

MARYLAND BOARD OF ACUPUNCTURE

4201 Patterson Avenue
Baltimore, MD 21215
Room 105

MINUTES OF THE OPEN SESSION

July 14, 2015
1:00 p.m.

BOARD MEMBERS PRESENT:

Kate Carter, L.Ac., Sheryl Hongsermeier, L.Ac., Thomas Ingegno, L.Ac., Grant Zhang, L.Ac., Jan Exler, M.Ed., Consumer, and Barbara Heller, Ed.D., R.N., Consumer

BOARD MEMBERS ABSENT:

None

BOARD STAFF PRESENT: Penny Heisler, Executive Director, Cynthia Dobbins, Administrative Officer, Marian Ruth, Investigator, and David Finkler, AAG

GUESTS:

Diane Huey, L.Ac., MAS, David Wurzel, L.Ac., Kristen Neville, Regulations Coordinator, Paula Hollinger, DHMH Board Representative, Sharon Bloom, DHMH Board Representative and Teal Beatty, L.Ac.

CALL TO ORDER AND ESTABLISHMENT OF A QUORUM

Ms. Carter called the Acupuncture Board meeting to order at 1:00 pm and a quorum was established. Ms. Carter began the meeting by asking guests to introduce themselves to the Board.

1. APPROVAL OF MAY 12, 2015 MINUTES

Mr. Zhang moved to approve the Minutes as written and Mr. Exler seconded the motion. The Board unanimously approved the motion.

2. OLD BUSINESS

A. DRY NEEDLING REGULATIONS

Ms. Carter stated that she, Mr. Ingegno, Mr. Zhang, Ms. Hongsermeier, Ms. Heisler and Mr. Finkler, AAG met with the Physical Therapy (PT) Board's Executive Director, Carlton Curry, the Board Chair, Krystal Lightly and their Board Counsel, Bret Felter, AAG to discuss the PT's dry needling regulations. Ms. Carter stated that she felt that the representatives of the PT Board were sincere, had integrity and were open to Board recommendations to ensure that the dry needling regulations are safe for the public. She stated that the PT Board maintains that they are not practicing acupuncture, but stimulating muscles and that Maryland has the highest number of training hours for dry

needling in the country. The PT Board will provide the Board with a template of the University of Maryland's dry needling curriculum for review. The Board agreed to reach out to MUIH for assistance in reviewing the curriculum.

Mr. Zhang stated that he felt that 40 hours of hands on training was not enough to ensure quality education. Ms. Carter noted that she informed the PT Board that she has had patients complaining about painful dry needling treatments and Mr. Curry recommended that any complaints of this nature be referred to his office directly.

Ms. Huey stated that MAS disagrees that dry needling is not acupuncture. She stated that over 90% of trigger points are acupuncture points. She stated that MUIH has already reviewed the University of MD and felt that 80 hours is not sufficient. She stated that the PT Board is aware of the MUIH findings.

Ms. Neville stated that the Attorney General's Office has cautioned the Boards that they must be careful that they do not increase requirements that could cause restraint of trade.

B. SCOPE OF PRACTICE

Mr. Ingegno informed the Board that he would like to work with MAS to create a survey to seek input from the acupuncture on possible scope of practice issues.

3. NEW BUSINESS

A. INITIAL LICENSURE APPLICATION APPROVAL

After review of the list of applicants, Mr. Ingegno moved to approve the list of applicants and Mr. Zhang seconded the motion. The Board unanimously approved the motion.

B. APPLICANTS FROM SCHOOLS IN CANDIDACY STATUS

Ms. Heisler informed the Board that at the last meeting, Dr. Heller questioned the Board's existing policy to allow applicants who graduate from schools in candidacy status be licensed in MD. Dr. Heller stated that these schools could have their pending accreditation pulled at anytime, leaving students unqualified. Ms. Heisler agreed with Dr. Heller and stated that she reviewed the regulations and COMAR 10.26.02 would not have to be changed because the Board could deem candidacy status not equivalent to a course approved by the ACAOM and applicants would have to take the NCCAOM exam.

D. The applicant shall provide documentary evidence of having met one of the following standards for education, training, or demonstrated experience:

(1) Graduation from a course of training of at least 1,800 hours in acupuncture, including 300 clinical hours, that is:

(a) Approved by the Maryland Higher Education Commission,

(b) Accredited by the ACAOM; or

(c) Found by the Board to be equivalent to a course approved by the ACAOM;

Mr. Finkler advised the Board that no vote is needed to adopt this policy, but a consensus of the Board should be established. Ms. Carter asked the Board whether they were in agreement to require that applicants applying from schools in candidacy status be required to take the NCCAOM examination. The full Board agreed.

C. BUDGET

Ms. Heisler gave a brief overview of the FY 2015 budget.

D. EXECUTIVE DIRECTOR UPDATE

Ms. Heisler presented annual licensing statistics and will publish them in the Summer Newsletter.

Ms. Heisler informed the Board that she is still working with MHCC to exempt acupuncturists from the User Fee.

Ms. Heisler stated that the bigger Boards are reconstructing all of the conference rooms and have suggested that all of the Boards should split the costs equally. She plans to dispute these charges as the Acupuncture Board is held in a small conference room and will not reap the benefits of the reconstruction.

Mr. Ingegno moved to close the open meeting at 1:30 PM. and move into executive session in order to comply with specific constitutional, statutory or judicially imposed requirements that prevent public disclosure about a particular proceeding or matter and to discuss the investigation of complaints against specific licensees. Mr. Zhang seconded the motion. The motion passed unanimously.