

# MARYLAND ACUPUNCTURE BOARD

## Newsletter

### Summer 2014

#### BOARD CONTACT NUMBERS:

**TELEPHONE:**  
410-764-4766

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

**FAX:**  
410-358-7258

#### WEBSITE:

[www.dhmh.state.md.us/bacc](http://www.dhmh.state.md.us/bacc)

#### ADDRESS

4201 Patterson Avenue  
Baltimore, MD 21215  
Room 311

### New Changes to Acupuncture Practice Act

Senate Bill 379 – State Acupuncture Board and State Board of Dietetic Practice – Action and Penalties for Violations of Practice Acts and Supervisory Authority of Acupuncturists, Chapter 160 (2014) was signed by Governor Martin O'Malley on April 14, 2014. The new law will give the Board the authority to seek injunctive relief or issue cease and desist orders to individuals practicing acupuncture without a license and subject them to a fine of up to \$50,000. Any funds collected will accrue to the General State Fund. The Boards of Physical Therapy, Pharmacy and Psychology, Physicians and Podiatry already have this authority

The Bill would also give the Board the ability to impose a civil fine on licensees found guilty after a hearing. The fine can be used instead of or in addition to other disciplinary actions. All other health boards have this provision in their law and the Board's Counsel recommended that we attain the same authority. These fines, not to exceed \$5,000, will accrue to the General Fund and will be defined in regulation. The law will take effect on October 1, 2014.

### BOARD MEMBER VACANCIES

The appointment terms of **Grant Zhang, Corinne Axelrod and Deneb Falabella** on the Board of Acupuncture are expiring. Ms. Falabella has completed one term and is eligible for reappointment. Mr. Zhang has completed both terms and will not be eligible for reappointment. Ms. Axelrod completed her term and resigned on June 16, 2014. All 3 openings are professional member positions.

Because of the election of a new Governor this year, Board member applications are being put on a temporary hold due to MD Constitutional Provision (Article II §10A). This Provision prohibits Governor Martin O'Malley from making new Executive Appointments between the primary election, June 24, 2014, and the inauguration of the new Governor on January 21, 2015.

After the inauguration, all new applicants will be considered. **The Appointments Office is asking that potential applicants submit an application to fill Ms. Axelrod's position in November and Mr. Zhang and Ms. Falabella's position after January 21, 2015.** Please contact the Board's office to request an application or receive more information.

**The Board would like to thank both Ms. Axelrod and Mr. Zhang for their hard work, dedication and expertise while serving on the Board.**

#### Individual Highlights:

Changes in law/

Board member vacancies

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Volunteer MD Health

Corps/

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## Want to help Maryland residents during a large scale emergency?

### Join the Maryland's Medical and Public Health Volunteer Corps

The Maryland Board of Acupuncture encourages you to become a member of **MD Responds**, the primary resource for emergency public health and medical volunteers for the State of Maryland. MD Responds coordinates the recruitment, training, activation, and retention of practicing and retired physicians, nurses and other health professionals, as well as other community members. Volunteers with the MD Responds MRC are people who are eager to address their community's ongoing public health needs and to help during large-scale emergencies.

MD Responds volunteers are ready to assist with disaster and emergency response and recovery during a declared emergency. MD Responds volunteers may deliver a variety of necessary public health services during a crisis, including providing care directly to individuals seeking medical attention at state relief shelters. Volunteers may also serve a vital role by assisting their communities with ongoing public health needs (e.g., immunizations, screenings, health and nutrition education, volunteering in community health centers and local hospitals).

Membership is open to anyone over 18 years of age. New volunteers are required to complete the MD Responds Volunteer Orientation Training and should be able and willing to assist in the event of an emergency, participate in annual exercises and drills, and support ongoing public health outreach projects.

As an MD Responds volunteer, you will:

Gain access to a comprehensive emergency response and preparedness training program, with opportunities for continuing education credit and/or professional development;

Be protected by the State of Maryland worker's compensation and liability coverage during activations;

Have the option to "choose" or "not choose" to be deployed in an emergency or disaster;

Have the opportunity to make a difference in your community. **Join MD Responds today!**

Additional MD Responds Program Information:

Register: [mdresponds.dhmh.maryland.gov](http://mdresponds.dhmh.maryland.gov)

Web: [mdr.dhmh.maryland.gov](http://mdr.dhmh.maryland.gov)

E-Mail: [mdresponds.dhmh@maryland.gov](mailto:mdresponds.dhmh@maryland.gov)

Facebook: [www.facebook.com/MDResponds](http://www.facebook.com/MDResponds)

Phone: (410) 767-7772

### Tax Clearances for Renewal of License

The Board has encountered several practitioners who have experienced problems renewing their licenses due to unpaid taxes. The Budget Reconciliation and Financing Act of 2003 requires that the Board must first verify that all renewing licensees have paid all undisputed taxes and unemployment insurance contributions before renewing their license. Therefore, the Board of Acupuncture checks with the State Comptroller's Office to verify that a licensee applying for renewal has paid or satisfactorily arranged to pay state taxes before the Board can issue a license.

If your tax payments are not current, the Board cannot issue a license to you until your taxes are paid or are 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.

***PRIORITY LICENSING FOR ACTIVE DUTY MILITARY AND RECENTLY DISCHARGED MILITARY VETERANS & SPOUSES***

Pursuant to the Veterans Full Employment Act of 2013, military veterans discharged within one (1) year of application for licensing or registration qualify for expedited processing of applications and review of equivalency requests for military training. The Board will expedite review and processing of applications of any military schools or courses submitted as qualifying equivalents for required educational licensing/registration educational standards. The Board extends these privileges to active duty military, including reservists called to active duty for training or deployment. These provisions also fully apply to spouses of active duty and qualifying veterans.

Penny Heisler, the Board's Executive Director, serves as the Board liaison to any qualifying veteran, active duty service member, or dependent spouse who requires information, guidance or assistance on issues relating to licensing and registration

**ACUPUNCTURE BOARD STATISTICS**

**Total Active Licensees:**

1027 FY2014  
1012 FY2013  
939 FY2012  
865 FY 2011  
847 FY 2010  
824 FY 2009

**Of the total 2014 licenses:**

339 applied by NCCAOM exam  
  
688 applied by ACAOM accredited school  
  
862 live in MD  
4 live in DE  
30 live in DC  
12 live in PA  
64 live in VA  
5 live in WV  
6 live in other states

**New applications:**

88 FY2014  
75 FY2013  
77 FY2012  
88 FY 2011  
78 FY 2010  
89 FY 2009

**Renewals:**

407 FY2014  
420 FY2013  
374 FY 2012  
383 FY 2011  
336 FY 2010  
320 FY 2009

**Inactive Requests:**

18 FY2014  
23 FY2013  
11 FY 2012  
19 FY 2011  
26 FY 2010  
13 FY 2009

**Verification Requests:**

38 FY2014  
20 FY2013  
49 FY 2012  
37 FY 2011  
43 FY 2010  
44 FY 2009

**Reinstatements:**

14 FY2014  
21 FY2013  
12 FY 2012  
9 FY 2011  
6 FY 2010  
6 FY 2009

**BOARD COMPOSITION**

**BOARD MEMBERS**

**CHAIR:**

**Deneb Falabella, L.Ac.**  
Professional Member

**VICE CHAIR:**

**Kate Carter, L.Ac.**  
Professional Member

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**Tom Ingegno, L.Ac.**  
Professional Member

**Grant Zhang, L.Ac.**  
Professional Member

**Jan Exler**

Consumer Member

**Charles Neustadt.**

Consumer Member

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**STAFF**

**EXECUTIVE DIRECTOR:**

**Penny K. Heisler**  
([heislerp@dhmh.state.md.us](mailto:heislerp@dhmh.state.md.us))

**ADMINISTRATIVE OFFICER:**

**Cynthia Dobbins**  
[dobbinsc@dhmh.state.md.us](mailto:dobbinsc@dhmh.state.md.us)

**INVESTIGATOR:**

**Marian Ruth**

**BOARD COUNSEL:**

**Noreen Rubin, AAG**

**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)

**HAVE YOU MOVED??**

**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. 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.

**VERIFICATION OF LICENSE TO ANOTHER STATE**

To provide verification of your acupuncture license to another state, please send your verification request or form (available on website) directly to the Board with a \$50 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.

**IMPORTANT**  
**DUPLICATE LICENSES**

The Board would like to remind licensees that you are **required to post an official license in every office, clinic, or practice setting in which you are working.** It is no longer permissible to post Xerox or scanned copies of your license in your office. The Board will furnish an official duplicate of your license to any licensed acupuncturist who currently resides in Maryland, free of cost.

**The duplicate license request must be made in writing and an address must be given for each duplicate license requested.**

Only one duplicate will be granted for each office. If at any time a license is lost or destroyed, you may request a duplicate, in writing, stating the circumstance under which the license was lost or destroyed.

**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:

- Tuesday, January 14, 2014
- Tuesday, March 11, 2014
- Tuesday, May 13, 2014
- Tuesday, July 8, 2014
- Tuesday, September 2, 2014
- Tuesday, November 18, 2014

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.

**Disciplinary action:**

David Wurzel, L. Ac:

Engaged in a course of conduct that is inconsistent with generally accepted professional standards in the practice of acupuncture, and violated Md. Code Ann., Health Occ. § 1A-309(17). Mr. Wurzel agreed to abide by the terms of a Public Consent Order.

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Unit 252