

TEXAS STATE BOARD OF ACUPUNCTURE EXAMINERS
LICENSURE COMMITTEE MEETING MINUTES
JANUARY 28, 2005

The meeting was called to order at 1:08 p.m. by Chairman, Everett G. Heinze, Jr., M.D. Committee members present were Meng-Sheng Linda Lin, L.Ac.; Pedro (Pete) Garcia; and Hoang Xiong Ho. Terry G. Rascoe, M.D. also attended the meeting. Robert Simpson, J.D., Assistant General Counsel; Jaime Garanflo, Director, Customer Affairs; Tonie Knight, Manager, Licensing, Permits and Registration; and various other staff were also present.

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 Regina Ling-Ling Chi, Juliana L. Christenson, Kathy A. Daigle, Walter Joseph Doggett, Lynn Duong, Susan Rene Hammett, Carol Dashiell Jackson, Soon Ki Kwon, Yvonne Maria Lewis, Tina Mei-Hsin Lin, Marcia Ann Mallory, and Sarai Colleen Stapleton be issued acupuncture licenses.

Agenda item #2, Executive Session, was considered. Mr. Garcia moved, Ms. Lin seconded, and the motion passed at 1:11 p.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 1:25 p.m. and it was announced that no action was taken during executive session. A certified agenda was made.

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 request by Applicant #381 for licensure eligibility determination due to the number of times they attempted the Chinese Herbology Written Exam portion of the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) examination. Applicant #381 requested the Board approve their application for licensure with certain conditions available within the discretion of the Board to consider their unique circumstances. Applicant #381 stated that the herbal portion of the exam was not a requirement while they were attending Acupuncture school. Applicant #381 also stated that since the herbal exam requirement did not exist before January 1998, their Acupuncture school did not instruct students who graduated in Applicant #381's class for the national exam on that subject. Following discussion, **Mr. Garcia moved, Mr. Ho seconded, and the motion passed to recommend to the full Board that Applicant #381's request be denied due to the fact that she does not meet the requirements in Chapter 183.4(a)(5) of the Board's Rules, having taken the Herbology component of the NCCAOM exam more than three times without passing the exam until the seventh attempt.**

The Committee reviewed Applicant #AC-21 request for determination that the Institute of Classical Acupuncture in Gainesville, Florida meets the requirements of an acceptable approved acupuncture school. At the time of Applicant #AC-21 graduation, the Institute of Classical Acupuncture was not accredited or a candidate for accreditation by the Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM) as required by Board rule 183.4(a)(4). Following discussion, **Mr. Garcia moved, Ho seconded, and the motion passed to recommend to the full Board that Applicant #AC-21's application for licensure be denied based on the fact that at the time of Applicant #AC-21's graduation, the Institute of Classical Acupuncture in Gainesville, Florida was not accredited or a candidate for accreditation by ACAOM and in the opinion of the Acupuncture Board, is not equivalent to an acceptable acupuncture school.** Mr. Simpson informed the Committee that Applicant #AC-21 has requested, in the event of a denial from the Acupuncture Board, that the Texas State Board of Medical Examiners under TEXAS OCCUPATIONS CODE ANNOTATED, §205.207, review his application and waive the requirement that he have graduated from an

accredited acupuncture school. The consensus of the Committee was that the Medical Board should consider the decision of the Acupuncture Board as a recommendation.

There being no further business, **Mr. Garcia moved, Mr. Ho seconded, and the motion passed to adjourn the meeting at 1:40 p.m.**