

Texas State Board of Acupuncture Examiners



BOARD MEETING MINUTES

November 12, 2010

The meeting was called to order at 10:00 a.m. on November 12, 2010 by Allen Cline, L.Ac., Presiding Officer. Board members present were Terry Rascoe, M.D., Assistant Presiding Officer; Raymond J. Graham, Secretary/ Treasurer; Suehing Yee Chiang; Linda Drain; Rachelle L. Webb, L.Ac.; and Reynaldo Ximenes, M.D. Karen Siegel, L.Ac., and Chun-Hwei Chernly, L.Ac., were not in attendance. Staff members present were Mari Robinson, Executive Director; Jaime Garanfio, 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.

Open Records Request Update. Ms. Robinson gave a brief review on the open records request sent to the Chiropractor Board.

Physician Health Program. Ms. Robinson gave an update of the Physician Health Program which is working to fill open staff positions.

Enforcement Report. Ms. Robinson reviewed the statistics of the August Enforcement 2010 report.

Budget Update. Ms. Robinson presented the budget report and discussed the budget cuts implemented as requested by the state leadership.

Legislative Update. Ms. Robinson discussed the possible negative impact of future budget cuts in the upcoming legislative session. Staff will be tracking bills related to the board.

Stakeholder report. Ms. Robinson gave a brief report on the Stakeholder Workgroup and reported a training license may require a statutory change.

Agenda items 4-7 were deferred to later in the meeting.

Agenda item #8, Discussion, recommendation, and possible action regarding ethics and informal Continuing Acupuncture Education credit. Ms. Deanne Newbold presented oral comments. After discussion, the board directed staff to contact stakeholders for input for a draft rule to refine and expand entities the board would accept Continuing Acupuncture

Education accreditation and schedule the proposed rule for the January 21, 2011 full board meeting.

Agenda item #6, Report and possible action regarding FAQ for the website. Ms. Robinson gave a report on the FAQ regarding when acupuncturists may use the title Dr.

Agenda item #7. Discussion, recommendation, and possible action regarding the issue of insurance CPT billing codes. After discussion, Mr. Cline appointed Dr. Ximenes, Ms. Webb, and himself to a sub-committee to look at the acupuncture scope of practice to clarify the role specifically of acupuncture.

Agenda item #8, Public comments. Mr. Christopher Butler, L.Ac., presented oral public comments.

There were no items for Agenda items #9-10.

Agenda item #11, Consideration and Approval of Modification Request/ Termination Request Orders. After discussion, Mr. Graham moved, Ms. Webb seconded, and the motion passed to approve the Termination Order for Chester Dickerson.

There were no items for Agenda items #12-17.

Agenda item #18, Discussion, recommendation, and possible action including adoption of proposed rule changes to 22 T.A.C. Chapter 183.

- a. **183.2. Definitions.**
- b. **183.15. Use of Professional Titles**
- c. **183.20. Continuing Acupuncture Education**

Ms. Deanne Newbold presented oral comments regarding 183.20, Continuing Acupuncture Education. No written comments were received. After discussion, **Dr. Ximenes moved, Mr. Graham seconded, and the motion passed to approve the proposed rule changes to 22 T.A.C. Chapter 183. 183.2. Definitions; 183.15. Use of Professional Titles; and 183.20. Continuing Acupuncture Education; and refer to the Medical Board for adoption, as written.** The board directed staff to pull rule 183.2. Definitions and bring back to the board in January with the revision to insert and/or.

Agenda item #19, Discussion, recommendation, and possible action including approve for publication in the Texas Register for public comment the proposed amendments to 22.T.A.C. Chapter 183.

- a. **183.2. Definitions.**

After discussion, **Ms. Chiang moved, Mr. Graham seconded, and the motion passed to approve for publication in the Texas Register for public comment the proposed amendments to 22.T.A.C. Chapter 183.2. Definitions, as presented.**

Agenda item #20, Review, discussion, and possible action regarding selected files and cases. After discussion, Mr. Graham moved, Ms. Drain seconded, and the motion passed to approve to dismiss the selected files and cases, Investigation file # 10-7023 and Informal Settlement Conference dismissal file #09-0303 as presented.

Agenda item #21, Discussion, recommendation, and possible action regarding applicants for a Texas Acupuncture License. Mr. Graham moved, Ms. Webb seconded, and the motion passed to approve the applicants for a Texas Acupuncture License as presented.

Agenda item #5, Discussion, recommendation, and possible action regarding the Acupuncture newsletter. After discussion, the board directed staff to move forward with the proposed Acupuncture electronic newsletter and notify licensees at their renewal when the newsletter is available online.

There were no items for Agenda item #22.

Agenda item #23, Consideration and Approval of May 6, 2010 Board Meeting Minute. After discussion, Mr. Graham moved, Dr. Ximenes seconded, and the motion passed to approve the May 6, 2010 Board Meeting Minutes.

Agenda item #24, Committee reports and the consideration and approval of minutes and action items. Dr. Rascoe gave an Education Committee report. After discussion, Dr. Ximenes moved, Mr. Graham seconded, and the motion passed to approve the Education Committee and action items.

There being no further agenda items, the meeting adjourned at 11:35 a.m.