



Florida Laws and Rules 20 Hour Course to satisfy requirements of 64B1-4.001 (2) (f)

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In the not too distant past, I served as chair of the Florida Board of Acupuncture's Probable Cause Panel which judged which cases brought before the Board had sufficient merit to warrant prosecution. What struck me most about those licensees whose cases were brought before us was their lack of knowledge about Chapters 456, 457, and 64B1, Florida Administrative Code, which governed their conduct as Licensed Acupuncturists and also spelled out their rights.

For sure, some of the accused probably knew that they were clearly in violation of the law and broke the law anyways. I'm not concerned about that group, and this course won't be of much help to them.

But others were only in violation because they had misunderstood or had not been aware of some aspect of the laws and rules. Then there was another surprisingly large group of accused who, perhaps out of an undue fear of the prosecutorial powers of the State, volunteered to plead guilty to complaints, even though they had done nothing wrong! If they had known what their rights were under the law, they should have instead asked for the Board to absolve them of any wrongdoing. Fortunately, the probable cause process provides for professional acupuncturists only to serve on the Panel, and such cases of clear innocence were routinely judged in the defendant's favor, despite the misguided arguments of the lawyers of the Department of Health.

Nevertheless, I would often leave such meetings thinking, "If only these people had read their laws and rules. So much trouble and expense could have been avoided."

This course intends to empower you by getting you to read and understand Chapters 456, 457, and 64 B1 of the Florida Administrative Code, all of which govern your conduct in this profession. We have provided you with the most up to date set of laws and rules available. They are yours to keep.

Please note that the Florida Legislature and the Board of Acupuncture are continually updating and changing these laws and rules. It is your responsibility to keep abreast of these changes and to govern yourself accordingly. The State of Florida, its Department of Health, and the Board of Acupuncture will not, repeat, will not, routinely inform you of such changes by sending you a letter when they occur. They assume correctly that it is your individual responsibility under Florida law to remain knowledgeable about these laws and rules.

To that end, the State of Florida has created a web site where you can read the current versions of these laws under Title VI and Title XXXII at <http://www.leg.state.fl.us/Statutes/index.cfm?Mode=View%20Statutes&Submenu=1&Tab=statutes&CFID=15194626&CFTOKEN=40492680> .

To read weekly updates about possible changes to 64B1, F.A.C. (the rules which govern our practice) go to the Florida Administrative Weekly online at <http://www.faw.dos.state.fl.us/fawframes.html>.