



## STATE OF WISCONSIN

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### **Positions Statements Related to Acupuncture Issued by the Department of Safety and Professional Services**

#### **WHAT IS ACUPUNCTURE?**

[Wis. Stat. §451.01\(1\)](#) defines acupuncture as promoting, maintaining or restoring health or diagnosing, preventing or treating disease based on traditional Oriental medical concepts of treating specific areas of the human body, known as acupuncture points or meridians, and by performing any of the following practices:

- (a) Inserting acupuncture needles.
- (b) Moxibustion.
- (c) Applying manual, thermal or electrical stimulation or any other secondary therapeutic technique.

#### **WHO CAN PERFORM ACUPUNCTURE?**

[Wis. Stat. § 451.02](#) states that three types of persons may practice acupuncture:

- (1) A person holding a certificate as an acupuncturist
- (2) An individual assisting an acupuncturist in practice under the direct supervision of that acupuncturist
- (3) An individual in the practice of acupuncture as part of a supervised course of study that is approved by the department if the individual is designated by a title that clearly indicates his or her status as a student or trainee

No person may engage in the practice of acupuncture or use the title "acupuncturist" or any similar title unless the person is certified as an acupuncturist by the Department. An individual holding a license, permit or certificate as a nurse, chiropractor, dentist, medical doctor or optometrist may engage in the practice of acupuncture if that is also included within the scope of his or her license, permit or certificate.

#### **WHAT TITLE CAN A CERTIFIED ACUPUNCTURIST USE?**

[SPS 73.02, Wisc Admin Code](#) states that any person certified to practice acupuncture who has been conferred the degree of doctor of Oriental medicine may advertise his or her services as an acupuncturist to the public using the title "doctor of Oriental medicine" or "D.O.M.," if the title "acupuncturist," "Wisconsin certified acupuncturist," or a similar title is used in the same advertisement.

## **MAY A CERTIFIED ACUPUNCTURIST PERFORM ACUPUNCTURE ON AN ANIMAL?**

No, acupuncture performed on an animal is the practice of veterinary medicine for which a separate license as a veterinarian is required.

## **MAY AN ACUPUNCTURIST PRESCRIBE PRESCRIPTION DRUGS?**

No, an acupuncturist does not have the authority to prescribe. An acupuncturist, within their scope of practice, may recommend to a patient herbal or vitamin supplements which will support the health of the patient. The Wisconsin Attorney General has determined that vitamins, (and herbal supplements which act as vitamins) are a food supplement. As such, no prescription is needed for non prescription level doses. If you have a question regarding a supplement that is recommended to you, consult your physician regarding whether the supplement is appropriate for you in combination with any other prescription or over the counter drugs that you may be taking.

## **WHAT IS “ACUPRESSURE”?**

[SPS 70.02\(2\)](#), Wisc Admin Code defines “Acupressure” as the manual stimulation of acupuncture points.

## **WHAT IS “HERBAL MEDICINE”?**

[SPS 70.02\(8\)](#) defines "Herbal medicine" as the use of plant, animal and mineral substances to assist in attaining or maintaining a state of health or relief from symptoms of disease.

## **WHAT IS “LASERPUNCTURE”?**

[SPS 70.02\(10\)](#) defines "Laserpuncture" as the use of lasers to stimulate acupuncture points.

## **WHAT IS “MOXIBUSTION”?**

[SPS 70.02\(11\)](#) defines "Moxibustion" as the application of heat produced by burning dried moxa wool to specific points of the human body other than the burning of moxa wool directly on the skin.

## **WHAT IS “NEEDLE SICKNESS”?**

[SPS 70.02\(13\)](#) states that "Needle sickness" includes nausea, or dizziness, or other physical discomforts resulting from acupuncture treatment.

## **HOW IS STERILIZATION DONE**

[SPS 72.02\(3\)](#) states that sterilization can be accomplished by one of the following methods:

- (a) Autoclave for 30 minutes at 250° F., 15 pounds of steam pressure.

- (b) Dry heat sterilization for 2 hours at 338° F.
- (c) Ethylene oxide.

**WHAT MEANS OF STERILIZATION MAY NOT BE USED?**

Boiling, soaking in alcohol or other antiseptic solution, or using a glass bead sterilizer. Please see [Wis. Stat. § 451.12](#).

**DOES A PATIENT HAVE A CHOICE TO REQUIRE THE ACUPUNCTURIST TO USE DISPOSABLE ACUPUNCTURE NEEDLES?**

Yes. Before any treatment commences, a patient must be given the option, at the patient's own expense, to have treatment with disposable acupuncture needles, which have been pre-sterilized and pre-wrapped. Please see [Wis. Stat. § 451.12](#). Furthermore, under [SPS 72.06\(3\)](#) an acupuncturist must use disposable needles when a patient is known to have AIDS, hepatitis, or any other blood-born infectious disease.

**WHAT MUST AN ACUPUNCTURIST DO IF HE OR SHE BELIEVES A PATIENT HAS A POTENTIALLY SERIOUS DISORDER?**

[SPS 72.07](#) states that when an acupuncturist encounters a patient with a potentially serious disorder including, but not limited to, cardiac conditions, uncontrolled hypertension, acute abdominal symptoms, acute undiagnosed neurological changes, unexplained weight loss or gain in excess of 15% of body weight within a 3 month period, suspected fracture or dislocation, suspected systemic infection, communicable disease, any serious undiagnosed hemorrhagic disorder or acute respiratory distress without previous history or diagnosis, the acupuncturist must:

- (a) In a non-emergency situation, request a consultation or written diagnosis from a licensed physician prior to commencing acupuncture treatment or continuing treatment if the situation is discovered in the course of treatment.
- (b) In an emergency situation, provide life support and transportation to the nearest licensed medical facility.

**IS AN ACUPUNCTURIST REQUIRED TO ADVISE A PATIENT TO CONSULT A PHYSICIAN REGARDING THE CONDITIONS FOR WHICH THE PATIENT SEEKS TREATMENT?**

Yes. [SPS 72.07\(4\)](#) states that an acupuncturist must have on file for each patient treated a written confirmation signed by the patient and the acupuncturist acknowledging that the patient has been advised to consult a physician regarding the conditions for which such patient seeks acupuncture treatment.

**MUST AN ACUPUNCTURIST OBTAIN A PATIENT'S INFORMED CONSENT PRIOR TO TREATMENT?**

Yes. [SPS 73.01\(11\)](#) states that informed consent requires the disclosure to the patient of the availability of all alternate, viable modes of acupuncture treatment and the benefits and risks of these treatments, including the risks and benefits associated with the use of:

1. Acupuncture needles to stimulate acupuncture points and meridians, including the specific risks of needling certain points.
2. Use of mechanical, magnetic or electrical stimulation of acupuncture points, particularly in instances where such stimulation is applied across the midline of the trunk or in patients with a history of heart trouble.
3. Moxibustion.
4. Herbal medicine.
5. Laserpuncture.
6. Acupressure.

The disclosure to the patient must provide information about the side effects including, some pain at the site of needle insertion, minor bruising, infection and the risks from bleeding in the vicinity of an infection, needle sickness and broken needles.

### **CAN AN ACUPUNCTURIST ORDER LAB WORK?**

No. An analysis of a lab test would result in the practice of medicine. Under [SPS 70.02\(1\)\(a\)](#), the practice of acupuncture depends on a thorough understanding and application of Oriental diagnostic theories and practices. Lab testing and other medical practices are outside the scope of practice.