



## Texas State Board of Acupuncture Examiners

**333 Guadalupe, Tower 2, Suite 225, Austin Texas**

### **BOARD MEETING MINUTES**

January 30, 2009

The meeting was called to order on January 30, 2009, by Allen Cline, L.Ac., Presiding Officer. Board members present were Pedro (Pete) V. Garcia; Chung-Hwei Chernly, L.Ac.; Donald R. Counts, M.D.; Raymond Graham; Terry Rascoe, M.D.; Karen Siegel, L.Ac.; and Rachelle L. Webb, L.Ac. Staff members present were Mari Robinson, Interim Executive Director; Alan Moore, Medical Director; Jane McFarland, Chief of Staff; Robert Simpson, General Counsel; Jaime Garanflo, Director of Licensure; Jennifer Kaufman, Assistant General Counsel; and various other staff.

There were no items for Agenda item #2.

**Agenda item #3, Executive Director Report.** Ms. Robinson gave a legislative report.

**Agenda item #4, Medical Director Report.** Dr. Moore gave a report that due to the increasing number of complaints, the agency is reviewing the current procedures for expert panel reports to see if improvements can be made to better allocate resources. After discussion, the board directed staff to notify the panel members if a respondent appearing for an Informal Settlement Conference is not in compliance with any current order.

There were no items for Agenda Items # 5-12.

**Agenda item #13, Discussion, recommendation and possible action regarding proposed amendments to rules:**

- a. 22 TAC 183.2, Definitions
- b. 22 TAC 183.4, Licensure
- c. 22 TAC 183.7, Scope of Practice
- d. 22 TAC 183.10, Patient Records
- e. 22 TAC 183.20, Continuing Acupuncture Education

After discussion, **Mr. Garcia moved, Mr. Graham seconded, and the motion passed to approve the proposed amendments to Chapter 183, Acupuncture in 22 TAC with the non-substantive changes to clarify utilizing AACRAO and add 2 months to 183.7.**

**Agenda item #14, Discussion, recommendation and possible action regarding the Texas Board of Chiropractic Examiners proposed new rule 75.21.** After discussion, the board directed staff to respond to the Chiropractic Examiners proposed new rule 75.21 as inappropriate, that it is the role of the Acupuncture Board to define the practice of acupuncture; that 100 hours of training is not sufficient to be a practicing acupuncturist; that practicing EMG is not the role of an acupuncturist or chiropractor; that it is not true that there have been no complaints; and directed staff to seek an Attorney General's opinion to determine if the proposed rule is beyond the Chiropractic Board's scope of authority.

**Agenda item #15, Consideration and approval of the October 31, 2008 Board Meeting Minutes. After discussion, Mr. Garcia moved, Dr. Rascoe seconded, and the motion passed to approve the October 31, 2008 Board Meeting Minutes.**

**Agenda item #16, Committee reports and the consideration and approval of minutes and action items of committees meeting during the board meeting.**

Mr. Garcia gave a report of the Licensure Committee. After discussion, **Dr. Rascoe moved, Mr. Graham seconded, and the motion passed to approve the Licensure Committee minutes and action items.**

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

Mr. Graham gave a report of the Discipline and Ethics Committee. After discussion, **Mr. Garcia moved, Dr. Rascoe seconded, and the motion passed to approve the Discipline and Ethics Committee minutes and action items.**

There being no further agenda items the meeting adjourned at 11:46 a.m.