

---

**MEDICAL LICENSING BOARD OF INDIANA****Nonrule Policy Document**  
LSA Document #23-686**Date Adopted:** April 26, 2023**Adopted By:** Medical Licensing Board of Indiana

**Notice:** Under [IC 4-22-7-7](#), this document is required to be published in the Indiana Register and is effective on its date of publication. It shall remain in effect until the date it is superseded or deleted by the publication of a new document in the Indiana Register. The publication of this document will provide the public with information about the board's official position concerning a specific issue.

**Disclaimer:** This nonrule policy document is intended to supplement applicable rules and laws. It does not replace applicable rules and laws and, if it conflicts with these rules or laws, the rules or laws shall control.

Decisions made under this nonrule policy document are not subject to review unless the review is separately granted by statute.

**Overview**

To bring the rule requiring written referrals for treatment by licensed acupuncturists at [844 IAC 13-5-4](#) into compliance with the removal of the statutory requirement.

**Background**

The Indiana general assembly removed the statutory requirement that limited treatment by a licensed acupuncturist to patients who obtained a written referral. To date, the rule at [844 IAC 13-5-4](#) remains in the Indiana Administrative Code.

**Policy**

The medical licensing board of Indiana adopts the policy that [844 IAC 13-5-4](#) is null and void. Formal rulemaking shall follow the adoption of this nonrule policy document.

The null and void rule is enumerated below:

**[844 IAC 13-5-4](#) Referral**Authority: [IC 25-22.5-2-7](#)Affected: [IC 25-1-9](#); [IC 25-22.5-1](#)

Sec. 4. (a) A licensed acupuncturist may only provide services upon the referral of a licensed medical doctor or doctor of osteopathic medicine. This subsection does not apply to licensed professional acupuncturist.

(b) An acupuncturist may, whenever the acupuncturist believes it to be beneficial to the patient, send or refer a patient to a qualified specific health care provider. Prior to any such referral, however, the acupuncturist shall examine and/or consult with the patient to reasonably determine that a condition exists in the patient that would be within the scope of practice of the specific health care provider to whom the patient is referred. (*Medical Licensing Board of Indiana; [844 IAC 13-5-4](#); filed Oct 9, 2001, 2:52 p.m.:25 IR 809; readopted filed Oct 4, 2007, 3:34 p.m.: [20071031-IR-844070055RFA](#); readopted filed Nov 25, 2013, 9:24 a.m.:[20131225-IR-844130307RFA](#); readopted filed Nov 12, 2019, 9:11 a.m.: [20191211-IR-844190074RFA](#))*

*Policy Replaces: New*

*Posted: 10/18/2023 by Legislative Services Agency*

An [html](#) version of this document.