



Texas State Board of Acupuncture Examiners

BOARD MEETING MINUTES

The meeting was called to order at 10:46 a.m. by Allen D. Cline, L.Ac. Presiding Officer. Board members Raymond Graham; Jingyu Gu, L.Ac., Assistant Presiding Officer; Donna S. Guthery, L.Ac.; Claudia E. Harsh, M.D. and Rachelle Webb, L.Ac. were present. Jeremy Wiseman, M.D. was not present. It was announced that Suehing Yee Chiang resigned from the board. Staff members present were Scott Freshour, Interim Executive Director; Megan Goode, Governmental Affairs and Communication Manager; the Assistant General Counsels, Wendy Pajak, J.D., Sarah Tuthill, J.D., and Rob Blech, J.D. and various other staff.

Agenda item #2, Board Member Report. Mr. Cline read resolutions for former board members: Suehing Yee Chiang and Reynaldo Ximenes, M.D.

Agenda item #3, Executive Director's Report.

Legislative update. Ms. Goode gave a brief report on the Legislative Session and the submitted FY18-19 Legislative Appropriations Request (LAR). The LAR provides budget, revenue, and performance measure information for five years. Ms. Goode reported the FY18-19 base request is approximately \$13.6 million per year, the FY16-17 funding levels was used as the starting point. The LAR has the required 4% budget reduction with four exceptional items. The exceptional items include a request for funding for two I.T. projects, additional call center staff, and the restoration of the 4% reduction. Senate Finance funded approximately ½ of each exceptional request; no funding from House Appropriations and we are waiting for the Conference Committee to work out the differences.

Budget update. Brandy Corrales, Finance Manager, presented and reviewed the budget as of February 28, 2017 and reported projected expenditures and revenue are in good standing and on target for the year.

Audit update. Ms. Goode reported at the March meeting that the Medical Board approved the recommendation from the contracted Internal Auditor for the FY 17 audit topic to be a review of the Litigation Department and relevant statutory/rule requirements, policies and procedures. Auditors have begun work and the estimated completion date for a final audit report with recommendations to the Medical Board is August 2017.

Outreach update. Mr. Freshour presented the 2017 Outreach schedule and reported Amy Swanholm, JD., Assistant General Counsel, will be designated to present the majority of future Outreach presentations. Monique Johnston, Licensure Manager, will continue to make Licensure presentation. Chiropractic presentation will be completed in late summer or fall of 2017.

There were no items for Agenda item #4-5

Agenda item #6, Discussion, recommendation, and possible action regarding the active practice of acupuncture and continuing acupuncture education. Ms. Pajak gave a report on requirements for continuing Acupuncture education and presented a draft rule, relating to the CAE requirements, for the Board's consideration. After discussion, **Mr. Cline moved, Mr. Gu seconded, and the motion passed to go into Executive Session at 11:18 a.m. for private consultation and advice of counsel concerning pending or contemplated litigation, settlement offers, and/or legal matters subject to the attorney-client privilege under the authority of the Open Meetings Act Section 551.071, Government Code. Open session resumed at 11:40 a.m. and it was announced that no action was taken. A certified agenda was made.** The Board directed staff to clarify the CAE rules and relating to providers, along with the revised draft of rule 183.4 relating to active practice, and take both drafts to stakeholders and then bring them back to the Board in October. The board also gave direction to have future active practice applicants appear before the Board.

Agenda item #7, Report on other conjunctive therapies. Ms. Pajak gave a report on clarification of other therapies. Conjunctive therapies includes: Gua Sha, 7-star needling (plum blossom), Tuina and traditional Asian body work. These therapies are included in the traditional Acupuncture curriculum and education and are techniques offered by those programs approved by the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) and accepted by the Board. Accordingly, such therapies are considered within the scope of Acupuncture practice as defined by the Act.

There were no items for Agenda items #8-18.

Agenda item #19, Consideration and approval of Remedial Plans. After consideration, **Mr. Graham moved, Ms. Webb seconded, and the motion passed to approve the Remedial Plan for Bill Tseng, Ac.**

There were not items for Agenda item #20-#23.

Agenda item #24, Open forum for public comments. Lisa Lin and Wally Doggett signed-in and presented public comments.

Agenda item #25, Consideration and approval of January 27, 2017 Board Meeting Minutes. After discussion, **Mr. Graham moved, Mr. Gu seconded, and the motion passed to approve the January 27, 2017 Acupuncture Board Meeting Minutes.**

Agenda item #26, Committee reports and the consideration and approval of committee action items.

Mr. Cline gave a report of the Education Committee. **Ms. Webb moved, Mr. Graham seconded, and the motion passed to approve the Education Committee minutes and action items.**

Mr. Cline gave a report of the Licensure Committee. **Mr. Graham moved, Ms. Harsh seconded, and the motion passed to approve the Licensure Committee minutes and action items.**

Agenda item #27, Adjourn. There being no additional items, Mr. Graham moved, Ms. Harsh seconded, and the motion passed to adjourn the meeting at 11:57 a.m.