



Ohio Revised Code

Section 4762.10 Supervisory period; treatment instructions for herbal therapy.

Effective: October 3, 2023

Legislation: House Bill 33

(A) Both of the following apply to an acupuncturist's practice in addition to the applicable requirements of divisions (B) and (C) of this section:

(1) Before treating a patient for a particular condition, an acupuncturist shall confirm whether the patient has undergone within the past six months a diagnostic examination that was related to the condition for which the patient is seeking acupuncture and was performed by a physician or chiropractor acting within the physician's or chiropractor's scope of practice. Confirmation that the diagnostic examination was performed may be made by obtaining from the patient a signed form stating that the patient has undergone the examination.

(2) If the patient does not provide the signed form specified in division (A)(1) of this section or an acupuncturist otherwise determines that the patient has not undergone the diagnostic examination specified in that division, the practitioner or acupuncturist shall provide to the patient a written recommendation to undergo a diagnostic examination by a physician or chiropractor.

(B) In an individual's practice of acupuncture pursuant to a license to practice issued under this chapter, all of the following apply:

(1) Prior to treating a patient, the individual shall advise the patient that acupuncture is not a substitute for conventional medical diagnosis and treatment.

(2) On initially meeting a patient in person, the individual shall provide in writing the individual's name, business address, and business telephone number, and information on acupuncture including the techniques that are used.

(3) While treating a patient, the individual shall not make a diagnosis. If a patient's condition is not improving or a patient requires emergency medical treatment, the individual shall consult promptly with a physician.



(4) The individual shall maintain records for each patient treated. The records shall be confidential and shall be retained for not less than three years following termination of treatment. The individual shall include in a patient's records any written referral or prescription for acupuncture received for a patient being treated.

(C) In a licensed acupuncturist's practice of acupuncture by using herbal therapy in the treatment of a patient, all of the following apply:

(1) The licensed acupuncturist practicing herbal therapy shall provide to the patient counseling and treatment instructions. The treatment instructions shall do all of the following:

(a) Explain the need for herbal therapy;

(b) Instruct the patient how to take the herbal therapy;

(c) Explain possible contraindications to the herbal therapy and provide sources of care in case of an adverse reaction;

(d) Instruct the patient to inform the patient's other health care providers, including the patient's pharmacist, of the herbal therapy that has been provided to the patient.

(2) The licensed acupuncturist practicing herbal therapy shall document all of the following in the patient's record:

(a) The type, amount, and strength of herbal therapy recommended for the patient's use;

(b) The counseling and treatment instructions provided to the patient under division (C)(1) of this section;

(c) Any adverse reaction reported by the patient in conjunction with the use of herbal therapy.

(3) The licensed acupuncturist practicing herbal therapy shall report to the state medical board any



adverse reactions reported by the patient under division (C)(2)(c) of this section.