its enforcements processes to be implemented in the Connect platform in July 2027.

Section 9 – Board Action and Response to Prior Sunset Issues

Include the following:

- **Background information concerning the issue as it pertains to the board.**
- **Short discussion of recommendations made by the Committees during prior Sunset Review.**
- **What action the board took in response to the recommendation or findings made under prior Sunset Review.**
- **Any recommendations the board has for dealing with the issue, if appropriate.**

The Board was last reviewed by the Legislature through sunset review in 2021-22. During the previous sunset review,11 issues were raised covering areas of administrative, licensing issues, enforcement issues, and technical changes.

Education & Training Oversight

ISSUE #1:

Fee for Curriculum Review. Should the CAB assess a fee for the review of curriculum?

Sunset Review Committee Recommendation:

The CAB should describe the workload associated with a typical curriculum review and whether the CAB intends to establish a curriculum review fee.

Board Response – April 2023:

Board authority to assess a fee for curriculum review is reasonable and responsible to cover the cost of the work required to be completed by Board staff. The cost is currently being covered by the licensing fees.

The workload consists of a Board analyst reviewing an educational and training program's proposed curriculum. The syllabi for all proposed courses are reviewed to ensure they address the minimum 3,000-hour content areas identified in the Board's codes for detailed compliance with BPC section 4927.5 and CCR section 1399.434.

Findings are identified to management in noncompliance reports for final review and approval or denial. If an application is denied the deficiencies are identified. The estimate for staff time to complete a curriculum review is 40 hours for the analyst review and report, one hour for management review, and one hour of technician time to cashier and update records.

The Board has statutory and regulatory requirements to complete the curriculum review in 30 days. Incomplete applications require resubmission to address any identified deficiencies. In the last five years, the Board has received an average of 12 Applications for Board Approval of Curriculum per year. A school degree program generally takes two to three submissions before achieving a complete application.

2026 Update:

The Board affirms that a Curriculum Review fee is reasonable and responsible for covering the cost of the work required to be completed by Board staff. This review is being subsidized by acupuncture licensees. Additionally, the thirty-day review statutory requirement has been challenging for the Board to meet for every curriculum application. The Board is creating a Limited Term position to assist with these reviews, but this will come at additional cost to the Board.

The Board has identified this as a strategic plan item to pursue statutory authority to establish a curriculum review fee, as well as a possible renewal fee. The Board conducted a fee study in 2018, where it was identified that the cost of each review was $3000.00. The Board welcomes working with the Joint Committees to introduce these fees during the sunset review process.

ISSUE #2:

Continuing Education (CE) Provider Fees. Should the CAB CE provider fees be restructured?

Sunset Review Committee Recommendation:

The CAB should discuss its implementation of the new CE course fees, describe the workload associated with reviewing and approving individual CE courses, and discuss noticeable impacts

on the CE provider population throughout the COVID-19 pandemic, including any observed trends.

Board Response – April 2023:

The increased CE Provider fees are new and beginning to pay for a greater share of the cost of running the Continuing Education program, as well as the monitoring and enforcement of the providers and courses. The fees should not be restructured.

The Board received authority to implement Continuing Education course fees at a rate of $10 for every unit (hour) of Continuing Education the provider is seeking to have approved for California acupuncture licensees. These fees were implemented January 1, 2021.

CE Course application reviews consist of a Board Analyst ensuring that:

- courses meet administrative regulatory requirements, such as submission date vs Course date, appropriate fees, attestation of compliance with submission requirements
- course material complies with scope requirements
- course material complies with regulatory requirements.

In addition, a Board Analyst carries out the following tasks:

- confirms content hours
- notifies providers of course request approval or denial, including specific details when denying a course.
- coordinates with the manager and Subject Matter Experts to review possible non-compliant course content or course application denial appeal requests.
- updates and maintain the Connect online CE management system and legacy database of all CE providers and course materials and schedules.
- provides a report listing of approved courses that are available to licensees and stakeholders to view on the Board's website.

There is additional workload involved for administration and enforcement processes for CE.

Prior to this fee change, the Board did not collect enough fees to address the current volume of CE Providers and courses. This resulted in an overloaded, and underfunded, CE Desk with licensees underwriting the approval and monitoring of the very courses the licensees were required to take.

The table below identifies the fees collected per application type since the fees were instituted on January 1st, 2021.

Year	Provider Initial App Fees	Provider Renewal Fees	Course Approval Fees	Year Total
2021	$14,500	$75,950	$206,558	$297,008
2022	$8,500	$80,500	$242,533	$331,533

CE providers were affected by the COVID related waiver allowing licensees to renew their license without the need to satisfy their CE requirements. Additionally, during the pandemic there was an increase in licensees changing their license status to inactive, retired, or requested an extension of CE compliance, which is available to licensees with Board approval. All these reasons contributed to a decrease in demand for CE courses from licensees. The Board observed several of the smaller sized providers choose not to renew their provider status as the short-term demand for CE

dropped. These providers will be able to come back online with the Board by renewing their Provider status.

Even with the observed decrease of new and renewing CE providers during the pandemic, the Board has observed an increase in Provider renewals and new applications since July of 2022. At no time during the pandemic was there a shortage of CE courses available for CA licensees.

2026 Update:

The Board has moved all its CE functionality onto its Connect platform. This has helped reduce staff time in processing CE-related payments and facilitated an easier experience for both Provider submission of applications for provider status, courses, and their associated payments. The system is now searchable by licensees for specific content, dates, locations, and providers. The Board has completed development of the CE Audit functionality, keeping the selection and review process all in the Connect system. With the efficiencies gained in processing CE applications and in conducting the CE audit, the Board has now been able to Audit 5% of its licensee population. The Board will continue to monitor the results of the audits and use this data to create outreach content to licensees to promote compliance with the Board's requirements.

The Board does not recommend that the CE Provider fees be restructured.

Year	Provider Initial App Fees Collected	Provider Renewal Fees Collected	Course Approval Fees Collected	Year Total
22/23	$15,500	$74,500	$238,300	$328,300
23/24	$17,500	$63,000	$243,660	$324,160
24/25	$20,000	$69,500	$260,310	$349,810
25/26	$23,500	$66,000	$256,900	$346,400

ISSUE #3:

Third Party CE Approval. Should the CAB be authorized to accept CE from CE providers approved by the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM)?

Sunset Review Committee Recommendation:

The CAB should discuss the feasibility of accepting NCCAOM CE, including potential hurdles, benefits, costs, or cost savings.

Board Response – April 2023:

The Board reviews and approves Continuing Education courses specifically addressing California scope and curriculum requirements. Accepting NCCAOM Continuing Education course credits would add many more courses that have not been reviewed by Board staff to be compliant with California's specific requirements.

Currently, the Board has statutory and regulatory authority over its CE Providers such that it may request access to such items as course materials, attendance logs, and/or course evaluations. Accepting Continuing Education courses approved by another organization for California license renewal credit would remove the availability of such provider responsibilities. Providers not approved by the Board may take longer to communicate with the Board, if at all, which would also hold up Continuing Education licensee audits.

Accepting CE courses from another organization will increase licensing and renewal fees as the Board would still be required to carry out Continuing Education Audits of its licensees without the CE provider and course fees offsetting the costs.

2026 Update:

The Board maintains that retaining the authority to approve CE courses for California licensees best addresses California specific requirements, and the fees collected for courses and providers cover the cost of the CE program including audits.

ISSUE #4:

Licensee CE Audits. How will the CAB handle CE compliance audits now that the COVID-19 emergency waivers have expired?

Sunset Review Committee Recommendation:

The CAB should update the Committees on the status of its CE audit program, including timelines.

Board Response – April 2023:

The pandemic and its associated licensing renewal (CE) waivers removed the need for licensees to complete CEs as a condition of renewal. As such, during the time of the waivers, it was not necessary for the Board to expend its time and resources on the Licensee audits. Now that the pandemic waivers have expired, the Board anticipates resuming the audits in January of 2024. The Board is planning a 2024 date because it is currently developing a (Licensee) CE Audit module as part of the Board's new licensing system which will make the process easier on licensees and Board staff by moving to a digital platform. The Board is also allowing time for licensees' practices to normalize now that society is returning from the pandemic practices, and to allow for the Board to communicate its intended action to licensees. It is important to note that for the CE Coordinator, the CE Provider and Course Approval duties take most of the coordinator's time.

As the process resumes, the Board will pay close attention to the workload brought on by the audit as it will greatly add to the coordinator's workload. Initiating the CE Audit process will also impact the Board's enforcement unit when non-compliance is identified. While there will be an increase in workload to address the audit, it is anticipated that the new CE audit module would automate and simplify some processes.

Conducting Licensee CE audits also identifies CE Provider non-compliance; this will also increase the workload on the Enforcement and Licensing Units. Considering this, the Board would start auditing a small percentage of the renewing population and gradually ramp up its audit numbers as the process is realized to not overload staff. The Board will closely monitor its CE and enforcement workload to address any additional budgetary and personnel requirements through future Budget Change Proposals.

2026 Update:

The Board finished developing its CE Audit functionality on the Connect platform in the Fall of 2025 and began auditing renewing licensees in November of 2025. The efficiencies gained from the new functionality allowed for the training of the CE Coordinator to initiate enforcement action on failed audits. The CE Coordinator now addresses the entire CE Audit related enforcement process, including review for violations, and issuance of citations. Prior to this implementation, the CE Coordinator identified CE non-compliance and sent those violations to the enforcement analyst.

ISSUE #5:

CE Course Provider Audits. When will the CAB begin auditing CE Providers?

Sunset Review Committee Recommendation:

The CAB should update the Committees on its plan to audit CE providers, including any additional details or timelines.

Board Response – April 2023:

The Board will begin auditing CE Providers during the Licensee CE audits which is anticipated to start in January of 2024.
Historically, conducting Licensee CE Audits identifies CE Provider violations. Starting the CE Provider audits at the same time as the Licensee CE audits will provide time for the enforcement unit to address the violations and identify best practices for a separate CE Provider audit practice.

2026 Update:

The Cite and Fine of CE provider violations will begin in FY 26/27. With the CE Coordinator now addressing Licensee CE Audit citations, staggering the CE Provider audit to FY 26-27 has allowed for the CE Coordinator to be proficient in the audit and enforcement processes. This has allowed the coordinator to observe and note findings of provider non-compliance. The Board will use these findings to create and issue outreach materials in FY 26/27 reminding providers of compliance requirements and informing them that CE Provider Audits will be resuming.

Licensing & Renewal Requirements

ISSUE #6:
Wall Licenses. Is the wall license registration system working as intended?

Sunset Review Committee Recommendation:

The CAB should update the Committees on the implementation of the new wall license registration program, including any trends in compliance or enforcement activity.

Board Response – April 2023:

The Board has completed its second year of the wall license requirement, meaning that a licensee who obtained their wall license at the time of their renewal in January of 2021 would be renewing their wall license again now in January of 2023.

Licensees were required to meet the Wall License requirement at their next L.Ac. renewal after January 1, 2021. The Board has data for the first two years of this requirement after its implementation, however, this only covers one two-year renewal period for licensees, and any trends will be challenging to identify at this point in time.

The Board can look at two areas in assessing broad trends as it continues with this requirement. First, the current number of wall licenses issued compared to the total of renewing active licensees, and secondly, the total number of address violations received in complaints as well as violations identified during an investigation of enforcement cases.

As of January 1, 2023, there was a count of 7,473 active licensees with 3,867 wall licenses issued. While a licensee would not be required to have a wall license if their practice was solely through telehealth and house visits, this is a very unlikely scenario for most licensees. From this perspective, the Board anticipates that more licensees need to register their place of practice.

The wall license has improved the Board's ability to track wall license practice registrations and address changes but ultimately there has not been enough time to collect data to make more precise estimates on the efficacy of this requirement. Additionally, even with the Board's outreach, licensee awareness and compliance with this new requirement is still growing. The pandemic also created a situation where licensees went on inactive status and as such did not need to have a practice address registered.

The Board will continue with its outreach efforts to inform licensees to come into compliance with this new requirement, as well as monitor the wall license numbers for growing trends.

2026 Update:

The Board continues to monitor implementation of the wall license registration requirement, now fully operational since 2021. As of June 30, 2026, there are 10,079 active acupuncture licenses and 6,664 active wall licenses, reflecting 66% compliance. The percentage of active licensees to wall licenses has increased from 49% in 2024, to 57% in 2025, and reached 66% in 2025, indicating steady improvement. In 2026, the Board issued two Listserv notices (March and July) reminding licensee of the mandatory wall license requirement, the need for separate wall licenses for each practice location, and the 30-day registration for new or relocated sites. Following each notice, staff observed an immediate increase in new wall-license registrations. The Board will continue to use compliance metrics, enforcement reporting, and targeted outreach to assess system operation and determine whether regulatory adjustments or further education efforts are needed to ensure full compliance.

Enforcement & Consumer Protection

ISSUE #7: Performance Measure Timelines. How will the CAB handle the impediments preventing it from meeting its target timelines for investigations or formal discipline cases?

Sunset Review Committee Recommendation:

The CAB should discuss ongoing impediments to meeting its PM timelines and any plans to overcome those impediments.

Board Response – April 2023:

The Board continues to work with its partners at the Division of Investigation and the Office of the Attorney General to address backlogs created due to the pandemic and its associated challenges. The Board experienced several vacancies in the enforcement unit that presented challenges in both filling those positions during the pandemic, as well as onboarding new staff. The Board will continue closely monitoring and prioritizing cases to reduce impediments to meet the Board's Performance targets.

2026 Update:

The Board has worked to address the pandemic era vacancies and resulting backlog. At the start of the reporting period, the Board experienced challenges meeting its PM Timelines, exacerbated by staff turnover and limited term staff positions terminating. The Board focused on filling its vacancies and training its new employees. While the Board worked to fill vacancies, the Board focused its attention on receiving and opening complaints, addressing the most harmful and urgent of the violations reported to the Board, and finalizing discipline for cases that had completed high-priority investigations. By April 2023, the Board filled its two vacant Analyst II enforcement positions, which allowed the Board to begin working through its caseload. The reclassification of a 0.5 PY Special Investigator position to an Analyst 1 classification in the Spring of 2026 was carried out to address the lesser priority violations, allowing the two Analyst II's to focus on higher priority violations with the expertise they had developed. This reclassification also allows the Board to continue the development of its Enforcement functionality in Connect while reducing the impact that this development has on the Board's enforcement throughput. Following these changes, the Board is beginning to see an improvement on its case backlog, and more user acceptance testing in the development of its Enforcement module. The Board anticipates this will lead to improved PM Times in the coming months.

ISSUE #8:

Acupuncture Assistants. Should acupuncturists be authorized to utilize acupuncture students for certain functions in their practice?

Sunset Review Committee Recommendation:

The CAB should update the Committees on any discussions it may have had on the topic and whether there are any immediate patient safety concerns.

Board Response – April 2023:

The Board has not discussed this item in the last 15 years. It appears that this was an item of interest for the Joint Committee on Boards, Commissions, and Consumer Protection as Business and Professions Code section 4934.2(a) required the Board to research and report to said Committee by September 1, 2004, a comprehensive study of the use of unlicensed acupuncture assistants and the need to license and regulate those assistants.

In the examples provided in the background paper for what an assistant could be doing, the only challenge would be for unlicensed individuals removing needles. Board staff have identified possible patient safety concerns from unsupervised practice that may manifest during needle removal or because of inadequate infection control practices.

BPC section 4937 lists modalities that are not solely within an acupuncturist's scope such that if those assistants have the appropriate training in those modalities, they can carry out those treatments.

CCR section 1399.434(h) does afford an acupuncture student attending an approved educational and training program to earn 25% of their clinical hours in an externship at a private clinic. The supervisor in this environment would be required to be a licensed acupuncturist with at least five years of licensed clinical experience in acupuncture and Asian medicine and have an agreement with an educational and training program. Acupuncture trainees, in an approved acupuncture tutorial program, would also be allowed to work in an acupuncture clinic, under the responsibility of the tutorial program supervisor.

The Board encourages the acupuncture profession to work with acupuncture educational and training programs for hiring qualified externship students, or engaging training tutorial students as a tutorial supervisor, if it is seeking to engage the assistance of individuals who have training in acupuncture prior to licensure.

The Board would need greater details from the profession on what specific practices they are seeking to have acupuncture assistants carry out to ensure that public safety concerns are addressed.

2026 Update:

In 2023, Assembly Bill 1264 updated the Acupuncture Licensure Act by formally defining acupuncture assistants, supervising acupuncturists, and basic supportive acupuncture services. Under the new framework, acupuncture assistants, who must be enrolled in an approved educational program with at least 700 hours of clinical training completed, or who have completed such a program, may perform limited, supportive procedures such as needle removal, cupping, moxibustion, and Gua sha. These functions must be conducted under the direct, on-site supervision of an acupuncturist licensed for at least five years, who is responsible for the assistant's training, competency, and compliance with Clean Needle Technique requirements. The bill also clarified that assistants may not perform diagnosis, point location, needle insertion, electrical stimulation, or any procedure requiring advanced judgment or skill. As a result of AB 1264, the Board is implementing the new statutory structure through guidance to schools and licensees and will continue evaluating whether additional statutory or regulatory updates are needed to support safe, supervised student participation in acupuncture practice settings.

COVID-19 Operation Impacts

ISSUE #9: COVID-19. Are any statutory revisions, updates, or changes necessary in the aftermath of the COVID-19 pandemic?

Sunset Review Committee Recommendation:

The CAB should advise the Committees on its use of any COVID-19 waivers and whether any statutory changes relating to the COVID-19 pandemic are needed going forward.

Board Response – April 2023:

The ability to meet remotely allowed for the Board to continue meeting during the pandemic, afforded cost savings by not requiring room rentals and travel expenses to conduct the meetings, and made the Board's meetings more accessible to the public and stakeholders without requiring them to travel. The Board welcomes this medium for future meetings. Holding remote meetings helped streamline the logistics of setting up meetings in live locations. An in-person Board meeting typically costs the Board $10,000, whereas remote meetings typically costs the Board $2,000.
The Board moved to codify in regulation the requirements for the safe practice of acupuncture telehealth which is on the regulatory calendar.
The Board did utilize the waiver affording Continuing Education requirement extensions for licensure renewal.

2026 Update:

No changes are needed as they relate to the COVID-19 pandemic.

Technical & Administrative Clean-Up & Sunset Extension

ISSUE #10:
Technical Changes. Are there technical changes that can improve the CAB or its functions?

Sunset Review Committee Recommendation:

The CAB should continue to work with the Committees and suggest any technical clean-up that may be needed.

Board Response – April 2023:

The Board requests the Committees' example to align the current association name, Accreditation Commission for Acupuncture and Herbal Medicine (ACAHM).
In BPC section 4961(f)(1), the Board requests that, 'Asian massage services,' be removed as it is already called out as part of an acupuncturist's scope in BPC section 4937.

2026 Update:

Since the March 2023 sunset review hearing, both technical clean-up items requested by the Board have been completed in statute.

i. AB 1264 updated all references to the accrediting body to the current name, the Accreditation Commission for Acupuncture and Herbal Medicine (ACAHM), replacing the outdated "Accreditation Commission for Acupuncture and Oriental Medicine."
ii. AB 1264 removed the obsolete phrase "Asian massage services" from Business and Professions Code section 4961(f)(1), consistent with the Board's recommendation, as this modality is already included under the general scope of practice in section 4937. The Board will continue

to collaborate with the Committees to identify additional technical corrections needed to maintain clarity and modernize statutory language.

The Board will continue to collaborate with the Committees to identify additional technical corrections needed to maintain clarity and modernize statutory language.

ISSUE #11:

Sunset Extension. Should the practice of acupuncture continue to be regulated and licensed under the CAB?

Sunset Review Committee Recommendation:

The CAB's regulation of acupuncturists could be continued and be reviewed again on a future date to be determined.

Board Response – April 2023:
Yes, continued regulation and licensure of the practice of Acupuncture by the Board will provide for greater public safety.

2026 Update:

The Board affirms that continued regulation and licensure of the practice of Acupuncture by the Board will continue to provide for greater public safety.

Section 10 – New Issues

This is the opportunity for the board to inform the Committees of solutions to issues identified by the board and by the Committees. Provide a short discussion of each of the outstanding issues, and the board's recommendation for action that could be taken by the board, by DCA or by the Legislature to resolve these issues (i.e., policy direction, budget changes, and legislative changes) for each of the following:

- **Issues raised under prior Sunset Review that have not been addressed.**

  The Board has heard from stakeholders regarding the treatment modality 'Asian Massage'. This modality is included in an acupuncturist's scope of practice such that they can perform or prescribe its use. The challenge is that this modality is referred to as manual therapy in the allied health fields, and can create confusion for the public and consumers, let alone other adjacent industries not familiar with acupuncture. Additionally, the term 'Asian Massage' may be misconstrued by the public and consumers as referring to illegal black market sexual services.

  Recommendation: Change references from Asian Massage to Manual Therapy.

- **New issues identified by the board in this report.**

  The Board has identified that the term "completion" in Business and Professions Code § 4938(a)(2)(A)(i) is not defined, resulting in ongoing ambiguity regarding whether "completion" requires graduation from a Board-approved educational and training program. This lack of clarity continues to create inconsistency in evaluating applicant eligibility.

  Recommendation: Amend statute to explicitly define "completion" as graduation from the approved program.

- **New issues not previously discussed in this report.**

  The Board has identified a challenge with some educational and training programs meeting programmatic accreditation requirements timely. BPC Section 4927.5(a)(3) affords three statuses with the Accreditation Commission for Acupuncture and Herbal Medicine (ACAHM) for a program to meet the programmatic accreditation requirements:

  1) Is accredited with ACAHM
  2) Is pre-accredited with ACAHM
  3) Has submitted a letter of intent to pursue accreditation with ACAHM and are granted pre-accreditation status within three years of the date that the letter was submitted.

  However, if a program fails to obtain pre-accreditation status within three years, the program no longer qualifies as an approved program under the law, even if the school is diligently working towards pre-accreditation status. ACAHM can work with the program applicant beyond the three-year timeframe, whereas the Board cannot. Without this approval, the students in this program that don't complete their education in the three-year timeframe will not qualify for the licensing exam.

  The Board believes that this provision was enacted to help schools transition to the new curriculum approval process. As the process has been in place for nearly a decade, the Board has considered whether this exception should be modified or eliminated. In its discussions, the Board recognizes that programs do need time to set up their institutions, and as such, eliminating the third condition of the letter of intent outright could prove challenging for programs. In its review, the Board identified that it would provide programs more time to meet the programmatic accreditation requirement and demonstrate dedication to the process by moving the trigger of the third condition from the submission of the letter of intent to pursue accreditation to after ACAHM's review of the programs self-study. The self-study is typically completed by an applicant program within six months to a year after submission of their Letter of Intent. The Board feels that completion of the self-study demonstrates commitment to the accreditation process by clearly identifying the path and processes necessary to attain accreditation.

- **New issues raised by the Committees.**

  None

Section 11
Attachments

Please provide the following attachments:

A. Board's administrative manual.

B. Current organizational chart showing relationship of committees to the board and membership of each committee (cf., Section 1, Question 1).

C. Major studies, if any (cf., Section 1, Question 4).

1. 2026 Occupational Analysis
2. 2024 – 2028 Strategic Plan
3. 2018 Fee Study

D. Year-end organization charts for last four fiscal years. Each chart should include number of staff by classifications assigned to each major program area (licensing, enforcement, administration, etc.) (cf., Section 3, Question 15).

1. 22/23 Org Chart
2. 23/24 Org Chart
3. 24/25 Org Chart
4. 25/26 Org Chart

STATE OF CALIFORNIA – DEPARTMENT OF CONSUMER AFFAIRS – BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY GAVIN NEWSOM, GOVERNOR

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2025-26
Acupuncture Board Committees

Licensing Committee

Chair: Hyun "Francisco" Kim, L.Ac.
Gregory Leung
Staff Consultant: Marisa Ochoa

Executive & Legislation Committee

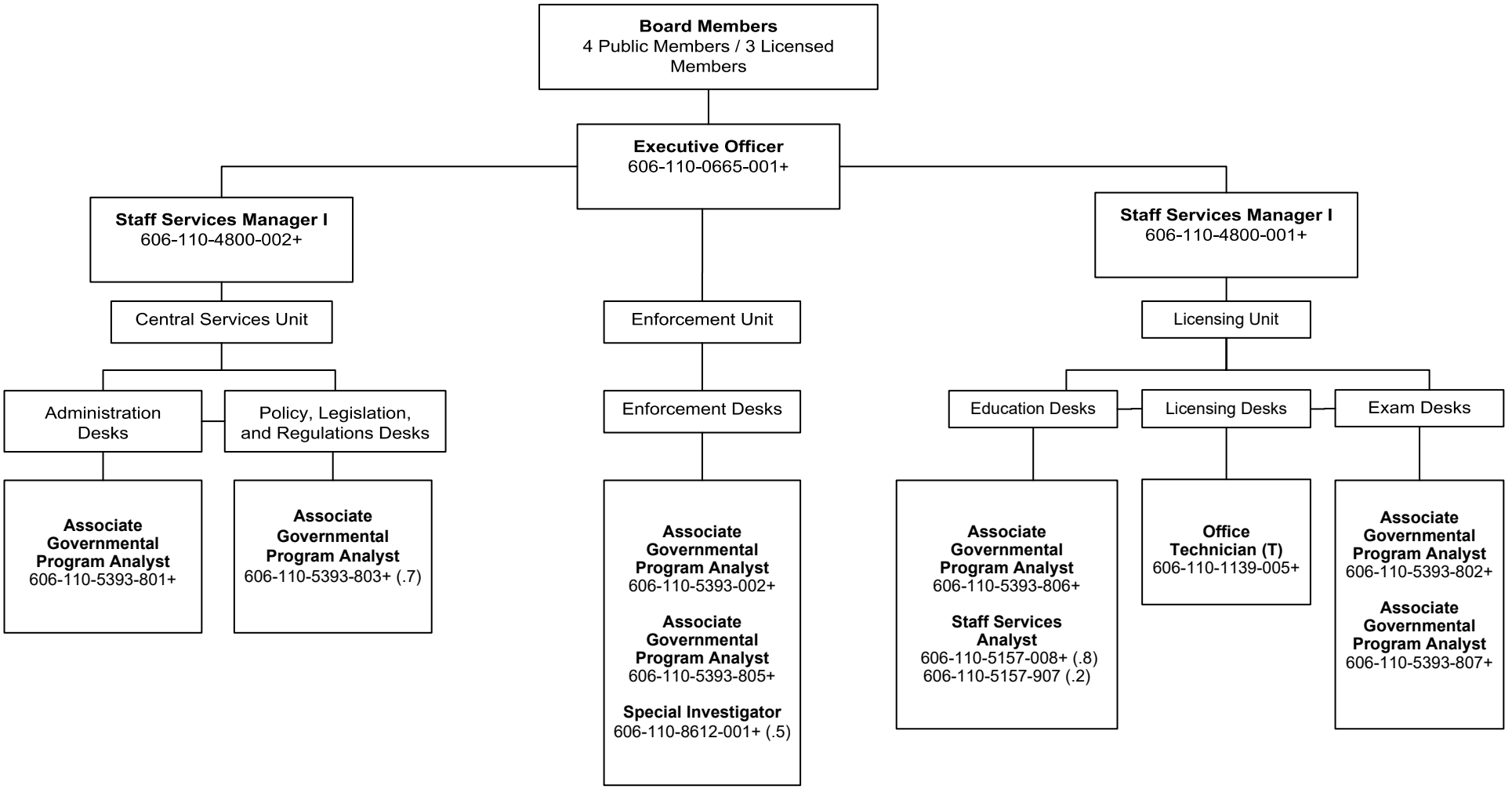
Chair: Hyun "Francisco" Kim, L.Ac.
Dr. Shudong Li, Ph. D.
Staff Consultant: Ben Bodea

Enforcement Committee

Chair: Dr. Yong Ping Chen, L.Ac., Ph. D.
Staff Consultant: Jay Herdt

Department of Consumer Affairs
California Acupuncture Board
June 1, 2023

Current
FY 2022-23
Authorized Positions: 12.0
Blanket Positions: 0.2



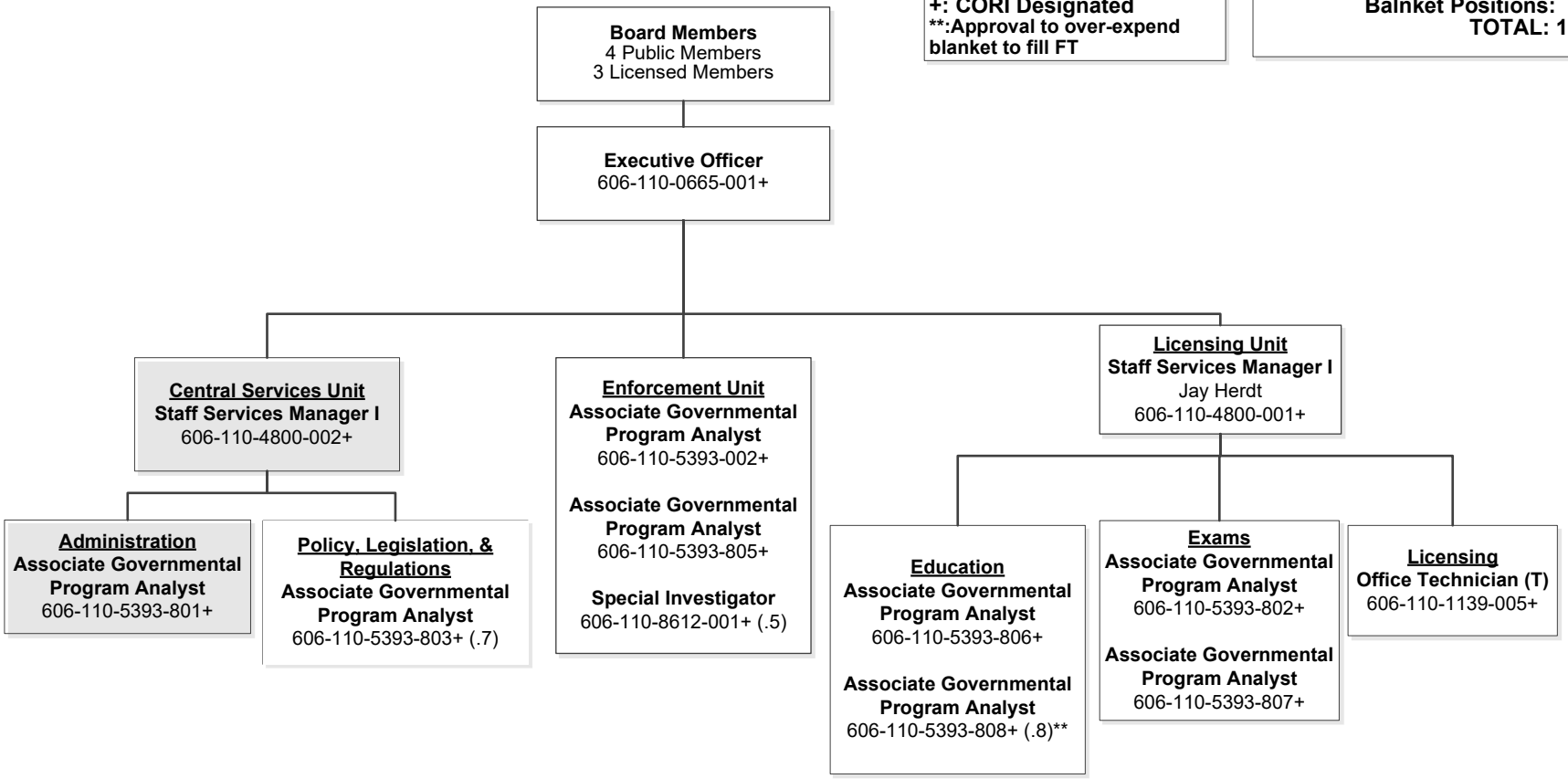
Benjamin Bodea, Executive Officer

Classification and Recruitment Analyst

Department of Consumer Affairs (DCA)
California Acupuncture Board (ACUP)
June 1, 2024

LEGEND
Red: VACANT
Green: Blanket
LT: Limited Term
+: CORI Designated
****:Approval to over-expend blanket to fill FT**

CURRENT ACUP STAFFING
FY 2023/2024
Authorized Positions: 12.0
Balnket Positions: 0.2
TOTAL: 12.2



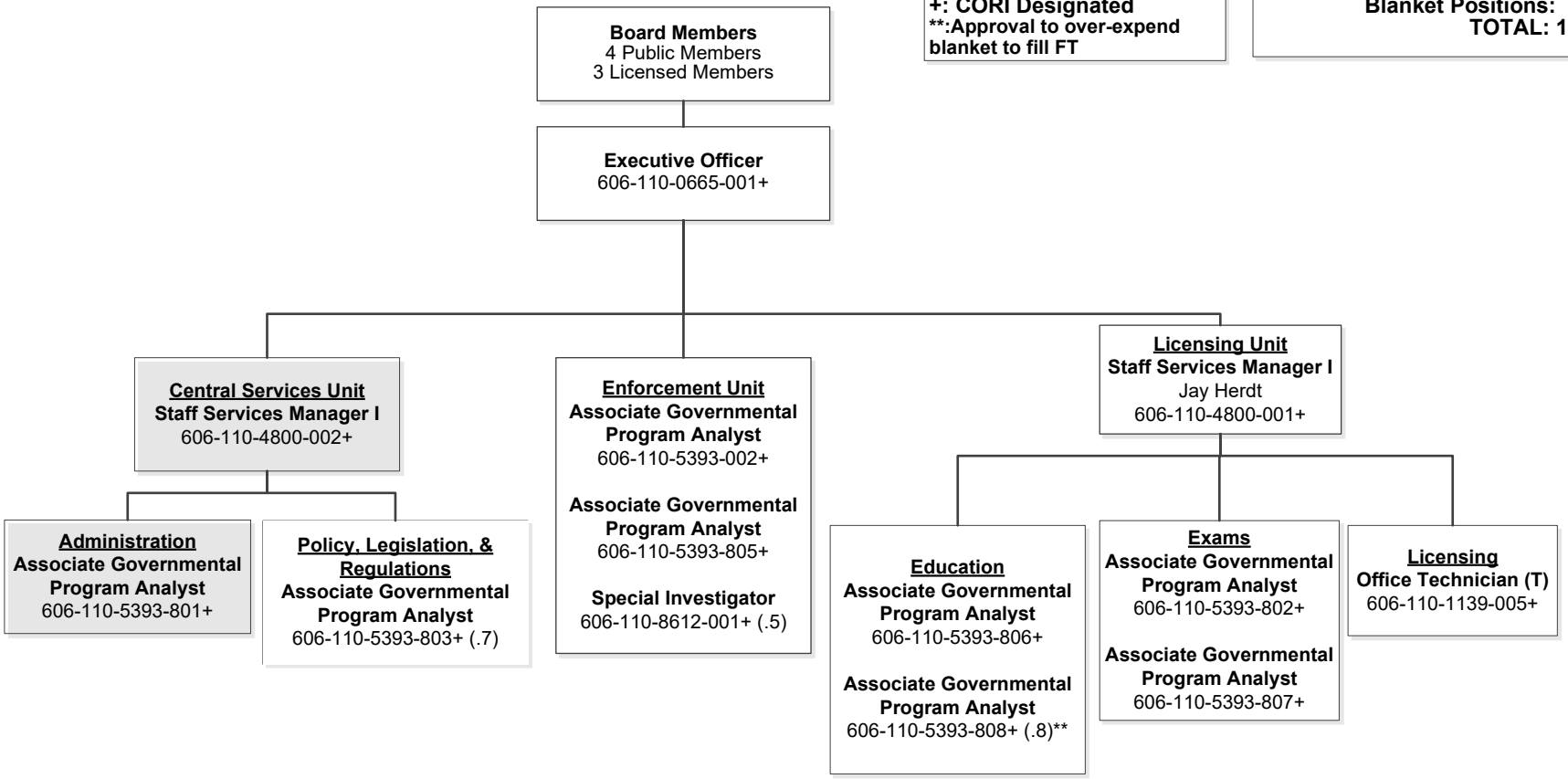
Executive Officer or Designee _____ Date _____

C&R Analyst _____ Date _____

Department of Consumer Affairs (DCA)
California Acupuncture Board (ACUP)
June 1, 2025

LEGEND
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Green: Blanket
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CURRENT ACUP STAFFING
FY 2024/2025
Authorized Positions: 12.0
Blanket Positions: 0.2
TOTAL: 12.2



Executive Officer or Designee _____ Date _____

C&R Analyst _____ Date _____

Department of Consumer Affairs (DCA)
California Acupuncture Board (ACUP)
June 1, 2026

Board Members
4 Public Members
3 Licensed Members

Executive Officer
606-110-0665-001+

LEGEND
Red: VACANT
Green: Blanket
LT: Limited Term
+: CORI Designated
****:Approval to over-expend blanket to fill FT**

CURRENT ACUP STAFFING

FY 2025/2026
Authorized Positions: 12.0
Blanket Positions: 0.7
TOTAL: 12.7

Licensing & Administrative Unit
Supervisor I
606-110-4800-002+

Administrative

Analyst II
606-110-5393-801+

Policy, Legislation & Regulations

Analyst II
606-110-5393-803+(.7)

Licensing

Analyst II
606-110-5393-806+

Analyst II
606-110-5393-807+

Office Technician (T)
606-110-1139-005+

Enforcement/ Business Development Unit
Supervisor I
606-110-4800-001+

Enforcement

Analyst II
606-110-5393-002+

Analyst II
606-110-5393-805+

Analyst I
606-110-5157-XXX+(.5)**

Continuing Education & Audits

Analyst II
606-110-5393-808+(.8)**

Business Development/ Reports

Analyst II

606-110-5393-802+

Executive Officer or Designee _____ Date _____

C&R Analyst _____ Date _____