

**TEXAS STATE BOARD OF ACUPUNCTURE EXAMINERS  
MINUTES OF THE  
DISCIPLINARY/ETHICS COMMITTEE**

April 12, 2002

The meeting was called to order at 10:43 a.m. by Chairman, Pedro (Pete) V. Garcia, Jr. Committee member present was Dee Ann Newbold, L.Ac. Annette M. Zaharoff, M.D. and Ms. Claire H. Smith were not in attendance at the meeting. Marshall D. Voris, Ph.D. Ed.D., L.Ac., was added to the committee to establish a quorum. Staff members present were Michele Shackelford, General Counsel; Lloyd McRae, Chief of Investigations; Jennifer Soffer, Assistant General Counsel; and various other staff.

**Agenda item two, the December 2001, January, February and March 2002 Enforcement Reports, were considered.** This was an informational item only and no vote was necessary.

**Agenda item three, regarding a report on implementation of third party drug testing system.** Ms. Shackelford presented the new drug testing procedure that has been implemented effective April 1, 2002 for licensees on probation. After discussion, there were no suggestions to the program as presented.

**Agenda item four, regarding executive session to review selected files and cases recommended for dismissal by Informal Settlement Conferences/Show Compliance Proceedings or staff review, was considered.** Ms. Newbold moved, Dr. Voris seconded and the motion passed to go into executive session at 10:52 a.m. for consult with counsel concerning licensure and/or possible disciplinary action pursuant to the authority of the Open Meetings Act, GOVERNMENT CODE, 551.071; and the Medical Practice Act, TEXAS OCCUPATIONS CODE ANNOTATED, 512.009; and TEXAS OCCUPATIONS CODE ANNOTATED, 205.304; and Attorney Generals Opinion No. H-484. Open session resumed at 11:02 a.m. and it was announced that no action or vote was taken during executive session. A certified agenda of the executive session was made. **Ms. Newbold moved, Dr. Voris seconded and the motion passed, to recommend the noted resolution of the listed complaint (attached) to the Board minutes.**

There being no further business, **Dr. Voris moved, Ms. Newbold seconded, and the motion passed to adjourn the meeting at 11:04 a.m.**