

Texas State Board of Acupuncture Examiners



BOARD MEETING MINUTES

January 29, 2010

The meeting was called to order at 10:14 a.m. on January 29, 2010, by Allen Cline, L.Ac., Presiding Officer. Board members present were Terry Rascoe, M.D., Assistant Presiding Officer; Raymond J. Graham, Secretary/ Treasurer; Chung-Hwei Chernly, L.Ac.; Suehing Yee Chiang; Karen Siegel, L.Ac.; Rachelle L. Webb, L.Ac.; and Reynaldo Ximenes, M.D. Linda Drain was not in attendance. Staff members present were Mari Robinson, Executive Director; Tonie Knight, Manager of Licensure; Jennifer Kaufman, Assistant General Counsel; and various other staff.

Agenda item #2, Board Member Report. Mr. Cline introduced and welcomed board member, Ms. Suehing Yee Chiang.

Agenda item #3, Executive Director Report. Ms. Robinson introduced new staff member, Megan Goode, Public Information and Special Projects Manager. Ms. Goode also serves as the agency legislative liaison.

Ms. Robinson presented the Enforcement Report.

Ms. Robinson reported that the Texas Physician Health Program that began the first of January is available to all licensees. The program allows licensees to seek treatment for a physical or mental impairment while under a confidential order with the Texas Physician Health Program.

Ms. Robinson presented a budget report and reviewed the legislative leaderships directive to submit a plan for a 5% budget cut for 2010-11 biennium with minimum impact on direct services.

The board requested the status of the Board of Chiropractic Examiners scope of practice rule. After discussion, the board directed staff to notify the Board of Chiropractic Examiners of the board's appointment of Rachelle Webb to represent the Board of Acupuncture Examiners at the Chiropractic workgroups with Mr. Cline and Ms. Siegel serving as backup.

Agenda item #4, Discussion, recommendation, and possible action regarding the board meeting more than three times a year. Mr. Graham expressed the need to be pro-active to provide consistency between board meetings. After discussion, the board directed staff to establish a procedure to compile a list of issues from board members to prioritize for discussion.

Agenda item #5, Discussion, recommendation, and possible action for the Dry Needling definitions in regards to Physical Therapists and Physicians and its relation to

acupuncture definitions. After discussion, the board directed staff to draft a rule that clarifies the definition of acupuncture hollow and solid dry needling techniques with stakeholder input.

Agenda item #6, Discussion, recommendation, and possible action regarding appeal of denial of approved provider status Korean Acupuncture Association in Texas. After discussion, **Dr. Rascoe moved, Mr. Graham seconded, and the motion passed to deny the appeal for approved provider status for the Korean Acupuncture Association in Texas.**

There were no items for Agenda items #7- #8.

Agenda item #9, Consideration and Approval of Modification Request/Termination Request Orders. After discussion, **Mr. Graham moved, Ms. Webb seconded, and the motion passed to approve the Denying Termination Order for Chester Dickerson, L.Ac.**

There were no items for Agenda Items #10-#15.

Agenda item #16, Discussion and recommendation regarding proposed rule changes to 22 T.A.C. Chapter 183.

- a. 183.4 Licensure
- b. 183.9 Impaired Acupuncturists
- c. 183.15- Use of Professional Titles

After discussion, **Dr. Rascoe moved, Ms. Siegel seconded, and the motion passed to approve and send to the Medical Board the proposed rule changes except to delete the addition of (f) Temporary Limited License.**

Agenda item #17, Review, discussion and possible action regarding selected files and cases. After discussion, **Mr. Graham moved, Dr. Ximenes seconded, and the motion passed to dismiss Log #10-1806.**

After discussion, the board directed staff to include a clarification of the use of the title Dr. at the next board meeting.

Agenda item #18, Consideration and approval of the October 30, 2009 Board Meeting Minutes. After discussion, **Mr. Graham moved, Dr. Ximenes seconded, and the motion passed to approve the October 30, 2009 Board Meeting Minutes.**

Agenda item #19, Discussion, recommendation, and possible action applicants for a Texas Acupuncture License. After discussion, **Mr. Graham moved, Ms. Siegel seconded, and the motion passed to approve the list of licensee applicants.**

Agenda item #20, Committee reports and the consideration and approval of minutes and action items of committees meeting during the board meeting.

Dr. Rascoe gave a report of the Education Committee. After discussion, **Dr. Rascoe moved, Ms. Siegel seconded, and the motion passed to approve the Education Committee minutes and action items.**

There being no further agenda items the meeting adjourned at 12:31 p.m.