

TEXAS STATE BOARD OF ACUPUNCTURE EXAMINERS
BOARD MEETING MINUTES
FEBRUARY 21, 2003

The meeting was called to order at 11:55 a.m. by Presiding Officer, Everett G. Heinze, Jr., M.D. Board members present were Pedro (Pete) V. Garcia, Jr.; Meng Sheng Linda Lin, L.Ac.; Dee Ann Newbold, L.Ac.; Claire H. Smith; and Marshall D. Voris, Ph.D., Ed.D., L.Ac. Staff members present were Jerry T. Walker, Deputy Executive Director; Jennifer Soffer, J.D., Assistant General Counsel; Jaime Garanflo, Director of Customer Affairs; Tim Speer, Manager, Acupuncture Licensing and various other staff.

Agenda item #2, regarding executive session, was next. It was announced that there was no need for an executive session.

Agenda item #3, regarding the Executive Director's report, was next. Mr. Walker gave a budget update and explained that most state agencies have been asked to reduce their budgets for FY03 by 7% and their budgets for FY04 and FY05 by 12%. He stated that he is working with senior staff to find ways to reduce expenditures for the remainder of the fiscal year. Mr. Walker also reported that Dr. Patrick and senior staff have spent numerous hours presenting testimony to the legislature regarding programs and budgetary needs.

Agenda item #4, discussion regarding medical records and prescriptions, was next. Ms. Soffer explained that at the December 2002 Medical Board meeting, a request was made that the Acupuncture Board discuss whether it is appropriate to keep medical records in a language other than English. Following discussion, the consensus of the board was that medical records should be maintained in English, with the exception of herbal or drug names, and that directions for taking the herb or drug should be written in English, with efforts to also translate the information into the language appropriate for the patient. The board directed staff to draft rules clarifying this issue.

Agenda item #5, proposed amendments to Chapter 183, Acupuncture, regarding meetings, was next. Mr. Walker explained the need to clarify the rules regarding the number of board meetings held during the year. The current rule does not allow the board to conduct fewer than four meetings per year, and with the current budgetary constraints, the number of meetings may need to be reduced. **Dr. Voris moved, Ms. Smith seconded, and the motion passed to**

approve the rule change and to recommend that the Medical Board approve it for publication and comment.

Agenda items #6-14, approval of orders and cancellation of licenses, were next. It was announced that there were no orders or cancellations to be considered for these agenda items.

Agenda item #15, approval of the November 1, 2002 full board meeting minutes, was next. Dr. Voris moved, Mr. Garcia seconded, and the motion passed to approve the minutes.

Agenda item #16, regarding the November 1, 2002 Education Committee Meeting minutes, was next. Mr. Garcia moved, Ms. Newbold seconded, and the motion passed to approve the minutes.

Agenda item #17, regarding the November 1, 2002 Licensure Committee Meeting minutes, was next. Mr. Garcia moved, Dr. Voris seconded, and the motion passed to approve the minutes.

Agenda item #18, the report from the February 21, 2003 Education Committee meeting, was next. Ms. Newbold gave a report, asking for the guidance of the full board regarding the proposed rule changes relating to continuing acupuncture education (CAE). Following a lengthy discussion, the consensus was to recommend a rule change that would require some herbology, at least eight hours of general study, and one hour of ethics, for a total of 17 hours. Ms. Newbold also reported that the committee approved several CAE applications, deferred action on two, and denied two. The committee also discussed procedures for approving CAE courses and will place an item on the next agenda to discuss reciprocal providers and approved providers. The CAE application form was also amended.

Agenda item #19, the report from the February 21, 2003 Licensure Committee meeting, was next. Dr. Heinze gave a report, stating that the committee recommended approval of licenses, including one contingent upon receipt of further information, and denied two applicants. In addition, the committee approved a summary sheet to be used for those application files with no concerns.

Agenda item #20, the report from the February 21, 2003 Discipline and Ethics Committee meeting, was next. Mr. Garcia reported that the committee reviewed one file.

Dr. Voris asked the board members if they were interested in discussing the possibility of amending the boards rules regarding educational requirements for licensure. Following discussion, staff was directed to present a report on whether it is within the boards purview to make changes or whether they are limited by statutory law.

There being no further business, the meeting adjourned at 1:09 p.m.