



Texas State Board of Acupuncture Examiners

BOARD MEETING MINUTES

October 10, 2014

The meeting was called to order at 9:11 a.m. by Allen D. Cline, L.Ac., Presiding Officer. Board members present were Linda Drain; Raymond Graham; Rachelle Webb, L.Ac.; and Rey Ximenes, M.D. Rodrigo Ceballos, M.D., Suehing Yee Chiang; Jingyu Gu, L.Ac.; were not present. Staff members present were Mari Robinson, J.D., Executive Director; Robert Bredt, M.D., Medical Director; Scott Freshour, General Counsel; Tonie Knight, Manager of Licensure; Megan Goode, Governmental Affairs and Special Projects Manager; Rob Blech, Assistant General Counsel; and various other staff.

There were no items for Agenda item #2.

Agenda item #3, Executive Director's Report.

Legislative update. Ms. Robinson reported on the submission of FY 16-17 Legislative Appropriations Request (LAR). The LAR included two requests for exceptional items; additional licensure staff to address the increase in licensure applications and additional enforcement staff to address the increase in complex enforcement cases related to prescription drug abuse & non-therapeutic prescribing.

An update related to the Sunset Advisory Commission recommendations on DSHS occupational licensing was given.

Budget. A budget update was given.

Outreach update. An updated outreach presentation schedule was presented; outreach will be postponed during the legislative session.

There were no items for Agenda item #4.

Agenda item #5, Public Information Update. Ms. Goode gave a public information updated related to the Board.

Agenda item #20, Discussion, recommendation, and possible action regarding requests to become approved providers. After discussion, Ms. Webb moved, Dr. Ximenes seconded, and the motion passed to approve the presented requests for approved providers.

Agenda item #21, Report from staff of CAE courses approved. Ms. Knight presented a report on courses that were approved by staff.

There were no items for Agenda item #22.

Agenda item #7, Report on dry needling letter. Mr. Blech gave a report on the dry needling letter sent to the Physical Therapy & Occupational Therapy Examiners.

There were no items for Agenda items #8-9.

Agenda item #10, Consideration and Approval of Agreed Board Orders. After discussion, **Ms. Webb moved, Ms. Drain seconded, and the motion passed to approve the Agreed Order for John E. Stewart, L.Ac.**

There were no items for Agenda items #11-19.

Agenda item #23, Review, discussion, and possible action regarding selected files and cases. After discussion, **Dr. Ximenes moved, Ms. Webb seconded, and the motion passed to dismiss Legal Case #14-0436.**

Agenda item #24, Discussion, recommendation, and possible action regarding a proposed adoption for a rule change, including proposed amendments to 22 T.A.C. Chapter 183.

1. §183.4 (a) (8) Licensure.

Mr. Blech summarized the proposed amendments. No written comments were received. No one signed in for oral comments. After discussion, **Ms. Webb moved, Dr. Ximenes seconded, and the motion passed to approve the proposed amendments to 22 T.A.C. Chapter 183.4 (a) (8) Licensure and refer to Texas Medical Board for adoption.**

2. §183.11 Complaint Procedure Notification

Mr. Blech summarized the proposed amendments. No written comments were received. No one signed in for oral comments. After discussion, **Dr. Ximenes moved, Ms. Drain seconded, and the motion passed to approve the proposed amendments to 22 T.A.C. Chapter 183.11 Complaint Procedure Notification and refer to Texas Medical Board for adoption.**

Agenda item #26, Consideration and approval of July 25, 2014 Board Meeting Minutes. Mr. Graham moved, Ms. Webb seconded, and the motion passed to approve the July 25, 2014 minutes and action items.

Agenda item #27, Committee reports and the consideration and approval of committee action items.

Mr. Cline gave a report of the Licensure Committee. **Dr. Ximenes moved, Ms. Webb seconded, and the motion passed to approve the Licensure Committee meeting minutes and action items.**

Agenda item #6, Consideration and possible action regarding pending litigation.

Mr. Freshour gave a brief report on pending litigation pertinent to the board. The Board directed staff to continue to monitor the status of the ongoing lawsuit between the Texas Acupuncture Association and Oriental Medicine and the Texas Chiropractic Board.

Agenda item #25, Open forum for public comments. Lisa Linn signed in and presented oral comments.

There being no additional items, the meeting adjourned at 9:34 a.m.