

653—1.1(17A,147) Definitions. The following definitions shall be applicable to the rules of the board of medicine:

“Acupuncture” shall mean a form of health care developed from traditional and modern oriental medical concepts that employs oriental medical diagnosis and treatment, and adjunctive therapies and diagnostic techniques, for the promotion, maintenance, and restoration of health and the prevention of disease.

“Acupuncturist” shall mean a person licensed to practice acupuncture in this state.

“Alternate member” shall mean a person who is qualified under Iowa Code section 148.2A to substitute for a board member who is disqualified or becomes unavailable for any other reason for a contested case hearing. An alternate board member is deemed a member of the board only for the hearing panel(s) for which the alternate board member serves.

“Board” shall mean the board of medicine of the state of Iowa.

“Department” shall mean the Iowa department of public health.

“Director” shall mean the director of the department.

“Disciplinary proceeding” shall mean any proceeding under the authority of the board pursuant to which licensee discipline may be imposed.

“License” shall mean a certificate issued to a person licensed to practice medicine and surgery, osteopathic medicine and surgery, or acupuncture under the laws of the state of Iowa.

“Licensee” shall mean a person licensed to practice medicine and surgery, osteopathic medicine and surgery, or acupuncture under the laws of the state of Iowa.

“Licensee discipline” or *“discipline”* shall mean any sanction the board may impose upon its licensees for conduct which threatens or denies citizens of this state a high standard of professional care.

“Malpractice” shall mean any error or omission, unreasonable lack of skill, or failure to maintain a reasonable standard of care by a physician in the practice of the physician’s profession.

“Medical practice Acts” shall refer to Iowa Code chapters 147 and 148.

“Order” shall mean a requirement, procedure or standard of specific or limited application adopted by the board relating to any matter the board is authorized to act upon, including the professional conduct of licensees and the examination for licensure and licensure of any person under the laws of this state.

“Peer review” shall mean evaluation of professional services rendered by a professional practitioner.

“Peer reviewer(s)” shall mean one or more persons acting in a peer review capacity who have been appointed by the board for such purpose.

“Physician” shall mean a person licensed to practice medicine and surgery or osteopathic medicine and surgery under the laws of this state.

“Practice of acupuncture” means the insertion of acupuncture needles and the application of moxibustion to specific areas of the human body based upon oriental medical diagnosis as a primary mode of therapy. Adjunctive therapies within the scope of acupuncture may include manual, mechanical, thermal, electrical, and electromagnetic treatment, and the recommendation of dietary guidelines and therapeutic exercise based on traditional oriental medical concepts.

“The practice of medicine and surgery” shall mean holding one’s self out as being able to diagnose, treat, operate or prescribe for any human disease, pain, injury, deformity or physical or mental condition and who shall either offer or undertake, by any means or methods, to diagnose, treat, operate or prescribe for any human disease, pain, injury, deformity or physical or mental condition. This rule shall not apply to licensed podiatrists, chiropractors, physical therapists, nurses, dentists, optometrists, acupuncturists, pharmacists, and other licensed health professionals who are exclusively engaged in the practice of their respective professions.

“Prescription drugs” means drugs, medicine and controlled substances which by law can only be prescribed for human use by persons authorized by law.

“Profession” shall mean medicine and surgery, osteopathic medicine and surgery, or acupuncture.

“Respondent” shall mean a licensee charged by the board in a complaint and statement of charges with violations of statutes or rules relating to the practice of medicine and surgery, osteopathic medicine and surgery, or acupuncture.

“*Rule*” shall mean a regulation, requirement, procedure, or standard of general application prescribed by the board relating to either the administration or enforcement of Iowa Code chapters 147, 148, and 148E.