

TEXAS STATE BOARD OF ACUPUNCTURE EXAMINERS  
LICENSURE COMMITTEE MEETING MINUTES  
JULY 15, 2005

The meeting was called to order at 9:32 a.m. by Chairman, Everett G. Heinze, Jr., M.D. Committee members present were Meng-Sheng Linda Lin, L.Ac.; Pedro (Pete) Garcia; and Hoang Xiong Ho. Jerry Walker, Deputy Executive Director; Robert Simpson, Assistant General Counsel; Jaime Garanflo, Director, Customer Affairs; Tonie Knight, Manager, Licensure; and various other staff were also present.

**Agenda item #2, Executive Session, was considered. Mr. Garcia moved, Mr. Ho seconded, and the motion passed at 9:34 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 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 9:52 a.m. and it was announced that no action was taken during executive session. A certified agenda was made.

**Agenda item #3, regarding the policy for the applicant withdraw and reapply process, was considered.** Ms. Garanflo explained that the Medical Board has developed a procedure to implement for situations involving submission of false statements on licensure applications, where the applicants can clearly and convincingly demonstrate that the false statements were made without willful intent. If the Executive Director determines that false statements were made without willful intent, he (or his designee) will consult with the Chair of the Licensure Committee. If the Chair of the Licensure Committee agrees with staff's recommendation, the applicant is advised to withdraw his or her application, submit a new application with accurate and honest information, and a new application fee. **Mr. Garcia**

**moved to recommend to the full Board that staff be directed to implement this policy . Mr. Ho seconded. All voted in favor and the motion passed.**

**Agenda item #4, Executive Session, was considered. Mr. Garcia moved, Mr. Ho seconded, and the motion passed at 9:57 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 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 10:15a.m. and it was announced that no action was taken during executive session. A certified agenda was made.

**Agenda item #4, regarding licensure applicants referred to the Licensure Committee by the Executive Director for determination of eligibility of licensure, was considered.**

**Applicant #412's** acupuncture licensure application was reviewed by the Committee after referral from the Executive Director. Applicant #412's application was reviewed due to the applicant's multiple NCCAOM Herbology exam failures and not meeting the licensure requirements of board rule 183.4(a)(5). **Mr. Garcia moved to recommend to the full Board that Applicant #412 be deemed ineligible for Acupuncture licensure due to not meeting the requirements of board rule 183.4(a)(5). Ms. Lin seconded. All voted in favor and the motion passed.**

**Applicant #413's** acupuncture licensure application was reviewed by the Committee after referral from the Executive Director. Applicant #413's application was reviewed due to academic probation and suspension and the fact that the applicant falsified the acupuncture licensure application by not disclosing this information. **Mr. Garcia moved to recommend to**

**the full Board that Applicant #413 be allowed to withdraw the licensure application and reapply for acupuncture licensure answering all the questions truthfully. Once staff receives the corrected application and fee, a temporary acupuncture license can be issued. Ms. Lin seconded. All voted in favor and the motion passed.**

**Agenda item #5, regarding applicants for Texas Acupuncture Licensure, was considered. Mr. Garcia moved to recommend to the full Board that Amy Lyn Acuff, Leslie Butterworth Ball, Jingyu Gu, Monte Lee Jackson, Hyun-Jong Kim, Christine Weishan Kuo, Julie Elizabeth Rhodes, Young Song, Adrian William Vojvodic, Chen Xia, Hasen Xue, and Jin-Gyu Yang be issued acupuncture licenses. Mr. Ho seconded. All voted in favor and the motion passed.**

**Agenda item #6, regarding cancellation of Acupuncture licenses by request and for nonpayment, was considered. Ms. Garanflo stated that there were no cancellations of Acupuncture licenses for consideration at this meeting.**

**There being no further business, Mr. Garcia moved to adjourn the meeting at 10.19 a.m. Mr. Ho seconded. All voted in favor and the motion passed.**