

MARYLAND BOARD OF ACUPUNCTURE

4201 Patterson Avenue
Baltimore, MD 21215
Room 100

MINUTES OF THE REGULAR SESSION

MAY 14, 2013
1:00 p.m.

BOARD MEMBERS PRESENT:

Steve Kaufman, L.Ac., Chair, Corinne Axelrod, L.Ac., Vice Chair, Kate Carter, L.Ac., Deneb Falabella, L.Ac., Grant Zhang, L.Ac., Jan Exler, Consumer, Charles Neustadt, Consumer

BOARD MEMBERS ABSENT:

None

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

GUESTS:

Paula Hollinger, DHMH, Sharon Bloom, DHMH, David Wurzel, L.Ac., and Teal Beatty, L.Ac., ADS Supervisor

1. CALL TO ORDER AND ESTABLISHMENT OF A QUORUM

Mr. Kaufman called the Acupuncture Board meeting to order at 1:00 pm and a quorum was established. Mr. Kaufman asked the guests to introduce themselves.

2. APPROVAL OF MARCH 12, 2013 MINUTES

Ms. Carter moved to approve the Minutes with minor corrections and Ms. Falabella seconded the motion. The motion passed unanimously.

3. OLD BUSINESS

A. AURICULAR DETOXIFICATION PROGRAM APPROVAL

The Committee reviewed the ADS training course material presented by Mr. Wurzel and found that there were areas identified in the curriculum that did meet the requirements of the regulations:

1) The training schedule only accounts for 9 hours of didactic training, not 30, as required by regulation. Please note that didactic training must occur in the classroom setting, and may not include homework assignments.

2) Most of the 9 hours of the didactic training seem to be clinically focused. We would expect the didactic training to address the topics required in the regulations such

as the limitations and uses of the auricular treatment, the ADS scope of practice, role of auricular acupuncture in the larger addiction treatment context, how to write chart notes, Chinese medicine perspective, etc.

3) The final written assignment does not correlate with the training.

4) The course material submitted for approval to the Maryland Board should be tailored to Maryland trainees, not residents in other states, who are not already licensed acupuncturists.

Mr. Wurzel maintained that the law did not require that didactic hours take place in a classroom setting. Ms. Axelrod suggested that Mr. Wurzel read the letter and respond back to the Board's concerns, in writing, for further consideration.

B. HERBAL MEDICINE

Ms. Heisler stated that she researched the requirements for herbal certification in Maine and found that Maine regulated custom made Chinese herbal formulations. Applicants can apply by passage of the NCCAOM certification in Chinese Herbology or completion of an herb certificate training program that consists of a minimum of 450 hours. There are currently a limited number of stand-alone herbal training programs which qualify applicants to sit for NCCAOM's Chinese Herbology exam.

Ms. Soltesz stated that she recently finished reviewing New Jersey's law and that MAS is still interested in herbal certification and would like to continue researching what is available in other states.

4. NEW BUSINESS

A. INITIAL LICENSURE APPLICATION APPROVAL

Ms. Carter moved to approve the list of new applicants and Mr. Exler seconded the motion. The Board unanimously approved the list of new licensees.

B. HB 225/SB 273 – Veterans Full Employment Act

This Bill was introduced to expedite licensure of veterans and is a priority of the First Lady and Governor. Ms. Neville reported that although most Maryland Health Occupational Boards license individuals within 2 weeks, other states process applications at a much slower rate. She recommended that the Board place a check box on initial licensure applications to signal priority assistance for veterans. Ms. Rubin stated that because the law states that the training must be substantially equivalent the Board may need to define this in regulation.

C. LASER ACUPUNCTURE

Ms. Heisler stated that she received an inquiry about whether cold laser treatments were considered within the scope of acupuncture practice and if so, what is the allowable

wattage. Ms. Heisler said that she researched other states and found that cold laser was in the scope of several states. Mr. Kaufman stated that these treatments are appropriate if applied when using acupuncture diagnosis and placed on acupuncture points. Ms. Heisler will contact other boards for appropriate wattage.

D. ELECTION OF OFFICERS

Mr. Kaufman called for nominations for the position of Board Chair. Mr. Zhang nominated Ms. Axelrod and Ms. Carter seconded the motion. Ms. Axelrod accepted. Mr. Neustadt nominated Deneb Falabella and Ms. Carter seconded the motion. Ms. Falabella accepted. Votes were taken by ballot. The ballots were counted and Ms. Heisler announced that the Ms. Falabella won 5 to 2.

Mr. Kaufman called for nominations for the position of Board Vice Chair. Mr. Exler nominated Ms. Carter and Ms. Falabella seconded the motion. Ms. Carter accepted. Ms. Falabella nominated Ms. Axelrod and Mr. Zhang seconded the motion. Ms. Axelrod declined. With no further nominations, Mr. Kaufman declared Ms. Carter Vice Chair by acclamation.

E. EXECUTIVE DIRECTOR UPDATE

Ms. Heisler stated that the Health Occupational Boards were notified that the Maryland Health Care Commission (MHCCC) was raising their user fee to \$36.00 per bi-annual renewal. Ms. Heisler noted that there are some health care practitioners who are exempt from paying this fee, such as Dental Hygienists, because their average hourly wage is substantially below that of other practitioners. Ms. Heisler will work with Ms. Soltesz to determine the average hourly wage of an acupuncturist to ascertain whether acupuncturists can possibly be exempted from this fee.

The meeting adjourned at approximately 2:25 p.m.