

MARYLAND BOARD OF ACUPUNCTURE

4201 Patterson Avenue

Third Floor

Baltimore, MD 21215

MINUTES OF THE REGULAR SESSION

November 7, 2023 1:00 p.m. via **GOOGLE MEET**

BOARD MEMBERS PRESENT:

- Sherrie Black, L.Ac., RN, Esq., Board Vice Chair,
- Christina Tian, DACM, CMD, MAOM, L.Ac., Professional Member
- Christina Van Norman, D.OM, M.OM, M.Ac, L.Ac
- Sharon, Jennings-Rojas, DOM, M.Ac., L.Ac., RT
- Barbara Huston, Consumer Member
- Iola V. Purnell, Consumer Member

BOARD MEMBERS ABSENT:

- Brandie Armijo, DACM, Dipl. Ac (NCCAOM®), LPN, BSN, Clinical Acupuncturist, Board Chair

BOARD STAFF PRESENT:

- Tiffany Smith-Williams, Executive Director
- Stephanie K. Coley, Deputy Director/Licensing Administrator
- David Finkler, Assistant Attorney General, Board Counsel
- Lillian Reese, Legislative and Regulations Coordinator

GUESTS:

- None

A. CALL TO ORDER AND ESTABLISHMENT OF A QUORUM

Board Vice Chair Black called the meeting to order at 1:06 p.m. Attendance confirmed for six of seven board members. Quorum confirmed with six present members. Other MDH, Health Boards and Commissions staff recognized. No guests present. Meeting led by the Board Vice Chair in the absence of the Chair.

B. APPROVAL OF SEPTEMBER 12, 2023 MINUTES

The Board Vice Chair opened the meeting with a request to approve the September 12, 2023 meeting minutes as written. Inquired about feedback or suggested edits. There were no comments. Professional Member Jennings-Rojas made a motion to accept the distributed September meeting minutes as written. Professional Member Tian seconded the motion. The vote was unanimous.

C. LICENSE RENEWAL STATUS SUMMARY

Summary presented by Deputy Director Coley.

Activity since June 2023 is as follows:

- Acupuncturists:
 - New Licensed - 41
 - Reactivated - 4
 - Reinstated - 8
- ADS:
 - New Registrations - 3

Fall 2023 renewal statistics are as follows:

Universe	Activity as of November 6th
<ul style="list-style-type: none">● Active Acupuncturists - 322● Audits due - 32● Active ADS - 32	<ul style="list-style-type: none">● Applications to practice:<ul style="list-style-type: none">○ Submitted - 174 Approved - 140● Applications for inactive status - 3● Audits completed - 18

The Fall renewal season started on October 1st for licenses that expire on November 30th. The grace period to renew is the month of December. The ADS renewal season started on November 1st for registrations that expire on December 31st.

The Board executed its inaugural postcard mailing for the fall renewal season. 323 postcards were mailed (one card mailed to the Board). As of the date of the meeting, 310 postcards (95.98%) have been confirmed delivered. Deputy Director Coley shared that a few Licensees called to discuss the content of the postcard. Specifically, before receiving the postcard, they were unaware that implicit bias training was a renewal requirement.

Vice Chair Black inquired about the possibility of printed licenses being distributed by mail in the future. Deputy Director Coley confirmed that such activity is a goal and asked Executive Director Smith -Williams to share details. The Executive Director confirmed the plan to mail paper licenses for all licenses issued between July 1 - December 31, 2023, in early 2024. The Executive Director further shared that the postcard mailing was a pilot to test the mailing house services of the vendor. These services include access to a report that confirms delivery of every piece of mail and pre-mailing address validation.

D. INDUSTRY CONVERSATIONS

Animal Acupuncture

The Executive Director connected with the President of the American Board of Animal Acupuncture (ABAA). The President shared the following:

- The Accreditation Commission for Acupuncture and Herbal Medicine (ACAHM) no longer credentials animal acupuncture programs. ABAA is the only certification agency for licensed acupuncturists practicing animal acupuncture in the United States.
- ABAA incorporated in 2013
- After the Maryland University of Integrative Health (MUIH) terminated the animal acupuncture program, ABAA moved the program to the Phoenix Institute of Herbal Medicine and Acupuncture (PIHMA) in Arizona. Program growth to institutions in other States is being explored.
- At present the standard for certification is higher than the 135 hours in MD regulation.
- ABAA certified practitioners must renew every four years and report 20 CEUs. These CEUs are National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) approved.
- Practitioners that received a certificate to practice animal acupuncture before 2013 are grandfathered as it pertains to their ability to practice but are not ABAA certified.

Auricular Detoxification

Board staff met with NADA leadership local chapter President Dr. Warren Leggett and National President Dr Kenneth Warren. The discussion points were as follows:

- strengthening Auricular Detoxification Specialists (ADS) presence in MD to address the growing number of addicted residents;
- considering the inclusion of re-registration competency requirements; and
- increasing the number of practitioners that qualify to become registered ADS and ADS supervisors.

In both meetings the practice leadership was advised that the Board would be briefed on the information shared and the appropriate committee will address future action, as needed. The Vice Chair inquired if Professional and NADA member Jennings-Rojas would be willing to help the Board address the ADS discussion points. She responded in the affirmative. This information will be included in the Board's Octennial Regulatory Review.

E. TECHNOLOGY UPDATES

Telephone System Upgrade

The Health Professions Boards & Commissions IT Team is still working with the State approved vendor to draft a detailed proposal to present to HPBC leadership for approval. This includes elements such as determining the best level of service required based on the number of outgoing calls, equipment needs, and costs - one time and ongoing. The IT Director has inquired with the current system vendor about phone usage statistics.

MIS

The Health Professions Boards & Commissions are drafting an RFP with the guidance of the Procurement Team.

F. LEGISLATION & REGULATION

Board of Occupational Therapy Practice

The Board voted on the revised dry needling legislation drafted in cooperation by the Boards of Occupational Therapy and Acupuncture. The vote was successful. The Vice Chair called for a motion to ratify the work done by the Legislative Committee, on behalf of the Board of Acupuncture. The motion was made by Consumer Member Huston and seconded by Consumer Member Purnell. The vote was unanimous.

Regulatory Review

First, the Octennial Regulatory Review for COMAR 10.26 is ongoing. Next, in response to the passing of SB187 - Health Occupations - Licenses, Certificates & Registrations - Lawful Presence & Identification Numbers, the Board has added content to the website to guide applicants that do not have Social Security or Individual Taxpayer Identification Numbers. Finally, the Board has received inquiries about the status of Acupuncturists being able to offer acupoint injection and ordering labs for patients. Board Counsel shared that neither the Board or its staff is authorized to give legal or practice advice, nor interpret the statutes for Licensees or the general public. The Executive Director shared that the acupoint injection letters of opposition are being reviewed and analyzed to map the opposition categories, the number of times expressed and by whom. This information will be used to strategize the Board's outreach to each opposition letter author.

Sunset

The MDH Secretary has notified the nine Boards scheduled for sunset reviews of the amount of time she will be submitting for approval in the 2024 legislative session. The Board requested the customary 10 years. The Secretary approved three years. The Board inquired of the Legislative and Regulatory Coordinator to learn if she had any insight about the decision and suggestions on how to proceed. She shared that ten years no longer seems to be the industry standard nationwide. She also shared that the Board could: (1) accept the bill as written; (2) submit a position paper requesting ten years; or (3) submit a position paper requesting a compromise such as five years. The vote on the course of action was deferred until the January 2024 meeting.

G. OPEN DISCUSSION

None offered.

H. ADJOURNMENT

The Vice Chair made a motion to close the regular, open session meeting and transition to the administrative/quasi-judicial meeting. Professional Member Van Norman made the motion and Professional Member Tian seconded. The vote was unanimous. The meeting transitioned at 1:57pm.