

## 2016

### BOARD CONTACT NUMBERS:

**TELEPHONE:**  
410-764-4766

**TOLL FREE:**  
1-800-530-2481

**FAX:**  
410-358-7258

### WEBSITE:

www.dhmh.state.md.us/bacc

### ADDRESS

4201 Patterson Avenue  
Baltimore, MD 21215  
Room 311

## Heat Lamp Caution

In the past few months, the board has heard some concerns about issues involving heat lamp, including the red bulb style infrared as well as the TDP style mineral plate models. These lamps can be a great adjunct to your treatments but we would like to stress the importance of safety when using them. Regardless of the brand or model, please make sure you read and follow the user manual. Each lamp has a minimum distance it should be kept from the body. In addition, as many of us know, the quality and sturdiness of these lamps can vary. Routinely checking for damage, loose parts including bolts and screws should be done regularly. It is also a good idea to check on the distance of the lamp and the patient's comfort periodically during the treatment.

Additional caution should also be exercised when using any topical creams, oils, liniments or salves with a heat lamp. As many of these topicals come from out of the country and some do not come with adequate warning labels. Mixing heat with some of these formulas can lead to burns that are both due to the compounds in the topical formula and the heat from the lamp. Over the counter products like Tiger Balm, specifically say not to use with a heat pad, but fail to mention anything about a heat lamp. We would strongly suggest that acupuncturists wishing to use topical formulas along side of heat apply them after the heat source is removed from the patient, unless the formula is specifically designed to be used with a heat source.

### Individual Highlights:

Heat lamp precaution/Sexual Misconduct	1
Scope of practice/Renewal Questions	2
Statistics/Mandatory Reporting	3
Address/Name change Duplicate License/Billing Questions/Verifications	
Board meeting schedule/Verification	4

## SEXUAL MISCONDUCT

At no time would the Board consider it appropriate for a practitioner to establish an intimate relationship with a patient. An acupuncturist must maintain professional boundaries, even when the patient initiates crossing the boundaries during your professional relationship.

If a licensed acupuncturist and his/her patient mutually desire a personal relationship, the professional relationship must be terminated and the acupuncturist must refer the patient to another health care practitioner. Both parties must wait before engaging in an intimate relationship for a time when it is reasonably certain that the professional relationship will have no further influence on the personal relationship.

It is important to remember that a licensed acupuncturist should never exploit a relationship with a patient for his/her advantage, including a personal, sexual, romantic, or financial relationship. It is also unacceptable to engage in a sexually intimate act with a patient – at any time!

Warning signs of sexual misconduct may include:

- Excessive sharing of personal information
- Change of appointments to a social location
- Use of alcohol or drugs during treatment
- Constant questioning about sexual issues that are not related to treatment
- Requests for secrecy
- Physical contact or bodily exposure that is not part of acupuncture treatment
- Touching in a sexual manner

Always respect and maintain professional boundaries with your patients. Ensure that your patient is reasonably informed about treatments before they are rendered. Make sure that your patients are comfortable with the treatments and that you cause them no embarrassment.

## **NOTICE: SCOPE OF PRACTICE**

The Board is frequently contacted by licensees regarding scope of practice issues and whether they can perform specific techniques or procedures. The Board would like to hear suggestions or ideas from licensees on allowing new practices in Maryland. Suggestions must be based on practices that are allowed in other states and are taught in an ACAOM accredited school or in an approved CEU course.

All comments and suggestions should be directed to Penny Heisler at [penny.heisler@maryland.gov](mailto:penny.heisler@maryland.gov)

## **FREQUENT QUESTIONS REGARDING RENEWALS**

### **1. What are the renewal requirements?**

You must earn 30 hours every two years (June 1-May 31) or (December 1-November 30)

Hours can be divided as follows:

- 20 hours must be in acupuncture and Oriental medicine.
- 10 hours may be in programs that are relevant to the practice.
- 10 hours are allowed for teaching
- 7 hours are allowed for pro bono work from
- 4 hours are allowed for writing peer review articles

### **2. Can I renew online if I am audited for CEU's?**

If you are audited for CEU's, you can still renew on-line. Simply complete the on-line renewal form in its entirety, and send in copies of CEU certificates, the same that you have listed on the on-line form. The CEU's listed on-line and the copies of certificates must match or the certificate(s) will not be accepted.

### **3. Can I use a credit card by phone or paper application?**

The office cannot accept a licensee's credit card by phone or written on an application. The only acceptable method to charge is online renewal.

### **4. I did not pay my taxes. How will this affect my renewal?**

If your tax payments are not current, the Board cannot issue a license to you until your taxes are paid or accounted for payment. Any renewal applicant who may owe outstanding taxes or unemployment insurance contributions should satisfy these debts before attempting to renew his or her license. If the debt cannot be satisfied, the applicant should contact the appropriate party (at the Comptroller's Office or at Labor, Licensing and Regulation) to work out a satisfactory payment plan. For questions or concerns regarding this matter, please feel free to call the Comptroller's Compliance Division at 410 974-2432 or toll-free at 1-888-674-0016, for further information.

### **5. Can I renew if I am in arrears in paying child support?**

Under Family Law Article 10-119.3, the Child Support Enforcement Administration (CSEA) under the Department of Human Resources, is authorized to refer the names of delinquent payees to health professional licensing boards to request the suspension of their professional license. The CSEA will send notification to licensing boards when a practitioner is in arrears more than 120 days under the most recent court order. If payments are not made, practitioners could face suspension of their professional license or the denial of an initial application. Practitioners will have 15 days of the date of receiving the notice of referral to a licensing board to pay the arrears in full or request an investigation of the accuracy of the information contained in the notice.

## STATISTICS FY 2016 (7/1/15-6/31/16)

### Total Active:

1065	FY 2016
1031	FY 2015
1027	FY2014
1012	FY2013
939	FY2012

### New Applications:

77	FY 2016
85	FY 2015
88	FY 2014
75	FY 2013
77	FY 2012

### Verification Requests:

34	FY 2016
46	FY 2015
38	FY 2014
20	FY 2013
49	FY 2012

### Application Basis of Total Active:

327	Applied by exam
738	Applied by accredited school

### Renewals:

329	FY 2016
453	FY 2015
407	FY 2014
420	FY 2013
374	FY 2012

### Reinstatements:

13	FY 2016
17	FY 2015
14	FY 2014
21	FY 2013
12	FY 2012

### States:

890	MD
7	DE
28	DC
18	PA
61	VA
6	WV
55	Other

### Inactive Requests:

19	FY 2016
27	FY 2015
18	FY 2014
23	FY 2013
11	FY 2012

## Mandatory Reporting Requirements

Although acupuncturists have a legal, ethical, and professional duty to keep information about their patients confidential, there are certain circumstances under which they must report particular events or conditions to the Board.

As a licensed acupuncturist, you must notify the Board if you have reasonable grounds to believe that another acupuncturist has sexually abused or is mistreating a patient or has violated any sections of the Maryland Acupuncture Practice Act.

If you obtain information from a patient about another health professional, you should advise the patient of your requirement to file the report. Mandatory reporting is your exemption to standard health professional-patient confidentiality requirements. Breach of practitioner-patient confidentiality in these circumstances does not constitute professional misconduct. On the contrary, failure to report an occurrence that must be reported by law can result in charges of professional misconduct.

Most patients are afraid to report abuse due to fear of retaliation. Mandatory reporting sometimes helps ease a patient's reluctance to report misconduct, since it becomes the practitioner's responsibility to report the misconduct to the Board.

It may help to clearly discuss the requirements and limitations of confidentiality and your legal responsibility for mandatory reporting at the beginning of your professional relationships. This may help a patient decide what he/she may wish to disclose.

## **BOARD COMPOSITION**

### **BOARD MEMBERS**

#### **CHAIR:**

**Kate Carter, L.Ac.**

PROFESSIONAL MEMBER

#### **VICE CHAIR:**

**Tom Ingegno, L.Ac.**

PROFESSIONAL MEMBER

\*\*\*\*\*

**Teal Beatty, L.Ac**

PROFESSIONAL MEMBER

**Sheryl Hongersmeier, L.Ac.**

PROFESSIONAL MEMBER

**Peter Marinakis, L.Ac., PhD**

PROFESSIONAL MEMBER

**Jan Exler, M.Ed.**

CONSUMER MEMBER

**Barbara Heller**

**Ed.D., R.N., FAAN**

CONSUMER MEMBER

\*\*\*\*\*

### **STAFF**

#### **EXECUTIVE DIRECTOR:**

**Penny K. Heisler**

[heislerp@dnhm.state.md.us](mailto:heislerp@dnhm.state.md.us)

#### **ADMINISTRATIVE OFFICER:**

**Cynthia Dobbins**

[dobbinsc@dnhm.state.md.us](mailto:dobbinsc@dnhm.state.md.us)

#### **INVESTIGATOR:**

**Danielle Vallone**

#### **BOARD COUNSEL:**

**David Finkler, AAG**

## **FAILURE TO NOTIFY BOARD ON ADDRESS CHANGE**

### **\$50.00 FINE**

Failure to notify the Board of a change in address will result in a \$50.00 fine. A change in your address can be submitted by mail or email or fax. Whenever the Board receives returned mail from the United States Postal Service, you will automatically receive a fine notice from the Board. Failure to pay the fine may result in disciplinary action against your license.

## **NAME CHANGE REQUESTS**

The Board will change a licensee's name only when a request is received in writing and proper **legal documentation** is attached (example: marriage/divorce certificate). Without this documentation, the Board will not reflect the change. Email requests for name changes will not be accepted.

***PLEASE DO NOT CALL THE OFFICE TO REQUEST ADDRESS OR NAME CHANGES.***

## **VERIFICATION OF LICENSE TO ANOTHER STATE**

To provide verification of your acupuncture license to another state, please send your verification request application, either from the other state board or the form available on our website directly to the Board with a \$100 check made payable to the Maryland Acupuncture Board. You must provide your name, license number and the state to which you would like the verification mailed. Please ensure that you provide the State's address and phone number.

## **2017 Board Meeting Schedule**

The Board of Acupuncture traditionally meets on the second Tuesday of every other month, starting at 1:00 p.m. Scheduled months are September, November, January, March, May, and July. The 2014 schedule is as follows:

**January 10, 2017**

**March 14, 2017**

**May 9, 2017**

**July 11, 2017**

**September 12, 2017**

**November 14, 2017**

All meetings are held at 4201 Patterson Avenue in Baltimore, usually at 1 PM on the first floor. These meetings are open to the public and you are encouraged to attend. Please call the Board before the meeting to confirm the proper time and room number.