

TEXAS STATE BOARD OF ACUPUNCTURE EXAMINERS
BOARD MEETING MINUTES
APRIL 12, 2002

The meeting was called to order at 12:45 p.m. by Presiding Officer, Everett G. Heinze, Jr., M.D. Board members present were Pedro (Pete) V. Garcia, Jr.; Everett G. Heinze, Jr., M.D.; Meng-Sheng Linda Lin, L.Ac.; Dee Ann Newbold, L.Ac.; and Marshall D. Voris, Ph.D., Ed.D., L.Ac. Staff members present were Donald W. Patrick, M.D., J.D., Executive Director; Michele Shackelford, J.D., General Counsel; Jennifer Soffer, J.D., Assistant General Counsel; and various other staff.

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

Agenda item #3, regarding the Executive Director's report, was next. Dr. Patrick reported that the agency has reorganized the Licensure and Investigations Departments. In addition, the licensure process has been streamlined and new attorneys have been hired. Dr. Patrick also reported that the agency has requested additional funds to work on medical malpractice cases.

Agenda item #4, regarding non-public rehabilitation orders, was next. It was announced that there were no orders to be considered.

Agenda item #5, regarding agreed board orders, was next. Dr. Voris moved, Ms. Newbold seconded, and the motion passed to go into executive session at 12:50 p.m. 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 1:20 p.m. and it was announced that no action was taken. A certified agenda was made. **Dr. Voris moved, Ms. Newbold seconded, and the motion passed to approve the proposed agreed order on Asya Kareem with the following changes: require an additional four hours of continuing acupuncture education in the area of ethics; require additional coursework in medical terminology; require additional**

coursework in patient recordkeeping; approval of all of the above courses by the Executive Director; and assess a \$7500 administrative penalty.

Agenda items #6-11 were not necessary, as there were no orders to be considered.

Ms. Newbold moved, Dr. Voris seconded, and the motion passed to go into executive session at 1:29 p.m. for private consultation and advice of counsel with respect to legal matters under the authority of the Open Meetings Act, GOVERNMENT CODE, §551.071.

Open session resumed at 1:32 p.m. and it was announced that no action had been taken. A certified agenda was made.

Agenda item #13, regarding the January 11, 2002 Board Meeting minutes, was next. Mr. Garcia moved, Ms. Newbold seconded, and the motion passed to approve the minutes, with an amendment as noted.

Agenda item #14, regarding the January 11, 2002 Education Committee Meeting minutes, was next. Dr. Voris moved, Ms. Newbold seconded, and the motion passed to approve the minutes, with amendments as noted.

Agenda item #15, regarding the January 11, 2002 Licensure Committee Meeting minutes, was next. Mr. Garcia moved, Ms. Newbold seconded, and the motion passed to approve the minutes.

Agenda item #16, regarding the report from the April 12, 2002 Education Committee meeting, was next. Ms. Newbold gave a report, stating that the committee recommended approval of several continuing acupuncture education courses and proposed amendments to §183.20 relating to continuing acupuncture education. Ms. Newbold moved, Dr. Voris seconded, and the motion passed to approve the report and action items, and to send the proposed rule changes to the Medical Board for publication in the Texas Register.

Agenda item #17, regarding the report from the April 12, 2002 Licensure Committee meeting, was next. Dr. Heinze gave a report, stating that the committee recommended approval of 26 licenses. Ms. Newbold moved, Dr. Voris seconded, and the motion passed to approve the report and action items.

Agenda item #18, regarding the report from the April 12, 2002 Discipline and Ethics Committee meeting, was next. Mr. Garcia gave a report and presented the minutes for approval. Ms. Newbold moved, Dr. Voris seconded, and the motion passed to approve the report and minutes.

Agenda item #19, regarding a report by Ms. Newbold relating to attendance at national meetings, was next. Ms. Newbold encouraged attendance at the annual meeting of the Federation of Acupuncture and Oriental Medicine Regulatory Agencies (FAOMRA). Dr. Patrick and Ms. Shackelford reported that the agency's travel cap is very limited and we would not be able to reimburse travel expenses for this meeting. Following discussion, **Ms. Newbold moved, Dr. Voris seconded, and the motion passed to direct staff to consider funding travel to this meeting in next years budget and to communicate with FAOMRA to obtain written materials from the meeting.**

Staff was directed to add a discussion of general education requirements to the next Education Committee agenda.

There being no further business, **Dr. Voris moved, Ms. Newbold seconded, and the motion passed to adjourn the meeting at 1:55 p.m.**