

MARYLAND BOARD OF ACUPUNCTURE

4201 Patterson Avenue

Third Floor

Baltimore, MD 21215

MINUTES OF THE REGULAR SESSION

September 12, 2023 1:00 p.m. via **GOOGLE MEET**

BOARD MEMBERS PRESENT:

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

None

BOARD STAFF PRESENT:

- Tiffany Smith-Williams, Executive Director
- Stephanie K. Coley, Deputy Director/Licensing Administrator
- David Finkler, Assistant Attorney General, Board Counsel
- Kimberly Link, J.D., Senior Advisor for the Health Boards
- Lillian Reese, Legislative and Regulations Coordinator
- Zakiyyah Holmes, Administrator, Boards and Commissions, Office of the Secretary

GUESTS:

- Dr. Denise Tyson, MBA, DOM, LAc, ADS, President, MD Acupuncture Society
- Dr. Lynne Vance, DACM, BSN, Vice President of External Affairs, MD Acupuncture Society
- Patricia Lott, L.Ac., Dipl. Ac.(NCCAOM®)

A. CALL TO ORDER AND ESTABLISHMENT OF A QUORUM

Board Chair Armijo called the meeting to order at 1:01 p.m. Attendance confirmed for each board member. Quorum confirmed - seven members present. Other MD Department of Health Boards and Commissions staff recognized. Guests also noted.

B. INTRODUCTION OF NEW BOARD MEMBERS AND STAFF

The Executive Director introduced the newly appointed board members and shared the exit of another board member that has reached service term limits. The Executive Director additionally introduced the Board's new Deputy Director. They are as follows:

- Newly Appointed
 - Christina Van Norman, Professional Member
 - Sharon Jennings-Rojas, Professional Member
 - Iola V. Purnell, Consumer Member
- Exiting Due to Term Limits
 - Peter Marinakis, Professional Member.
- Staff
 - Stephanie K. Coley, Deputy Director/Licensing Administrator

All board vacancies are now filled and the Board is fully staffed.

C. APPROVAL OF MEETING MINUTES

The Board Chair requested approval of the May 9, and June 20, 2023 meeting minutes as written, inquiring if there are any comments or feedback. None were offered. Board Vice Chair Black made a motion to accept the distributed May and June meeting minutes as written. Consumer Member Huston seconded the motion. The vote was unanimous.

D. LICENSING RENEWAL STATUS

The Executive Director reported the following licensee statistics:
Overall Population:

- Acupuncturists
 - Active 1213, Inactive 323 & Non-renewed 1296
- ADS
 - Active 32 & Non-renewed 79

Spring 2023 - May 31st Expiration

- Acupuncturists
 - Renewed 226, Reinstated 6 & New Applicants 91
- ADS
 - New Applicants 1

Fall 2023 - November 30th Expiration

- Acupuncturists
 - Active 322, Inactive 5 and 32 will be audited for CEU compliance

Annual Managing for Results (MFRs) data shared. This information is as follows:

Annual MFR #s - Managing For Results	Actual FY 22	Actual FY 23	Predicted FY 24	Estimated FY 25
# New Licenses	127	91	107	99
# New Licenses Issued - 10 days or less	127	91	107	99
# License Renewals	511	475	511	499
# Licenses Renewed Completed -5 days or less	511	451	511	499
# Complaints Received	6	10	5	5
# Complaints Investigated Timely	5	9	5	5

Annual Units of Measure budget and revenue data shared. This information is as follows:

Actual FY 22	Actual FY 23	Estimate FY 24	Projection FY 25
\$253,585	\$274,853	\$339,154	\$339,706

E. NEW PROCESS INVESTIGATION

- **Renewal Postcard**

The Executive Director shared a communication idea gleaned from a few other Boards (e.g., Board of Dietetic Practice, the Board of Dentistry & the Board of Physicians). She investigated the cost of mailing postcards to Licensees once every renewal cycle. A State contracted vendor, Strategic Factory, provides the service for a reasonable cost. The vendor will also act as the mailing house for the cost of postage. The purpose of the postcards is to diversify the Boards communication resources and encourage more timely renewal activity amongst Licensees. The Board was amenable to the idea.

- **Licenses**

The Executive Director shared an idea that will allow the Board to resume offering printed licenses. The State contracted vendor, Strategic Factory, does not print licenses on the dot matrix-type printer paper used by the Board in the past. However the vendor can re-create the license format digitally and print it on security paper. This operational adjustment would allow the Board to resume issuing licenses on a limited basis. The vendor can also act as a mailing house for this project for the cost of postage. The cost for this service is also reasonable. It was recalled by Board Counsel that a vote was taken

to cease the printing of licenses in 2021, therefore another motion should be made to restart the process.

Vice Chair Black made a motion to move forward with reprinting licenses, using a vendor. Consumer Member Huston seconded the motion. The vote was unanimous.

F. OFFICE OF LEGISLATIVE AFFAIRS (OLA) QUADRENNIAL AUDIT

OLA staff is onsite to perform its statutory audit. The entrance meeting was held on Monday, August 14, 2023. The audit term is predicted to run through the end of the year.

G. TECHNOLOGY UPDATE: TELEPHONE & NETWORK

- Telephone System Update
IT has engaged State approved vendors to upgrade the current office phone system from analog to digital. No final decisions have been made, however the goal is to complete the conversion prior to the existing analog phone maintenance contract ends.
- MIS
Board Executive Directors had the opportunity to view a demonstration of the Board of Physicians current MIS. This is being investigated as an option for a new MIS in addition to the release of an RFP to collect proposals.

H. LEGISLATION & REGULATION

- Board of Occupational Therapy Practice (OTP)
OTP responded to the Board's letter expressing concerns about dry needling being added to the health profession's scope of practice. OTP is willing to meet and discuss the Board's concerns. The Board Executive Directors will identify meeting dates and times.
- Regulatory Review
The Board's amendments of COMAR 10.26.02 & .06 were approved by the Secretary and received no public comments. A vote is required to adopt as proposed. The motion was made by Consumer Member Barbara Huston and seconded by Consumer Member Iola V. Purnell. The vote was unanimous.
- Regulatory Review
It is the Board's time for an octennial review of its regulations' subtitle under the Regulatory Review and Evaluation Act. The work plan is due by **October 1, 2023** and the evaluation reports themselves are due **October 1, 2024**. The Legislative and Regulatory Coordinator shared some details about the process.

I. OPEN DISCUSSION

Guest MAS President inquired about previously submitted regulatory changes and when these changes might be resubmitted. The Executive Director and Board Counsel responded. Summarily, there are plans to resubmit, however meetings with the groups that opposed the change are necessary to increase the likelihood of success.

Guest Lott requested clarification about what was being discussed. Clarification provided citing acupoint injection.

Guest MAS Vice President of External Affairs commented that the opposition was not that great and that one lobbyist represented multiple groups. The Legislative and Regulatory Coordinator commented that 8 comments were submitted to the Secretary, which was enough for the proposal to be withdrawn.

J. ADJOURNMENT

Board Chair Armijo announced that the meeting was transitioning to its Administrative/Quasi-Judicial Session and requested that all guests log off. The regular, open session meeting transition at 1:39 p.m.