

Telehealth and Acupuncture

As a result of the new social distancing policies/guidelines arising from the COVID19 pandemic, many Californians are turning to various and appropriate electronic communication formats to receive medical treatment and advice. This is known to many as “telehealth.” Telehealth appears to also encompass the delivery of acupuncture services. The Board is cognizant of the rising demand and challenges for acupuncture services to be delivered via telehealth. The Board has included the following information that may be helpful for those individuals considering the usage of telehealth as a means to deliver or to receive acupuncture services.

The Acupuncture License Practice Act does not specifically prohibit or sanction telehealth as a means for licensees to deliver acupuncture services to patients. Regardless of the medium of delivery, a licensed acupuncturist providing acupuncture services must exercise at all times the standard(s) of care and ethical standard(s) set forth in the Acupuncture License Practice Act and associated regulations. Licensees also are expected to meet at all times other statutory and regulatory requirements related to providing acupuncture services, such as proper records keeping of patient charts, proper examination of the patient, and ensuring the sufficiency of a treatment plan. Failure to comply with the requisite standard(s) of care and existing statutory, regulatory, and ethical requirements may result in administrative action(s) or citations/fines. Please note that regardless of the means of delivery of acupuncture services, the Board will not relax or modify its commitment and efforts to protect the public from unprofessional, unethical, or negligent licensed activity.

Generally, individuals who provide acupuncture services to persons in California are required to be licensed in California.¹ Such licensure permits the consumer to pursue recourse against the licensee should the consumer believe that the licensee engaged in unprofessional conduct or failed to exercise the required standard of care. Licensed California acupuncturists providing acupuncture services for individuals in other states should verify with that jurisdiction to determine its laws related to telehealth, and whether licensure in that jurisdiction is required.

Should a consumer decide to seek acupuncture services via telehealth, it is recommended that the consumer do the following prior to starting the treatment:

- Verify that the practitioner has a current and valid license in the State of California online at:

<https://search.dca.ca.gov>

¹ As a result of the current COVID-19 pandemic, the Board understands that some out of state licensees (those not licensed by the Board but are licensed in other jurisdictions) would like to employ their knowledge and skills to assist California consumers in this time of great need. Those individuals are strongly encouraged to contact the Board for more information about their situation prior to performing any licensed activities on consumers residing in California via telehealth.

- Be sure you understand the fee that you will be charged for the services to be rendered and that you fully understand how and to whom the fee is to be paid.
- Be sure you are satisfied with the methods used to ensure your communications with and by the acupuncturist will be confidential.
- Be sure you are aware of the risks and benefits of receiving acupuncture service via telehealth so that you can make an informed choice about the services to be provided.

If you believe you have been treated unprofessionally by a Board licensee, either through treatment via telehealth or by any other means, review our information on filing complaints [here](#)

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

Interested parties can review telehealth codes [here](#):

http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=2290.5.&lawCode=BPC

Interested parties can review the Executive Order [N-43-20], which has modified telehealth codes for the duration of the pandemic, [here](#):

<https://www.gov.ca.gov/wp-content/uploads/2020/04/4.3.20-EO-N-43-20.pdf>

For additional details, please consult with your professional association or legal counsel.