

TEXAS STATE BOARD OF ACUPUNCTURE EXAMINERS
LICENSURE COMMITTEE MEETING MINUTES
OCTOBER 29, 2004

The meeting was called to order at 10:36 a.m. by Chairman, Everett G. Heinze, Jr., M.D. Committee members present were Meng-Sheng Linda Lin, L.Ac.; Pedro Garcia; and Hoang Xiong Ho. Michele Shackelford, J.D., General Counsel; Robert Simpson, J.D., Assistant General Counsel; Tonie Knight, Manager, Licensing, Permits and Registration; Tim Speer, Team Leader, Physician Assistant and Acupuncture Division; and various other staff were also present.

Agenda item #2, Executive Session, was considered. Mr. Garcia moved, Ms. Lin seconded, and the motion passed at 10:36 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 11:12 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. Mr. Garcia moved, Mr. Ho seconded, and the motion passed to recommend to the full Board that Wen-Yueh Chen, Pei-Chen Chu, Pamela D. Durham, Penelope Ann Hensen, Aleida Hinojosa, Patrick David Klepfer, June So-Tong Lee, Heike Margarita Maiwald, QuyVan Nguyen, Micah O'Neal, James Stephen Phillips, Joseph Paul Siuda, Sachiko Tachibana, and Chia Li Wang be issued acupuncture licenses.

Agenda item #4, regarding licensure applicants referred to the Licensure Committee by the Executive Director for determination of eligibility of licensure, was considered. The Committee reviewed the documentation submitted by Applicant #AC-20 who graduated from an Acupuncture school located in China that the Board has not previously approved. The documentation regarding the curriculum and the facilities at Shanxi Medical University was found to be acceptable. **Mr. Garcia moved, Ms. Lin seconded, and the motion passed to recommend to the full Board that Shanxi Medical University be approved as an acceptable acupuncture school for licensure purposes and that Applicant #AC-20 be approved for acupuncture licensure.**

Mr. Garcia moved, Mr. Ho seconded, and the motion passed to recommend to the full Board that applicant #359 be granted an Acupuncture license and be placed under a rehabilitation order for five years with the restrictions: (1) abstain from the consumption of alcohol, controlled substances, or dangerous drugs in any form unless prescribed by a physician; (2) submit him/herself 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) shall continue to receive care and treatment from his/her current psychologist and shall see this approved physician no less than once per month; (5) unilateral withdrawal from evaluation, treatment, or medical care required by the Order shall constitute unprofessional and dishonorable conduct; (6) shall submit to alcohol and drug screens by any other healthcare professionals required and authorized to evaluate or treat Acupuncturists; (7) shall immediately notify the Director of Enforcement for the Board or a Board Compliance Officer upon discontinuation for any reason of any care and treatment; (8) shall not unilaterally withdraw from the evaluation, care, or treatment, and shall request and authorize that any other individuals involved in his/her care and treatment immediately report to the Board any unilateral withdrawal from treatment; (9) shall provide to the Board or Board staff, reports regarding any aspect of his/her physical or mental conditions; (10) shall continue to participate in the activities and programs of Alcoholics Anonymous (AA), on a regular basis of not less than three per week and shall maintain documentation as to

the number and location of meetings attended and make such documentation available to the Board staff upon request; and (11) shall personally appear before a panel of Board representatives, at least one time each year.

There being no further business, **the meeting was adjourned at 11:18 a.m.**