



Virginia Department of Planning and Budget **Economic Impact Analysis**

18 VAC 85-110 Regulations Governing the Practice of Licensed Acupuncturists
Department of Health Professions
April 15, 2014

Summary of the Proposed Amendments to Regulation

The Board of Medicine (Board) proposes to allow graduates of acupuncture programs that have candidacy status from the Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM) to be licensed in Virginia.

Result of Analysis

The benefits likely exceed the costs for all proposed changes.

Estimated Economic Impact

In order to achieve candidacy status, acupuncture educational programs must meet the same academic criteria as accredited programs. Accreditation is granted after a program has demonstrated a sustained level of achievement and financial stability. Graduates of candidacy status programs take the same licensing examination as accredited programs and pass the examination at a similar rate.¹ Therefore, there is evidence that such graduates have adequate education and training to assure minimum competency for safe and effective practice as licensed acupuncturists.

There are 72 fully ACAOM accredited acupuncture educational programs, but none are in Virginia. There are 3 Virginia acupuncture educational programs in candidacy status.² The proposed amendment will allow graduates of these programs (who meet the other licensing criteria) to become licensed in Virginia. This will likely increase business for these three Virginia programs and will allow their graduates to practice and gain employment in the

¹ Source: Department of Health Professions

Commonwealth. Since as described above, there is evidence that graduates of these programs are likely as competent as graduates of fully accredited programs, the proposed change will be beneficial in that it will allow additional qualified acupuncturists to practice in Virginia and will remove an unnecessary burden for three Virginia businesses.

Businesses and Entities Affected

The proposed amendment affects acupuncture educational programs with candidacy status and their graduates. There are 3 Virginia acupuncture educational programs in candidacy status.³

Localities Particularly Affected

Two of the three Virginia acupuncture educational programs in candidacy status are in Fairfax County. The third is in the City of Alexandria.⁴

Projected Impact on Employment

The proposed amendment will likely increase the number of acupuncturists practicing in the Commonwealth.

Effects on the Use and Value of Private Property

The proposed amendment will likely increase the value of the three Virginia acupuncture educational programs in candidacy status, since earning one of their degrees would with the amendment permit licensure in Virginia.

Small Businesses: Costs and Other Effects

The proposed amendment will not increase costs for small businesses. The three Virginia acupuncture educational programs in candidacy status, likely all small businesses, will only benefit from the proposed amendment.

Small Businesses: Alternative Method that Minimizes Adverse Impact

The proposed amendment will not adversely affect small businesses.

² Data from Accreditation Commission for Acupuncture and Oriental Medicine website (<http://www.acaom.org/>) accessed on April 15, 2014.

³ Ibid.

⁴ Ibid.

Real Estate Development Costs

The proposed amendment is unlikely to significantly affect real estate development costs.

Legal Mandate

General: The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007.04 of the Code of Virginia and Executive Order Number 14 (2010). Section 2.2-4007.04 requires that such economic impact analyses determine the public benefits and costs of the proposed amendments. Further the report should include but not be limited to:

- the projected number of businesses or other entities to whom the proposed regulatory action would apply,
- the identity of any localities and types of businesses or other entities particularly affected,
- the projected number of persons and employment positions to be affected,
- the projected costs to affected businesses or entities to implement or comply with the regulation, and
- the impact on the use and value of private property.

Small Businesses: If the proposed regulatory action will have an adverse effect on small businesses, § 2.2-4007.04 requires that such economic impact analyses include:

- an identification and estimate of the number of small businesses subject to the proposed regulation,
- the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the proposed regulation, including the type of professional skills necessary for preparing required reports and other documents,
- a statement of the probable effect of the proposed regulation on affected small businesses, and
- a description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation.

Additionally, pursuant to § 2.2-4007.1, if there is a finding that a proposed regulation may have an adverse impact on small business, the Joint Commission on Administrative Rules (JCAR) is notified at the time the proposed regulation is submitted to the *Virginia Register of Regulations* for publication. This analysis shall represent DPB's best estimate for the purposes of public review and comment on the proposed regulation.

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