

TEXAS STATE BOARD OF ACUPUNCTURE EXAMINERS
LICENSURE COMMITTEE MEETING MINUTES

October 27, 2006

The meeting was called to order at 10:35 a.m. by Chair, Meng-Sheng Linda Lin, L.Ac.; Committee members present were Donald Counts, M.D., Pedro (Pete) Garcia, Jr. and Hoang Xiong Ho, L.Ac.

Agenda item #2, Executive Session, was considered. Mr. Garcia moved, Dr. Counts seconded, and the motion passed at 10:35 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 Generals Opinion No. H-484.

Open session resumed at 11:40 a.m. and it was announced that no action was taken during executive session. A certified agenda was made.

The Licensure Committee conducted hearings to review applicants appearing concerning eligibility. The hearings were conducted in Executive Session for deliberations concerning licensure applications and consideration of possible rehabilitation orders under the authority of the Open Meetings Act, GOVERNMENT CODE, 551.071; and the Medical Practice Act, TEXAS OCCUPATIONS CODE ANNOTATED, 152.009 and 205.304; and Attorney Generals Opinion No. H-484. Following the hearings, the Committee reconvened and considered the applications.

Agenda Item #3 regarding applicants appearing concerning eligibility, was considered.

Applicant #482s acupuncture licensure application was reviewed by the Committee after referral from the Executive Director. Applicant #482s application was reviewed due to the applicants request for an exemption from the board rule requiring 450 hours of herbal studies and passage of the herbal portion of NCCAOM exam. **Mr. Garcia moved to recommend to the full Board that Applicant #482 be determined ineligible.** Factors contributing to this recommendation include the applicants failure to meet the requirements set out in Board rule requiring applicants to have graduated from an acupuncture school that, at the time of graduation, had curriculum of 1800 hours with at least 450 hours of herbal studies; and requiring applicants to have taken and passed the Herbal portion of the NCCAOM examination within three attempts. **Dr. Counts seconded. All voted in favor and the motion passed.**

The Committee directed staff to arrange a concept discussion at the next full Board meeting to remedy extraordinary situations in which qualified applicants do not meet the Herbology requirements set out in Board rule.

Agenda item #4, regarding applicants for Texas Acupuncture Licensure, was considered. There were 31 applicants and 1 relicensure applicant who met all requirements to be considered for acupuncture licensure by the Texas State Board of Acupuncture Examiners (TSBAE). **Dr. Counts moved, Mr. Garcia seconded and the motion passed to recommend to the full board that the 31 applicants and 1 relicensure applicant be approved for licenses and that their names be listed as part of the minutes of this committee.**

There being no further business, the meeting was adjourned at 11:49.