

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

October 28, 2005

The meeting was called to order at 11:45 a.m. by Acting Chairman, Claire H. Smith. Committee members present were Chung-Hwei Chernly, L.Ac.; and Terry Glenn Rascoe, M.D. Pedro (Pete) Garza, Chairman, was not in attendance. Staff members present were Jerry Walker, Deputy Executive Director, Michele Shackelford, General Counsel; Pam Crocker, Central Nurse Investigator in the Investigation Department; and various other staff.

Agenda item #2, the August 2005 Enforcement Report, was considered. Ms. Shackelford and Ms. Crocker presented the report. This was an informational item only and no vote was necessary.

Agenda item #3, regarding executive session to review selected files and cases recommended for dismissal by Informal Settlement Conferences/Show Compliance Proceedings or staff review, were considered. Dr. Rascoe moved, Mr. Chernly seconded and the motion passed to go into executive session at 11:54 a.m. for private consultation and advice of counsel concerning pending or contemplated litigation, deliberations concerning licensure applications, and/or possible disciplinary action under the authority of the Open Meetings Act, GOVERNMENT CODE, '551.071; and the Medical Practice Act, TEXAS OCCUPATIONS CODE ANNOTATED, '152.009; and TEXAS OCCUPATIONS CODE ANNOTATED, '205.304; and Attorney General's Opinion No. H-484. Open session resumed at 12:00 p.m. and it was announced that no action was taken during executive session. A certified agenda of the executive session was made.

Agenda item #4, regarding selected files and cases. Dr. Rascoe moved, Mr. Chernly seconded and the motion passed to recommend the investigations and cases reviewed by this committee be resolved as attached.

There being no further business, **Dr. Rascoe moved, Mr. Chernly seconded, and the motion passed to adjourn the meeting at 12:02 p.m.**