**Section 1140.100 Unprofessional Conduct**

a) Pursuant to Section 110 of the Act, unethical, unauthorized or unprofessional conduct in the practice of acupuncture shall include, but not be limited to:

1) Procuring, attempting to procure or renewing a license by bribery or by fraudulent misrepresentation;

2) Willfully making or filing a false report or record, willfully failing to file a report or record required by State or federal law, or willfully impeding or obstructing such filing or inducing another person to do so;

3) Circulating untruthful, fraudulent, deceptive or misleading advertising;

4) Willfully failing to report any violation of the Act or this Part;

5) Willfully or repeatedly violating a lawful order of the Board or the Division previously entered in a disciplinary hearing;

6) Accepting and performing professional responsibilities that the licensee knows, or has reason to know, he/she is not competent to perform;

7) Delegating professional responsibilities to a person when the licensee delegating such responsibilities knows, or has reason to know, that such person is not qualified by training, experience or licensure to perform them;

8) Gross or repeated malpractice or the failure to deliver acupuncture services with that level of care, skill and treatment that is recognized by a reasonably prudent acupuncturist with similar professional training as being acceptable under similar conditions and circumstances;

9) Dividing with anyone, other than physicians with whom the licensee receives referrals or another acupuncturist with whom the licensee works, any fee, commission, rebate or other form of compensation for any professional services not actually and personally rendered. Nothing contained in this subsection prohibits persons holding valid and current licenses under this Act from practicing in a partnership, limited liability partnership, limited liability company or a corporation under the Professional Corporation Act or from pooling, sharing, dividing or apportioning the fees and monies received by them or by the partnership or corporation;

10) Engaging in immoral conduct in the commission of any act related to the licensee's practice;

11) Engaging in sexual abuse, sexual misconduct, or sexual exploitation.

b) The Division hereby incorporates by reference the "Code of Ethics" of the National Certification Commission for Acupuncture and Oriental Medicine, 2025 M Street NW, Suite 800, Washington DC 20036 (January 2016), with no later amendments or editions.

(Source: Amended at 42 Ill. Reg. 16524, effective September 7, 2018)