

MARYLAND BOARD OF ACUPUNCTURE

4201 Patterson Avenue
Baltimore, MD 21215

MINUTES OF THE REGULAR SESSION

JULY 13, 2021
1:00 p.m.
GOOGLE MEET

BOARD MEMBERS PRESENT:

Brandie Armijo, L.Ac., LPN, BSN, DACM, Chair, Sherrie Black, L.Ac., RN, Esq., Vice Chair, Sheryl Hongsermeier, L.Ac., RN, Peter Marinakis, L.Ac., Ph.D., Christina Tian, DACM, CMD, MAOM, L.Ac., Barbara Huston, Consumer, Bonnie Miranda, Consumer

BOARD MEMBERS ABSENT:

None

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

VISITORS:

Erica Patterson, OAG, Lillian Reese, Regulations Coordinator, Sharon Jennings-Rojas, MUIH, Chris Sax, MUIH

CALL TO ORDER AND ESTABLISHMENT OF A QUORUM

Dr. Armijo called the meeting to order at 1:00 PM.

Dr. Armijo welcomed the guests and introduced new Board Member, Dr. Christina Tian.

APPROVAL OF MAY 11, 2021 MINUTES

Ms. Black moved to approve the Minutes as written and Ms. Hongsermeier seconded the motion. The Board unanimously approved the motion.

1. OLD BUSINESS

A. COMAR 10.26.02

Ms. Heisler stated that the proposed regulations were signed off by the Secretary and are currently at the Governor's office waiting further sign off. Ms. Reese informed the Board that the Governor's office expected to have an answer on approval to move forward by Thursday. If they are approved, they will be printed in the August 27, 2021 Maryland Register. They will then proceed to the AELR committee for final approval.

B. NCCAOM Requirement

Dr. Armijo stated that the Board decided at its last meeting to mandate the NCCAOM exam for initial acupuncture licensure application. Ms. Heisler reached out to Maryland University of Integrative Health and received a response from Mark Levine, President and CEO of University. He requested an implementation date no earlier than September 2023 to allow MUIH sufficient time to design a modified curriculum that is more directly aligned with the NCCAOM exam, to ensure that their graduates succeed on the exam. He expects the design of the curriculum modifications to be completed by September 2022. Also, MHEC and ACAOM approval processes can each take 5-7 months to complete.

MUIH requests that two groups be exempt from the NCCAOM requirement for licensure. First, would be all MUIH master's and doctoral acupuncture and herbal medicine alumni who graduated prior to the implementation date. Second, are students enrolled in MUIH's acupuncture and herbal medicine programs prior to the start of the fall 2023 trimester.

Chris Sax said that she agreed with Mr. Levine and asked that the Board enforce the new mandate for students no earlier than September 2023. Ms. Houston asked why the school chooses April, 2023. Ms. Sax stated that this timeline gives the school the chance to revise their curriculum and obtain approvals from MHEC, AACOM and the MUIH Board of Trustees. There will be approximately 62 students that will graduate before the new curriculum is established.

Ms. Heisler stated that if the bill is passed, it will not go into effect until October, 2022. Ms. Reese said that the draft should be prepared by the end of the month.

Dr. Marinakis moved to prepare a legislative change that would change existing law as follows

(i) Graduation from at least a master's level program or its equivalent in acupuncture that is:

1. Approved by the Maryland Higher Education Commission;
 2. Accredited by the Accreditation Commission for Acupuncture and Oriental Medicine;
- or
3. Found by the Board to be equivalent to a course approved or accredited under item 1 or 2 of this item; ~~or~~ AND

(ii) Achievement of a:

1. Diplomate in acupuncture from the National Certification Commission for Acupuncture and Oriental Medicine; or
2. Passing score on an examination that is determined by the Board to be equivalent to the examination given by the National Certification Commission for Acupuncture and Oriental Medicine.

He also moved to include a grandfathering clause in the uncodified section at the end of the Bill that would exempt all current licensees before the effective date of the Bill and to students that graduated by April 2023. Dr. Armijo seconded and the Board unanimously approved the motion. Ms. Reese will prepare the language.

1. NEW BUSINESS

A. Future Board Meetings

Ms. Heisler had asked the Board if they wanted to continue Board meetings virtually or resume to in-person meetings. The Board unanimously agreed to continue with virtual meetings.

B. Committees

Dr. Armijo stated that the Committees of the Board needed to be reorganized. After a brief discussion, Board members volunteered to sit on the various Committees, as follows:

Legislative/Regulatory: Sherrie Black, Peter Marinakis and Bonnie Miranda.

Disciplinary: Sherrie Black, Sheryl Hongsermeier and Barbara Houston

Scope of Practice: Brandie Armijo, Christina Tian and Peter Marinakis.

C. FY 2021 Income

Ms. Heisler reviewed the budget with the Board and stated that the FY 21 appropriation was \$295,000 and the Board's income this year was \$327,000. Renewals that were postponed due to COVID have now caught up with a total of 505 renewed this year. New applicants totaled 108.

D. Executive Director Update

Ms. Heisler informed the Board that the passage of SB 5 will require diversity training for all health practitioners during the first renewal after the effective date of the Bill, which is on April, 2022. Proof of the training will be indicated on the renewal application under signature which states "I certify". Dr. Rojas-Ortiz asked that the Board to consider mandating diversity training for all renewals and asked that this topic be added to the September Board meeting.

Ms. Dobbins requested that the Board consider moving to paperless licenses. Ms. Dobbins stated that currently when a renewal application is received, the database is updated, and then the license is printed, copied and mailed. It would save the Board a lot of time and money all around. The costs to have the licenses printed through a printing company are very expensive and with COVID and the current postal situation, some licensees are not receiving their licenses in a timely fashion or at all. With paperless licenses, renewals are received, the database is updated and the licensee can print their own license. Dr. Armijo had asked about the placement of licenses in each office where a licensee practices. Ms. Dobbins said the licensee can print them, and post them if desired. Ms. Black moved to implement a paperless licensing system and Ms. Miranda seconded the motion. The Board unanimously approved the motion.

Ms. Black Dr. moved to close the meeting at 2:15 PM to go into Administrative Session in accordance with the Maryland Open Meetings Act § 3-305(b)(2) "To protect the

privacy or reputation of individuals concerning a matter not related to public business” and Ms. Miranda seconded the motion. The Board unanimously approved the motion.