

**MINUTES
DEPARTMENT OF HEALTH
DIVISION OF MEDICAL QUALITY ASSURANCE
BOARD OF ACUPUNCTURE**

**GENERAL BUSINESS MEETING
TELEPHONE CONFERENCE CALL
May 31, 2013**

CALL TO ORDER

Ms. Clancy, Chair, called the General Business Meeting to order approximately 9:00 a.m. Those present for all or part of the meeting included the following:

MEMBERS PRESENT

Melody Clancy, AP, D.O.M., Chair
Min Tian, AP, D.O.M., Ph.D., Vice-Chair
Katherine Teisinger, AP
Barbara Thurman, AP
Herman Vega, AP, PhD, AMD, LMHC
Greg Gunter, Consumer Member

MEMBER ABSENT

Barbara Rezmer, Consumer Member

BOARD COUNSEL

Lee Ann Gustafson, Esq.
Senior Assistant Attorney General

STAFF PRESENT

Anthony Jusevitch, Executive Director
Paula Mask, Program Operations Administrator
Jacqueline Clahar-Anderson, RS II

COURT REPORTER

For The Record
PHONE: 850.222-5491
FAX: 850.224-5316

DEPARTMENT PROSECUTING ATTORNEY

Elana Jones, Esq.
Assistant General Counsel

Please note the meeting minutes reflect the actual order agenda items were discussed during the meeting and may differ from the agenda outline.

An audio of this meeting can be found by clicking on "Audio Files" at http://www.doh.state.fl.us/mqa/acupunct/acu_meeting.html

REVIEW AND APPROVAL OF MINUTES

Tab 1 March 1, 2013 General Business Meeting

Ms. Clancy made a motion to approve the minutes without any corrections. Ms. Thurman seconded the motion which carried unanimously.

ADMINISTRATIVE PROCEEDINGS

Tab 2 Roger Wang - Examination

Applicant was present without counsel.

Action Taken: After discussion Ms. Teisinger made a motion to approve the applicant for licensure. Ms. Tian seconded the motion, which passed unanimously.

REPORTS

Tab 3

A. Board Chair Report – Melody Clancy

No Report.

B. Board Counsel Report – Lee Ann Gustafson, Esq. May 2013 Rules Report

64B1-3.004 Acupuncture Examination -

Ms. Gustafson advised the board the rule will be filed soon.

64B1-4.0011 Document Necessary for Licensure Application

Ms. Gustafson advised the board the rule was noticed on May 13, 2013, and there has been a request for a public hearing on the rule.

64B1-6.010 Continuing Education for Reactivation, Reinstatement or Renewal

Ms. Gustafson advised the board the rule has been repealed and she has responded to the Joint Administrative Procedures Committee (JAPC) regarding their questions.

64B1-7.0015 Continuing Education Requirements

Ms. Gustafson advised the board the rule has been filed and is effective May 1, 2013.

2013-2014 Annual Regulatory Plan

Ms. Gustafson presented the plan to the board. Ms. Gustafson advised the Governor's office requires each board to prepare a compilation of rules which need to be amended, repealed or developed for each fiscal year.

Ms. Clancy made a motion to approve the list to be sent to the Governor's Office. Mr. Gunter seconded the motion which passed unanimously.

Executive Director's Report

Mr. Jusevitch explained the fee chart to the board using the different scenarios. After discussion Ms. Teisinger made a motion to adopt scenario number 5 of the fee chart. The motion was seconded by Ms. Thurman. Motion passed 5/1 with Ms. Melody Clancy opposing.

Prosecutor's Report

Ms. Jones advised the board there were currently seven cases where probable cause has been found, and of the seven cases, six had requested a hearing.

Ms. Clancy made a motion to allow the prosecutor to work on cases that are more than a year old. Mr. Gunter seconded the motion which passed unanimously.

Board Liaison Reports

Application Examination & Endorsement – Katherine Teisinger & Min Tian

No report.

Budget – Gregory Gunter

Mr. Gunter referred the board to the cash balance report ending December 31, 2012.

Community Relations – Barbara Rezmer

No report.

Consumer Protection – Barbara Rezmer

No report.

Continuing Education – Barbara Thurman, Melody Clancy, Min Tian, Herman Vega

No report.

Dr. Vega asked for more time to review the continuing education courses chosen for audit. After discussion it was decided the courses for audit can be reviewed over time. Ms Gustafson advised the board members they can indicate to the continuing education providers that their courses no longer meet the requirements per statute.

Ms. Tian also asked about the changes approved for the continuing education application. Ms. Mask stated she would have the corrected form ready for the next meeting.

Legislative & Rules – Melody Clancy and Min Tian

No report.

Unlicensed Activity – Melody Clancy

No report.

REVIEW OF CONTINUING EDUCATION COURSES

| | <u>Provider Name</u> | <u>Course Name</u> | <u>Course #</u> |
|--------------|--|-------------------------------------|------------------|
| Tab 4 | International Cupping Therapy Association | Contemporary Cupping Methods | 20-262392 |

- Action Taken:** Dr. Vega made a motion to deny the course based on the following:-
- a. The application did not include sufficient breakdown of continuing education hours.
 - b. The application did not describe the expected learner outcomes in behavioral terms.
 - c. Marketing is not an appropriate subject for continuing education.

The motion was seconded by Ms. Teisinger which passed unanimously.

NEXT MEETING

**September 13, 2013
Holiday Inn Suites
2725 Graves Road
Tallahassee, FL 32303
Ph: 850-536-2000**

The meeting adjourned approximately 10:50 am.