

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

MINUTES OF THE REGULAR SESSION

MARCH 8, 2016
1:00 p.m.

BOARD MEMBERS PRESENT:

Kate Carter, L.Ac., Thomas Ingegno, L.Ac., Teal Beatty, L.Ac., Sheryl Hongsermeier, L.Ac., Peter Marinakis, L.Ac., Ph.D., Jan Exler, M.Ed., Consumer, and Barbara Heller, Ed.D., R.N., Consumer

BOARD MEMBERS ABSENT:

None

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

GUESTS:

Camille Klinker, L.Ac., MAS, Kristen Neville, DHMH, Sharon Bloom, DHMH, David Wurzel.

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. Carter began the meeting by having the guests introduce themselves.

APPROVAL OF JANUARY 12, 2016 MINUTES

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

1. OLD BUSINESS

A. SCOPE OF PRACTICE

Mr. Ingegno stated that the Washington State Board recently passed a law to include injection therapy in its scope of practice. The Washington Board's compound list is broad and includes sterile water, saline, vitamins and homeopathic substances.

Mr. Ingegno suggested that the Board consider adding the ability to order lab testing in its scope. Mr. Finkler stated he is unsure whether ordering lab work is in the Board's scope and will provide the Board with a copy of the Naturopath's statute for comparison. Mr. Ingegno will continue to work with the Committee to prepare a regulation.

B. DRY NEEDLING REGULATIONS

Ms. Heisler informed the Board that Secretary Mitchell has not rescheduled the meeting between the Acupuncture and Physical Therapy Boards, leaving the dry needling regulation still pending. She stated that the Board had agreed to provide the Physical Therapy Board with courses for its dry needling curriculum to better ensure public safety, but to date, she has not been able to locate anyone to provide such coursework. Ms. Carter stated that she would create a Committee to assist in designing a safe curriculum.

C. LEGISLATION 2016

Ms. Heisler informed the Board that SB 1083 is being heard in the Senate next week. The Bill requires the Secretary to adopt regulations for the supervision of Boards that are mostly composed of individuals who regulate the profession. This bill was drafted by the Attorney General's Office in response to the Supreme Court ruling in the North Carolina State Board of Dental Examiners v. Federal Trade Commission. Mr. Finkler stated that the Bill was drafted to protect the boards from anti trust lawsuits.

Ms. Heisler stated that the Boards collectively believe that the bill is too broad and overreaching. She stated that the Boards were never consulted for input. The Boards believe that the provisions in the bill should be limited to only those decisions that could be construed as anticompetitive. The Boards are meeting with Delegate Hammen next week to discuss their concerns.

D. REGULATION GUIDEBOOK

Mr. Finkler stated that he and Ms. Heisler reviewed the Guide Book to remove any policy that should be in regulation such as CEU extensions and the issuance of interim numbers. Dr. Heller questioned the policy of issuing interim numbers. Ms. Heisler stated that a lot of Boards allow staff to credential and issue licenses without the formality of approval at the Board meeting. She suggested placing this on the agenda for discussion at the next meeting. Dr. Heller also questioned whether it was appropriate for animals and humans to be in the same treatment room. Ms. Heisler stated that she remembered doing research on this policy, and found that the CDC did allow this practice, but she will check again to make certain. Dr Heller questioned whether applicants could be required to undergo a psychological test before being granted a license. Mr. Finkler stated that that is a regulatory matter and is not relevant to the Guide Book discussion.

3. NEW BUSINESS

A. SENIOR RENEWAL DISCOUNT

Ms. Heisler informed the Board that she received a letter from a senior practitioner requesting that the Board consider a fee reduction for senior practitioners over 70 years old. Ms. Heisler stated that she would calculate the costs involved and prepare an analysis for the next board meeting.

B. INITIAL LICENSURE APPLICATION APPROVAL

Mr. Exler moved to close the regular meeting at 3:15 PM and move into Executive Session to discuss an application. Mr. Ingegno seconded the motion and the motion passed unanimously.

Ms. Carter reopened the meeting at 3:50 PM. After review of the list of applicants for approval of acupuncture licensure, Mr. Ingegno moved to approve the list and Mr. Exler seconded the motion. The motion passed unanimously.

The meeting adjourned at approximately 3:55 PM.