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**OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA**

**MEMORANDUM**

**TO:** Sara Chambers, Department of Commerce, Community and Economic Development

**FROM:** April Simpson, Office of the Lieutenant Governor 465.4081 

**DATE:** January 17, 2024

**RE:** Filed Permanent Regulations: Department of Commerce, Community and Economic Development

Department of Commerce, Community, and Economic Development regulations re:  
Acupuncture - Update Education and Application Requirements (12 AAC 05.100; 12  
AAC 05.110; 12 AAC 05.220)

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|------------------------|-----------------|
| Attorney General File: | 2023200528      |
| Regulation Filed:      | 1/17/2024       |
| Effective Date:        | 2/16/2024       |
| Print:                 | 249, April 2024 |

cc with enclosures: Colleen Bailey, Department of Law  
Judy Herndon, LexisNexis  
Sylvan Robb, Division Director  
Alison Osborne, Regulations Specialist  
Stefanie Davis, Regulations Specialist



THE STATE  
*of* **ALASKA**  
GOVERNOR MIKE DUNLEAVY

**Department of Law**

CIVIL DIVISION

P.O. Box 110300  
Juneau, Alaska 99811  
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January 9, 2024

The Honorable Nancy Dahlstrom  
Lieutenant Governor  
State of Alaska  
P.O. Box 110015  
Juneau, AK 99811-0015

Re: *12 AAC 05.100; 12 AAC 05.110; 12 AAC 05.220: Acupuncture - Update  
Education and Application Requirements*  
Our file: 2023200528

Dear Lieutenant Governor Dahlstrom:

The Department of Law has reviewed the attached regulations of the Department of Commerce, Community and Economic Development against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This letter constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. The regulations were adopted by the Department of Commerce, Community and Economic Development after the close of the public comment period.

The regulations concern updates to education and application requirements for the profession of acupuncture.

The November 8, 2023 public notice and the December 19, 2023 adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.060 is not required.

We have made some technical corrections to conform the regulations in accordance with AS 44.62.060. The corrections are incorporated into the attached copy of the regulations.

Sincerely,

TREG TAYLOR  
ATTORNEY GENERAL

By: **Rebecca C. Polizzotto** Digitally signed by  
Rebecca C. Polizzotto  
Date: 2024.01.09  
15:27:24 -09'00'

Rebecca C. Polizzotto  
Chief Assistant Attorney General  
Legislation, Regulations, and  
Legislative Research Section

RCP/SCW

CC w/enclosure: Stefanie Davis, Regulations Contact  
Department of Commerce, Community and Economic Development

Alison Osborne, Regulations Contact  
Department of Commerce, Community and Economic Development

Harriet D. Milks, Assistant Attorney General  
Department of Law

Steven C. Weaver, Assistant Attorney General  
Department of Law

ORDER ADOPTING CHANGES TO  
REGULATIONS OF THE DEPARTMENT OF COMMERCE,  
COMMUNITY, AND ECONOMIC DEVELOPMENT

The attached three pages of regulations, dealing with updating approved schools of acupuncture and streamlining processes, are adopted and certified to be a correct copy of the regulation changes that the Department of Commerce, Community, and Economic Development adopts under the authority of AS 08.06.020, AS 08.06.030, AS 08.06.040, and AS 08.06.100 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

On the record, in considering public comments, the Department of Commerce, Community, and Economic Development paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

DATE: 12/19/2023

DocuSigned by:  
  
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Sylvan Robb, Director  
Division of Corporations, Business and  
Professional Licensing

*April Simpson for*

FILING CERTIFICATION

I, Nancy Dahlstrom, Lieutenant Governor for the State of Alaska, certify that on January 17, ~~2023~~ <sup>2024</sup>, at 1:25 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

  
*for* Nancy Dahlstrom, Lieutenant Governor

Effective: February 16, 2024.

Register: 249, April 2024.

**FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY**

**I, NANCY DAHLSTROM, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employees to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:**

**April Simpson, Regulations and Initiatives Specialist**

**IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Juneau, on May 15th, 2023.**



A handwritten signature in blue ink, reading "Nancy Dahlstrom", is written over a horizontal dotted line.

**NANCY DAHLSTROM  
LIEUTENANT GOVERNOR**

12 AAC 05.100 is repealed and readopted to read:

**12 AAC 05.100. Application requirements.** An applicant for a license to practice acupuncture shall document compliance with the requirements in AS 08.06.020 and AS 08.06.030(a) by submitting

- (1) a complete application on a form provided by the department;
- (2) the applicable fees established under 12 AAC 02.108;
- (3) two letters of reference attesting to the applicant's good moral character;
- (4) a certified copy of a transcript from an approved school of acupuncture verifying the applicant's course of study, if applicable;
- (5) official verification of a license from each jurisdiction where the applicant holds or has ever held a license to practice acupuncture; the verification must be sent directly to the department and include information on any disciplinary proceedings or unresolved complaints against the applicant;
- (6) a certified copy of the applicant's diplomate of acupuncture certificate issued by the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) or a letter from the NCCAOM verifying that the applicant is qualified for a diplomate of acupuncture certificate. (Eff. 2/8/95, Register 133; am 12/25/2019, Register 232; am 2 / 16 / 2024, Register 249)

**Authority:** AS 08.06.020      AS 08.06.030      AS 08.06.100

12 AAC 05.110 is amended to read:

**12 AAC 05.110. Approved school of acupuncture. (a)** To be approved by the department, a school of acupuncture must be

**(1)** recognized by the Council of Colleges of Acupuncture and **Herbal**

[ORIENTAL] Medicine **(CCAHM)** [(CCAOM) OR];

**(2) recognized by** the Accreditation Commission for Acupuncture and **Herbal**

[ORIENTAL] Medicine **(ACAHM)** [(ACAOM).]; **or**

**(3) another institution with equivalent standards as determined by the**

**NCCAOM.**

**(b) If an applicant holds a diplomate of acupuncture certificate issued by the**

**NCCAOM, the department may consider that as the determination that the institute has**

**equivalent standards as required under (a)(3) of this section.** (Eff. 2/8/95, Register 133; am

12/2/99, Register 152; am 12/25/2019, Register 232; am 2 / 16 / 2024, Register 249)

**Authority:** AS 08.06.030 AS 08.06.100

**Editor's note:** [A LIST OF APPROVED SCHOOLS OF ACUPUNCTURE MAY BE REVIEWED AT THE DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING, DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT IN JUNEAU, ALASKA.]

As of Register 171 (October 2004), the regulations attorney made technical revisions under AS 44.62.125(b)(6) to reflect the name change of the Department of Community and Economic Development to the Department of Commerce, Community, and Economic Development made by ch. 47, SLA 2004 and the corresponding title change of the commissioner of community and economic development.

12 AAC 05.220 is amended to read:

**12 AAC 05.220. Approved continuing competency activities.** To be accepted by the department, continuing competency activities under 12 AAC 05.210(a)(2) must be designated a Core Competency Professional Development Activity in acupuncture by the **NCCAOM** [NATIONAL CERTIFICATION COMMISSION FOR ACUPUNCTURE AND ORIENTAL MEDICINE (NCCAOM)]. (Eff. 2/8/95, Register 133; am 12/25/2019, Register 232; am 2/16/2024, Register 249)

**Authority:** AS 08.06.040 AS 08.06.100

**Editor's note:** [THE NATIONAL CERTIFICATION COMMISSION FOR ACUPUNCTURE AND ORIENTAL MEDICINE MAY BE CONTACTED AT 2025 M STREET NORTH WEST, SUITE 800, WASHINGTON, DC 20036; TELEPHONE: (888) 381-1140; WEBSITE: WWW.NCCAOM.ORG. A LIST OF APPROVED SCHOOLS OF ACUPUNCTURE MAY BE REVIEWED AT THE DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING, DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT IN JUNEAU, ALASKA.]

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