

Acupuncture Statute Clarified

Until recently, there was some uncertainty over whether a physician could perform acupuncture without getting an additional license to practice acupuncture. Normally, a physician's license allows for performance of any medical task that he or she is qualified to do by training and experience. However, the Vermont statute regarding acupuncture did not include a general exception for practice by members of other qualified health care professions that is part of the law for most every other health care profession in Vermont. That has now changed.

Act 111 of 2016 amended the law regarding acupuncture to make it clear that a licensed health care professional can perform acupuncture without holding a separate acupuncture license, so long as acupuncture is within the scope of the profession for which he or she is licensed. Acupuncture is within the scope of practice of a physician; a physician need only be qualified to provide acupuncture by training and experience. Section 1 of the Act amended 26 V.S.A. § 3402(f), as can be seen online at: <http://legislature.vermont.gov/assets/Documents/2016/Docs/ACTS/ACT111/ACT111%20As%20Enacted.pdf>

The view of the Board of Medical Practice is that physician assistants may also do acupuncture under a PA license, so long as they are qualified by experience and/or training. With PAs, a caveat would be that it would have to be within the PA's scope of practice, and subject to the requirement that it must be something within the supervising physician's practice.

