

TEXAS STATE BOARD OF ACUPUNCTURE EXAMINERS
LICENSURE COMMITTEE MEETING MINUTES
APRIL 25, 2003

The meeting was called to order at 8:30 a.m. by Chairman, Everett G. Heinze, Jr., M.D. Committee members present were Pedro (Pete) V. Garcia, Jr., Marshall Voris, Lic. Ac. was appointed to ensure a quorum, Sheng Ting (Sam) Chen, Hoang Xiong Ho, Lic. Ac.; Terry RG. Rascoe M.D., New Board Members; Jerry Walker, Deputy Executive Director; Jennifer Soffer, J.D., Assistant General Counsel; Jaime Garanfio, Director, Customer Affairs; Tim Speer, Manager, Acupuncture/Physician Assistant Division; and various other staff were also present.

Agenda item #2, Executive Session, was considered. Mr. Voris moved, Mr. Garcia seconded, and the motion passed at 8:31 a.m. to go into executive session for private consultation and advice of counsel concerning pending or contemplated litigation, deliberations concerning licensure applications, and/or possible disciplinary action order under the authority of the Open Meetings Act, GOV'T CODE, §551.071; and the Medical Practice Act, TEX. OCC. CODE ANN., §152.009; and TEX. OCC. CODE ANN., §§205.304; and Attorney General's Opinion No. H-484. Open session resumed at 9:00 a.m. and it was announced that no action was taken during executive session. A certified agenda was made.

Agenda item #3, regarding applicants for Texas Acupuncture Licensure, was considered. The committee reviewed the application of Applicant #AC-7 regarding their arrest record including two incidents of driving under the influence. Mr. Voris moved, Mr. Garcia seconded, and the motion passed to recommend to the full Board that Applicant #AC-7 be approved for Acupuncture licensure and be placed under an agreed order, for as long as they holds a license to practice, with the following stipulations: (1) abstain from the consumption of alcohol, dangerous drugs, or controlled substances in any form unless prescribed by a physician; (2) submit himself for appropriate examinations, including screening for alcohol or drugs, at

the request of a representative of the Board; (3) be solely responsible for the payment of all costs and charges by any facility which conducts screens; (4) if an alcohol or drug screen turns up positive his Acupuncture license will automatically be suspended; (5) shall participate in the activities and programs of Alcoholics Anonymous (AA), on a regular basis of not less than once a week; and (6) shall maintain documentation as to the number and location of AA meetings attended and make such documentation available to the Board Staff upon request. Applicant #AC-7 will be issued the Acupuncture license once he signs the agreed order.

The committee reviewed the application of Applicant #AC-8 regarding their arrest record for marijuana possession. **Mr. Voris moved, Mr. Garcia seconded, and the motion passed to recommend to the full Board that Applicant #AC-8 be approved for Acupuncture licensure and be placed under an agreed order, for as long as he holds a license to practice, with the following stipulations:** (1) abstain from the consumption of alcohol, dangerous drugs, or controlled substances in any form unless prescribed by a physician; (2) submit himself for appropriate examinations, including screening for alcohol or drugs, at the request of a representative of the Board; (3) be solely responsible for the payment of all costs and charges by any facility which conducts screens; (4) if an alcohol or drug screen turns up positive his Acupuncture license will automatically be suspended; (5) shall participate in the activities and programs of Narcotics Anonymous (NA), on a regular basis of not less than once a week; and (6) shall maintain documentation as to the number and location of NA meetings attended and make such documentation available to the Board Staff upon request. Applicant #AC-8 will be issued the Acupuncture license once they sign the agreed order.

The committee reviewed the application of Applicant #AC-10 regarding their acupuncture education from Henan College of Traditional Chinese Medicine, a school the Board has not licensed from before. Upon review of documentation presented, Applicant #AC-10's education was found to be acceptable. Following discussion, **Mr. Garcia**

moved, Mr. Voris seconded, and the motion passed to recommend to the full Board that Applicant #AC-10 be approved for acupuncture licensure.

The committee reviewed the request by Applicant #AC-11 for eligibility determination. Following discussion, **Mr. Voris moved, Mr. Garcia seconded, and the motion passed to deny Applicant AC-11's request due to the fact that they don't meet the requirements in Chapter 183.4(a)(5) of the Board's Rules, having taken the Herbology component of the NCCAOM exam more than three times**

Mr. Garcia moved, Mr. Voris seconded, and the motion passed to recommend to the full Board that Lorraine Perkins Affuso, Yong Xin Fan, Patricia Ann Frenzel, Christi Horne, Kehui Jiang, John Ma, Cynthia Louise Sills, Sadhna Singh, and Yong Yi, Shirley Marie Gonos, Bruce Kim, and Sarah Marie McGaffey be issued acupuncture licenses.

There being no further business, **the meeting was adjourned at 9:12 a.m.**