



October 1, 2009

NOTICE OF PUBLIC RULES HEARING

The Ohio State Chiropractic Board hereby announces that a public hearing will be held on November 2, 2009 at 2:00 p.m. in the Vern Riffe Center for Government and the Arts, 77 South High Street; 19th Floor, Room 1952, Columbus, Ohio for the purpose of amending certain existing administrative rules. The hearing will be recorded at the expense of the Board.

In accordance with Ohio Administrative Code Section 4734-2-01, any person affected by the new proposed rule or any proposed rule amendment may:

- Appear and be heard in person, by the person's attorney, or both at the hearing on December 11, 2008;
- Present their positions, arguments, or contentions, orally or in writing;
- Offer and examine witnesses;
- Present evidence tending to show that the proposed rule or amendments, if adopted or effectuated, would be unreasonable or unlawful.

The Board will also permit persons affected by the proposed rule or rules amendments to present their positions, arguments, or contentions in writing. Written testimony must be received in the Board office by November 2, 2009 at 12:00 p.m. to be included in the hearing record. You are not required to appear at the hearing if you choose to present your position, arguments or contentions in writing.

Upon closure of the hearing record, the Board will thoroughly review and consider all testimony. The Board may make changes to a rule based on testimony received. If the Board refiles a rule, a second public hearing notice is not required unless the change in the rule makes the rule inconsistent with the public hearing notice provided with the original rule filing.

Prior to the effective date of a rule or amendment, the Board shall make a reasonable effort to inform those affected by the rule or amendment. Any person or his or her attorney who provided evidence, oral testimony, and/or a written statement which were made part of the record of the public hearing will also receive said notification.

Proposed Rules Amendments

4734-10-04 Acupuncture Certificate Renewal Requirements

(A) Each chiropractic physician who is issued a certificate to practice acupuncture shall thereafter apply to the board for renewal of such certificate on a biennial basis and pay a non-refundable one hundred dollar renewal fee made payable to the treasurer, state of Ohio on or before the first day of ~~January~~[April](#) of each ~~odd~~[even](#) numbered year. Such renewal shall be made on forms prescribed by the board.

(B) Each licensee shall attest on the ~~annual~~ application for certificate renewal to having achieved twelve hours of continuing education within the current biennial renewal period. Each licensee shall have completed a minimum of six hours in category 1 and/or 2. All of the twelve hours of required continuing education credit may be earned in category 1 and/or 2. A maximum of six hours of continuing education credit may be earned in category 3. All continuing education credit earned shall be in accordance with rule 4734-7-02 of the Administrative Code. Each licensee shall be responsible for ascertaining from the continuing education sponsor or cosponsor the categorization of a program.

[\(C\) Licensees who earned 300 hours of board-approved acupuncture training and received their initial certificate to practice acupuncture in Ohio on or after January 1, 2009 are not required to earn acupuncture](#)

continuing education to renew said certificate on or before April 1, 2010. Such licensees shall be required to meet all other aspects of the certificate renewal process in accordance with section 4734.284.

- (~~C~~)(D) At least thirty days prior to the **annual** expiration of an acupuncture certificate, the executive director shall send notice and application for renewal via ordinary mail to every licensee who possesses a current certificate to practice acupuncture. Such notice and application shall be mailed to the business or residence address of record as reported by the licensee.
- (~~D~~)(E) It is the licensee's responsibility to contact the board to obtain a certificate renewal application if the licensee fails to receive a renewal application from the board due to a change of address, incorrect address, loss of mail by the United States postal service, or any other reason. Failure to receive or obtain a certificate renewal application shall not exonerate the licensee from the board's certificate renewal requirements.
- (~~E~~)(F) The licensee shall complete the certificate renewal application and supply all information necessary to process the application. Such application and non-refundable one hundred dollar renewal fee made payable to the treasurer, state of Ohio shall be filed with the board postmarked no later than **January**April first of each ~~odd~~even numbered year.
- (~~F~~)(G) Any incomplete renewal will be returned to the licensee with a statement from the board indicating the reason for such return. If such renewal is not received postmarked by **January**April first of the even numbered year, the certificate shall be considered forfeited.
- (~~G~~)(H) If a check for certificate renewal is returned for insufficient funds, the board shall notify the licensee promptly. The licensee must submit a certified check or money order in the amount of one hundred dollars within ten days of the date of notification from the board. If such payment is not received postmarked by **January**April first, of the even numbered year, the certificate shall be considered forfeited.
- (~~H~~)(I) Failure to renew a certificate results in the forfeiture of the licensee's right to practice acupuncture in the state of Ohio.