

**TEXAS STATE BOARD OF ACUPUNCTURE EXAMINERS**  
**BOARD MEETING MINUTES**  
**OCTOBER 28, 2005**

The meeting was called to order on October 28, 2005 at 12:15 p.m. by Terry Glenn Rascoe, M.D., Presiding Officer. Board members present were Sheng Ting (Sam) Chen; Chung-Hwei Chernly, L.Ac.; Donald Counts, M.D.; Hoang Xiong Ho, L.Ac.; Meng-Sheng Linda Lin, L.Ac.; and Claire Smith. Staff members present were Donald W. Patrick, M.D., J.D., Executive Director; Michele Shackelford, General Counsel; Jaime Garanflo, Director of Customer Affairs; and various other staff. New board members, Mr. Chernly and Dr. Counts, made brief statements. Dr. Rascoe welcomed visitors Leslie Meyers and Chris Butler with the Texas Association of Acupuncturists.

**Agenda item #2.** There were no items for agenda item #2.

**Agenda item #3, Report of the Acupuncture Workgroup meeting and presentation and discussion of draft rules.** Jane McFarland, Manager of Public Information, gave a report on the changes required to be made to Texas Medical Board Rule 183, Acupuncture, as a result of Senate Bill 419. Ms. McFarland also reported on the Acupuncture Stakeholder Workgroup that was formed as directed by Senate Bill 419 to solicit stakeholder input for the rulemaking process. The Workgroup members will be provided a copy of the draft of the proposed changes to Texas Medical Board Rule 183 and asked to provide input. Ms. Shackelford reviewed the proposed changes to Texas Medical Board Rules that are scheduled for discussion and possible action by the Medical Board on December 9, 2005. Ms. Garanflo gave a review of the Acupuncture licensing fee structure with proposed fee increases for acupuncturists as set out in the proposed changes to Texas Medical Board Rule, Chapter 175, Fees, Penalties, and Forms. Ms. Shackelford solicited comments regarding the proposed rules and explained these comments would be provided to the Medical Board. After discussion, the Board directed staff to post clarification of the acupuncture licensure penalty fee structure on the agency website.

**Agenda item #4. Executive Director's Report.** Dr. Patrick gave a report on possible action regarding a policy for administrative orders issued by staff for non-standard of care cases and administrative violations for the Board's consideration.

Dr. Rascoe read Board Resolutions to be presented to Everett G. Heinze, Jr., M.D., and Dee Ann Newbold, L.Ac., thanking them for their service to the Board.

Agenda items #5 - #14. There were no items for agenda items #5 - #14.

**Agenda item #14, Consideration and Approval of July 15, 2005 Board Meeting Minutes. Mr. Ho moved, Ms. Smith seconded, and the motion passed to approve the July 15, 2005 Board Meeting Minutes.**

**Agenda item #15, Consideration and Approval of May 6, 2005 Discipline and Ethics Committee Meeting Minutes. Ms. Smith moved, Mr. Ho seconded, and the motion passed to approve the May 6, 2005 Discipline and Ethics Committee Meeting Minutes.**

**Agenda item #16, Consideration and Approval of October 28, 2005 Education Committee Meeting. Ms. Lin gave a report. Ms. Lin moved, Mr. Chernly seconded, and the motion passed to approve the October 28, 2005 Education Committee Meeting Minutes and action items.**

**Agenda item #17, Consideration and Approval of October 28, 2005 Licensure Committee Meeting Minutes. Ms. Lin gave a report. Ms. Lin moved, Ms. Smith seconded, and the motion passed to approve the October 28, 2005 Licensure Committee Meeting Minutes and action items.**

Ms. Smith gave a summary of the October 28, 2005 Disciplinary and Ethics Committee Meeting.

**There being no further items, Dr. Counts moved, Mr. Chernly seconded, and the meeting was adjourned at 1:44 p.m.**