

2018

MARYLAND BOARD OF ACUPUNCTURE

NEWSLETTER

WELCOME NEW BOARD MEMBERS

Brandie Armijo, L.Ac., LPN, BSN, DAOM
Barbara Huston, Consumer
Bonnie Miranda, Consumer

Brandie Armijo, a US army veteran, is a licensed acupuncturist and practical nurse. She graduated from Midwest College of Oriental Medicine with a BS in nutrition and an MS in Oriental medicine and acupuncture. Dr. Armijo completed an additional internship at the Guangzhou University of Traditional Chinese Medicine in Guangzhou, China in 2009. In August 2018, Dr. Armijo completed her Doctorate in Acupuncture and Chinese Medicine from Pacific College of Oriental Medicine. She is also a diplomat with the NCCAOM. Dr. Armijo works full time as a module lead and clinical acupuncturist for the Complimentary and Integrated Health Department at Kaiser Permanente Mid-Atlantic, specializing in Pain Management. She also teaches Wu Ming Qi Gong and other educational workshops, as needed, for Kaiser.

Barbara Huston is a co-founder and recently retired CEO of Partners In Care Maryland, a nonprofit agency supporting older adults so that they may live in their own homes and engage in the community around them. She is a Certified Public Manager and a Harry and Jeanette Weinberg Fellow. She is also a nonprofit Standards for Excellence Licensed Consultant.

Bonnie J. Miranda retired as a member of the Senior Executive Service who last served as the Deputy Assistant Chief of Staff, Office of the Secretary, U.S. Department of Veterans Affairs. Mrs. Miranda and her staff were responsible for reviewing all submissions to the Secretary and Deputy Secretary for policy and content consistency and coordinated responses to Members of Congress. Mrs. Miranda was also responsible for coordinating sensitive cases for investigation with the White House Office of Special Counsel. She also served as Director, Office of Management, and as Head Contracting Authority for the Veterans Benefits Administration. She retired in January 2016 after serving over 32 years.

BOARD CONTACT NUMBERS

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1-800-530-2481

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4201 Patterson Avenue
Baltimore, MD 21215
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FAREWELL TO BOARD MEMBERS

Teal Beatty, L.Ac. Jan Exler, M.Ed. Barbara Heller, Ed.D., R.N., FAAN

The Board bids farewell to Teal Beatty, L.Ac. Barbara Heller, Ed.D., R.N., FAAN, for their four years of dedicated service and Jan Exler, M.Ed., who served over 8 years on the Board. All three members devoted many hours to resolve Board issues and to protect the interests of Maryland patients.

We thank them for their years of service and wish them well in their future endeavors.

2019 Legislation Session Clean Up Bill

The Board of Acupuncture established a legislative review committee to review, revise, and update the Maryland Acupuncture Practice Act to ensure that the law reflects current Board practices. As a result, the Board voted at its May 8, 2018 meeting to make several changes.

Today, many of the acupuncture schools across the country, as well as in our own state, are moving towards offering a Doctorate of Oriental Medicine (DOM) degree which offers a broad, accredited program covering several Oriental Medical modalities such as tai chi, massage, herbal medicine, dietary therapy, light and various other therapies. The Board's current statute was written 20 years ago, at a time when the Board was a part of, and supervised by, the Board of Physicians. The profession of acupuncture has grown nationally and the Board would like to update the definition of "Acupuncture" and "Practice of Acupuncture" to clarify, and more accurately reflect the therapies that are practiced by the acupuncture profession today. Below are the proposed changes:

Note: [brackets/deletions], underline/insertions

(b) "Acupuncture" means a form of health care, based on a theory of energetic physiology, that describes the interrelationship of the body organs or functions **[with an associated point or combination of points]** ACCORDING TO ORIENTAL MEDICAL THEORIES.

(2) "Practice acupuncture" includes:

(i) Stimulation of **[points of]** the body by the insertion of **[acupuncture]** needles;

(ii) The application of moxibustion; and

(iii) Manual, mechanical, thermal, **[or]** electrical, LIGHT, COLD LASER, HERBAL, NUTRITIONAL, THERAPEUTIC EXERCISE OR OTHER ORIENTAL MEDICAL therapies only when performed in accordance with the principles of oriental **[acupuncture]** medical theories AND PRACTICES.

Secondly, the Board would like to update its current training requirements. The Board believes the number of specified hours in training that is required to obtain an acupuncture license in Maryland should be deleted as they are outdated and will become increasingly so over time. Our current law states that an applicant for acupuncture licensure must receive a minimum of 1800 hours of training (established in 1994), whereas the new national requirements are well over 2,625 hours. The Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM) is the national accrediting agency that sets forth the training standards for acupuncture and Oriental medicine, and frequently changes its minimum accreditation hour requirements. Therefore, the Board believes it would be more prudent to simply state that applicants must complete, at a minimum, a master's level acupuncture degree.

Finally, the Board would like to repeal an alternate path to licensure that allows an applicant to complete a course of training found by the Board to be equivalent to a course approved by ACAOM. The Board was able to make this determination in the past as it deferred the review of all foreign and non accredited acupuncture program graduates to the American Association of Collegiate Registrars and Admissions Officers (AACRAO). Unfortunately, this organization no longer exists and the Board does not have the resources or expertise to make the determination by itself. The Board would rather require applicants who graduate from non accredited schools pass the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) exam and receive a Diplomate in acupuncture. Passage of the test would ensure to the Board that applicants graduating from non accredited schools are competent in the practice of acupuncture.

BOARD COMPOSITION

BOARD MEMBERS

CHAIR:

**Tom Ingegno, L.Ac.
PROFESSIONAL MEMBER**

VICE CHAIR:

**Sheryl Hongersmeier, L.Ac.
PROFESSIONAL MEMBER**

**Brandie Armijo L.Ac, LPN, BSN,
MSOM
PROFESSIONAL MEMBER**

**Sherri Black, L.Ac., RN, Esq
PROFESSIONAL MEMBER**

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

**Barbara Huston
CONSUMER MEMBER**

**Bonnie Miranda
CONSUMER MEMBER**

STAFF

EXECUTIVE DIRECTOR:

**Penny K. Heisler
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ADMINISTRATIVE OFFICER:

**Cynthia Dobbins
cynthia.dobbins@maryland.gov**

**INVESTIGATOR:
Danielle Vallone**

**BOARD COUNSEL:
David Finkler, AAG**

Dry Needling Is Acupuncture

The Maryland Board of Acupuncture was asked whether dry needling is acupuncture and assigned a Committee to review the matter. After researching many articles and charts demonstrating the correspondences between trigger points and acupuncture points, the Committee determined that dry needling is acupuncture and recommended that the Board vote on the matter. At its meeting on May 8, 2018, the Board unanimously approved the motion.

Neuromuscular/orthopedic acupuncture, Ashi needling, trigger point needling, etc., which may also be referred to as dry needling, may be performed by LAc's when clinically appropriate. These terms may be used by LAc's as they are widely accepted as acupuncture techniques and reflect the standard of training in credentialed schools and CEU approved programs.

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.

NO ADVICE ON INSURANCE/ BILLING ISSUES

The Board of Acupuncture receives many questions regarding the resolution of insurance issues, business set-up and legal disputes. Unfortunately, the Board has no jurisdiction to assist you on these matters.

The Board of Acupuncture's role is to issue licenses, discipline licensees, adopt or change law and regulations regarding the administration and education of its licensees and scope of practice of the profession. The Board can answer, questions on record-keeping, concerns regarding professionalism and ethics and scope-of-practice.

All insurance coverage and coding issues are between the licensee and the insurance company. Accordingly, the Board does not offer opinions or rulings on insurance coverage, payment, coding issues, etc. To seek assistance with insurance issues, the Board advises that you seek advice from your attorney or the Maryland Insurance Administration.

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 January, March, May, July, September and November. All meetings are held at 4201 Patterson Avenue, usually in Room 105.

Scheduled meetings:

November 13, 2018
January 8, 2019
March 12, 2019
May 14, 2019
July 7, 2019
September 10, 2019
November 12, 2019

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.

Professional Societies

The Board would like to remind all of its licensees that there are national and state acupuncture associations that serve to enhance your profession and work to promote the practice of acupuncture and Oriental medicine.

These societies advocate on your behalf on issues such as insurance coverage, national recognition, educational standards, and national/state laws and regulations.

It may be of interest to you to research these societies and become involved.

BILLING PRACTICES

PAYMENT DISCOUNTS

The Board recognizes only two forms of discounts as legally acceptable: "time of service payment" discounts and discounts for financial hardship.

The U.S. Department of Health and Human Services (HHS) has ruled that discounts for "cash" payments are not legal. However, it is acceptable to offer a "time of service payment" discount because it is recognized that there is an increased administrative cost to billing a third party payer and waiting to receive payment. If, for any reason, the patient does not provide full payment at the time of service, the provider must charge the patient the same rate he or she charges the insurance company. Additionally, the provider must extend the same "discount" to the insurer if an insurance company or designee could pay the provider for services the same day those services are rendered.

Discounts for financial hardship do not have a formally recognized limit. However, the Board recommends that licensees clearly document the financial hardship. A lack of insurance benefits for acupuncture is not sufficient to constitute financial hardship.

PREPAYMENT PLANS

In order to avoid possible conflicts with the Maryland Acupuncture Practice Act, the Board recommends that licensees who choose to offer prepayment plans clearly explain all terms and conditions to the patient. The Board strongly encourages licensees to reimburse expeditiously patients who cancel treatments and request reimbursement of unused payments.

SETTING UP HOME OFFICES

The Board licenses acupuncturists as independent practitioners and does not dictate where they can set up offices, except to emphasize accommodations for the disabled and maintenance of Occupational Health and Safety Administration (OSHA) standards. It is within the jurisdiction of the county or city in which the licensee works to determine any zoning requirements, and it is the responsibility of the licensee to comply with those requirements.

FREE CEU's OFFERED BY THE OFFICE OF MINORITY HEALTH DISPARITIES

The Maryland Department of Health's Office of Minority Health and Health Disparities provides free training on cultural competency for all health professionals. The Board of Acupuncture will accept up to 10 hours of cultural competency training for your CEU requirements.

The Office provides teaching tools on their website to improve cross-cultural communications skills, deliver culturally and linguistically appropriate healthcare services to diverse populations, and develop programs and policies to improve health outcomes and reduce health disparities.

Cultural competency is the ability of health organizations and practitioners to recognize individuals' cultural beliefs, values, attitudes, traditions, language preferences, and health practices and apply this knowledge to influence positive health outcomes. Health literacy is the degree to which individuals have the capacity to obtain, process, and understand basic health information and services needed to make appropriate health decisions. Health information can overwhelm even persons with advanced literacy skills.

To learn more about the Office of Minority Health and Health please visit their website at:

<https://health.maryland.gov/mhhd/Pages/Cultural-And-Linguistic-Competency.aspx>

If you have questions regarding these classes, please contact the Office of Minority Health and Health directly at 410 767-6500 or toll free at 1-877-463-3454.

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4201 Patterson Ave
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