

MARYLAND BOARD OF ACUPUNCTURE
4201 Patterson Avenue
Baltimore, MD 21215
Room 105

MINUTES OF THE REGULAR SESSION

March 10, 2015
1:00 p.m.

BOARD MEMBERS PRESENT:

Kate Carter, L.Ac., Thomas Ingegno, 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 David Finkler, AAG

GUESTS:

Paula Hollinger, Sharon Bloom, Teal Beatty, L.Ac.

1. CALL TO ORDER AND ESTABLISHMENT OF A QUORUM

Ms. Carter called the Acupuncture Board meeting to order at 1:00 pm and a quorum was established. Ms. Heisler informed the Board that Ms. Falabella notified her on March 9, 2015 that she was resigning from the Board. Ms. Carter wanted to go on record and thank Ms. Falabella for her dedicated years of service as a Board member, and as Board Chair, and for the wealth of knowledge she shared with the Board. Ms. Carter stated that Ms. Falabella did an excellent job guiding the Board through many difficult issues and wished her the best of luck in her future endeavors.

2. APPROVAL OF JANUARY 13, 2015 MINUTES

Mr. Ingegno moved to approve the Minutes as written and Mr. Zhang seconded the motion. The motion was unanimously approved.

3. OLD BUSINESS

A. DRY NEEDLING REGULATIONS

Ms. Heisler informed the Board that she and Deneb Falabella attended the Senate Hearing on SB SB-0580, State Board of Chiropractic and Massage Therapy Examiners and State Board of Physical Therapy Examiners - Dry Needling - Registration Requirements on Thursday, March 5, 2015. The Board provided the Senate Committee a Letter of Information. The Board suggested in the letter that the definition of dry needling was too broad. The Board also suggested clarification in the Bill to define that

dry needling does not constitute the practice of the full discipline of acupuncture and Oriental medicine. Because the Board does not consider the Maryland Higher Education Commission to be the appropriate authority to approve these training programs, the Board recommended that its reference be deleted. The Board also recommended that to protect the public, entry-level dry needling education should be offered as an organized program of study designed to give a thorough introductory knowledge-base in theory, technique, and application. Finally, the Board stated that public welfare would be best safeguarded if the institutions designing and offering dry needling coursework are accredited or offer programming that is accredited by an agency recognized by the U.S. Department of Education.

During the hearing, Senator Conway informed representatives of the Boards of Physical Therapy, Chiropractic and Acupuncture and the respective professional associations that the bill would not pass through the Education, Health, and Environmental Affairs Committee. She advised all parties to get their position on the record and that the Boards must get together to cohesively work out a regulation. Ms. Heisler and Mr. Ingegno plan to attend the House hearing tomorrow, Wednesday, March 11, 2015.

B. LEGISLATION 2015

Ms. Heisler informed the Board that the Board's Bill, SB 50 State Acupuncture Board-Disciplinary Procedures-Judicial Appeals and Prohibition on Stays, passed through the Senate 47-0. Ms. Heisler stated that she did not think HB 232, was going to pass through the House. The Bill would prohibit an acupuncture licensee from staying a Final Order of the Board pending judicial review and prohibit a hearing of charges filed by the Board from being stayed or challenged by procedural defects alleged to have occurred before the filing of charges.

C. SCOPE OF PRACTICE

Mr. Zhang moved to table this item until the next Board meeting and Mr. Neustadt seconded the notion. The motion was unanimously approved.

4. NEW BUSINESS

A. INITIAL LICENSURE APPLICATION APPROVAL

After review of the list of applicants by the Board, Mr. Ingegno moved to approve the list of applicants and Mr. Zhang seconded the motion. The Board unanimously approved the motion.

B. EXECUTIVE DIRECTOR UPDATE

Ms. Heisler informed the Board that with the resignation of Ms. Falabella, there are now 3 board member vacancies. She has made Ms. Kim Bernnardi, Administrator of the Office of Appointments and Executive Nominations aware of the vacancies and urgency of the matter.

The meeting adjourned at approximate 1:40 p.m.