

**DEPARTMENT OF LABOR, LICENSING AND REGULATION
BOARD OF MEDICAL EXAMINERS
NOTICE**

In accordance with Section 1-23-40 of the 1976 Code of Laws of South Carolina, as amended, notice is hereby given that the State Board of Medical Examiners of South Carolina has adopted the following revised statement as guidance for the practice of acupuncture by state licensed physicians under the South Carolina Medical Practice Act. For purposes of discipline and licensure in matters before the Board, failure to practice in compliance with this statement may lead to discipline as a violation of the Medical Practice Act (40-47-5, *et seq.*).

**SOUTH CAROLINA BOARD OF MEDICAL EXAMINERS POLICY
RELATIVE TO THE PRACTICE OF ACUPUNCTURE BY STATE LICENSED SOUTH
CAROLINA PHYSICIANS**

Questions have arisen concerning the ability and qualifications of a South Carolina licensed physician to practice acupuncture within the larger context of the practice of medicine, distinguished from those who hold neither a license to practice medicine or acupuncture. For those individuals not licensed to practice medicine in South Carolina and wishing to practice acupuncture, an acupuncture license is required. *See* SC Code Section 40-47-720, 745.

Pursuant to SC Code Section 40-47-20 (36) the definition of the practice of medicine is as follows:

(a) advertising, holding out to the public or representing in any manner that one is authorized to practice medicine in this State;

(b) offering or undertaking to prescribe, order, give, or administer any drug or medicine for the use of any other person;

(c) offering or undertaking to prevent or to diagnose, correct or treat in any manner, or by any means, methods, or devices, disease, illness, pain, wound, fracture, infirmity, defect, or abnormal physical or mental condition of a person, including the management or pregnancy and parturition;

(d) offering or undertaking to perform any surgical operation upon a person;

(e) rendering a written or otherwise documented medical opinion concerning the diagnosis or treatment of a patient or the actual rendering of treatment to a patient within this State by a physician located outside the State as a result of transmission of individual patient data by electronic or other means from within a state to such physician or his or her agent;

Pursuant to SC Code Section 40-47-700, *et seq.*, the Acupuncture Act of South Carolina provides that “Acupuncture” means a form of health care developed from traditional and modern oriental concepts for health care that employs oriental medical techniques, treatment, and adjunctive therapies for the promotion, maintenance, and restoration of health and the prevention of disease.

The Board believes that acupuncture techniques are within the scope and definition of the practice of medicine so long as the South Carolina licensed physician is adequately trained to perform acupuncture. Therefore, the practice of acupuncture by a physician, as defined in Section 40-47-20 (36), who has successfully completed an acupuncture program consisting of a minimum of three-hundred (300) hours, or the equivalent of, Board-approved training is not in violation of SC Code Section 40-47-745. The Board requires prior approval of the course of study and shall maintain a record of its licensees practicing acupuncture pursuant to the above protocol.

ADOPTED BY THE BOARD OF MEDICAL EXAMINERS ON

DATE: FEBRUARY 1, 2011