



Texas State Board of Acupuncture Examiners

BOARD MEETING MINUTES

January 21, 2011

The meeting was called to order at 11:30 a.m. on January 21, 2011 by Allen Cline, L.Ac., Presiding Officer. Board members present were Terry Rascoe, M.D., Assistant Presiding Officer; Raymond J. Graham, Secretary/ Treasurer; Chun-Hwei Chernly, L.Ac.; Karen Siegel, L.Ac.; Rachelle L. Webb, L.Ac.; and Reynaldo Ximenes, M.D. Suehing Yee Chiang and Linda Wynn Drain were not in attendance. Staff members present were Mari Robinson, Executive Director; Linda Gage-White, M.D., Medical Director; Jaime Garanflo, Director of Licensure; Jennifer Kaufman, Assistant General Counsel; Megan Goode, Special Projects; and various other staff.

Agenda item #2, Consideration and approval of Default Orders at 11:00 a.m. Juan Aboytes. Mr. Joe Tabaracci, staff attorney, gave a presentation. Mr. Juan Aboytes did not appear. After discussion, **Dr. Rascoe moved, Mr. Graham seconded, and the motion passed to approve the Default Order for Juan Aboytes.**

There were no items for Agenda Item #3.

Agenda item #4, Executive Director Report.

Enforcement Report. The Enforcement Report will be presented at the May meeting.

Budget update. Ms. Robinson presented a budget update report.

Legislative update. Ms. Robinson gave a brief overview of possible legislation that might impact the Acupuncture board.

Agenda item #5, Consideration and approval of board member absence. After discussion, the board directed staff to send the attendance report to the Office of the Governor.

Agenda item #6, Discussion, recommendation, and possible action regarding the licensure process. Ms. Garanflo gave a brief summary of the licensure process. After a discussion of ways to streamline or delineate the process, the board directed staff to email questions about an applicant's eligibility in terms of education to the Chair of Licensure when a licensure application is delayed.

Agenda item #7, Discussion, recommendation, and possible action regarding the definition of acupuncture. Mr. Chernly presented a review of the definition of acupuncture. The board discussed recommending modalities, such as cupping, Gua-sha, and massage to be included in the definition of acupuncture. After discussion, the board directed staff to examine the process for the development of a board position statement for a more thorough definition of acupuncture.

Agenda item #8, Public comments. There were no general public comments.

Agenda item #9, Consideration and Approval of Non-Public Rehabilitation Orders and Modification Request/Termination Request of Non-Public Rehabilitation Orders. After discussion, Ms. Webb moved, Dr. Ximenes seconded, and the motion passed to approve the termination Request of Non-Public Rehabilitation Order # 2.

Agenda item #10, Consideration and Approval of Agreed Board Orders. After discussion, Dr. Rascoe moved, Mr. Graham seconded, and the motion passed to approve the Agreed Board Order for Taro Nakamura, L.Ac., as written.

There were not items for Agenda items #11-17.

Agenda item #18, Discussion, recommendation, and possible action regarding a rule change, including adoption of proposed rule changes to 22 T.A.C. Chapter 183.

§183.3 Meetings

No one signed in to present oral comments. No written comments were received. After discussion, Dr. Ximenes moved, Ms. Webb seconded, and the motion passed to approve the rule change to §183.3 Meetings, as published in the Texas Register and to refer to the Texas Medical Board for approval.

Agenda item #19, Discussion, recommendation, and possible action regarding a rule change, including approval for publication in the Texas Register for public comment proposed amendments to 22 T.A.C. Chapter 183.

- a. §183.2. Definitions;
- b. §183.24. Procedure.

Ms. Kaufman gave a brief summary. Oral comments were received from Mr. Tim Weitz, Will Morris, Chris Butler, Lisa Lin, and Steve Renaud. Written comments were received and reviewed. After discussion, Dr. Rascoe moved, Mr. Graham seconded, and the motion passed to approve the proposed amendment to 22 T.A.C. Chapter 183, §183.24 Procedures and to refer to the Medical Board for approval. The board pulled amendment for §183.2 Definitions and the directed staff to request that the Texas Medical Board refer 183.2 Definitions back to the Texas State Board of Acupuncture Examiners for further review.

There were no items for Agenda item #20.

Agenda item #21, Consideration and approval of November 12, 2010 Board Meeting Minutes. After discussion, Mr. Graham moved, Ms. Siegel seconded, and the motion passed to approve the November 12, 2010 Board Meeting Minutes.

Agenda item #22, Committee reports and the consideration and approval of committee action items.

Dr. Rascoe gave a report of the Education Committee. Dr. Rascoe moved, Dr. Ximenes seconded, and the motion passed to approve the Education Committee and action items.

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

Dr. Ximenes gave a report of the CPT Coding Committee. **Ms. Webb moved, Ms. Siegel seconded, and the motion passed to approve the CPT Coding Committee minutes and action items.**

There being no further agenda items, the meeting adjourned at 1:12 p.m.