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 Gustafson advised the board the rule has been repealed and she has responded to the Joint Administrative Procedures Committee (JAPC) regarding their questions.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

	Provider Name	Course Name	Course #
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.

Advanced Cupping Techniques

20-388307

Action Taken: Ms. Teisinger made a motion to approve the course. Ms. Clancy seconded the motion, which passed 4/2 with Dr. Tian and Dr. Vega opposing.

Tab 6 Dulce Maria Corrales, LMT, AP

Medical Astrology & Home Therapeutics 20-

20-386037

Action Taken: Ms. Clancy made a motion to deny the course. Medical astrology is not within the scope and practice of acupuncture as defined in Section 457.102(1), Florida Statutes. Mr. Gunter seconded the motion which carried unanimously.

Tab 7 Massage Specialties CEUS Advanced Acupressure Study Aromatherapy for Conditions &

20-381396

Palliative Care

20-381419

Action Taken: Ms. Gunter made a motion to deny courses 20-381396 and 20-381419 based on the following:-

- **a.** The application was not completed.
- **b.** The application refers to course approved for massage therapists.

The motion was seconded by Dr. Vega and Ms. Teisinger. The motion passed unanimously.

NEW BUSINESS

Tab 9 Ratification of Licensure – 2/16/13 through 5/16/13

Action Taken: Mr. Gunter moved to ratify the new licensees, license numbers 3236 through 3276 which was seconded by Ms. Clancy and carried unanimously.

Tab 10 Ratification of Continuing Education Courses - 2/16/13 through 5/16/13

Action Taken: Ms. Thurman moved to ratify the continuing education courses list which was seconded by Mr. Gunter and carried unanimously.

Meeting dates for 2014

GENERAL BUSINESS MEETING (Friday)

February 28, 2014 June 13, 2014 September 5, 2014 December 12, 2014

After discussion Ms. Clancy made a motion to schedule all four meetings as a face-to-face meeting. The motion was seconded by Mr. Gunter and carried 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.