

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

**MINUTES OF THE REGULAR SESSION**

**JANUARY 10, 2012**  
**1:00 p.m.**

**BOARD MEMBERS PRESENT:**

Steve Kaufman, L.Ac., Deneb Falabella, L.Ac., Kate Carter, L.Ac., Grant Zhang, L.Ac., Corinne Axelrod, L.Ac., Jan Exler, Consumer, Charles Neustadt, Consumer

**BOARD MEMBERS ABSENT:**

None.

**BOARD STAFF PRESENT:** Penny Heisler, Executive Director, Cynthia Dobbins, Administrative Officer, and Richard Bloom, AAG

**GUESTS:**

Dexter Wade, ADS, Tracy Soltesz, L.Ac., MAS, Carl Jackson, ADS, Lorraine Hooker, ADS, Derek Lyde, ADS, Kara McMillan, Stephanie Vandervall, ADS, David Wurzel, L.Ac., Tara Pistorio, ADS, Kidada Fields, L.Ac., Shannon Johnson, ADS, Teal Beatty, L.Ac., Sharon Bloom, DHMH, Paula Hollinger, DHMH, and Kristen Neville, Regulations Coordinator, Boards and Commission.

**1. CALL TO ORDER AND ESTABLISHMENT OF A QUORUM**

Mr. Kaufman called the Acupuncture Board meeting to order at 1:00 pm and a quorum was established.

**2. APPROVAL OF NOVEMBER 8, 2011 MINUTES**

After review of the Minutes, Ms. Falabella moved to approve the Minutes with minor corrections and Mr. Zhang seconded the motion. The motion passed unanimously.

**3. OLD BUSINESS**

**A. AURICULAR DETOX SUPERVISION REGULATIONS**

Mr. Kaufman informed the Board that the changes to the ADS regulation, regarding the length of time for supervision and supervisor training, were reviewed and questioned by Sara Fidler, Senior Policy Analyst at the Department of Legislative Services.

Ms. Heisler stated that Ms. Fidler felt that the Board did not have the legislative authority to entirely omit supervision of an ADS, since the law (1A-316(a)(5)(iii)) states that an ADS may only perform auricular detoxification “under the supervision of an acupuncturist licensed by the State”. She advised that since there is no time limit specified in the law, the mandate is indefinite. Ms. Heisler stated that the desired changes could only be accomplished through a legislative bill.

Mr. Kaufman stated that if the community desired to lessen the supervision requirement, it was incumbent upon them to find a sponsor for a bill. Mr. Carter and Mr. Wurzel both expressed interest in moving forward with legislative changes.

#### **B. DRY NEEDLING**

Ms. Heisler stated that she was able to attain a copy of the proposed regulations on dry needling from the Executive Director of the Physical Therapy Board. Ms. Heisler shared the proposal with MAS. Ms. Soltesz stated that there is no difference between dry-needling and lifting and thrusting. She stated that she had concerns with the proposal as it provides no standards of competency for the licensee or the supervising instructor. There is also no certification process to ensure that physical therapists have completed training before they performs dry needling. And there is no mechanism to track who is performing the technique in Maryland.

Ms. Soltesz said that MAS is in the process of drafting a response and will be certain to provide the Board with a copy.

### **4. NEW BUSINESS**

#### **A. Initial Licensure Application Approval**

Ms. Carter moved to accept the list of new applicants and Ms. Falabella seconded the motion. The Board unanimously approved the list of new licensees.

#### **B. Marketing Services**

Ms. Heisler received an email inquiry questioning whether it was appropriate to utilize Groupon/ Social Networking for acupuncture services. Ms. Soltesz stated that she also questioned using Groupon and wondered whether the Board thought it permissible or would violate HIPPA regulations.

Mr. Bloom said he would look into this for the board and get back with them prior to the next meeting.

#### **C. Executive Director Update**

Ms. Heisler gave a legislative update. She said that the only bill she has received to date is HB 23. The bill would forbid dedicated state funds from being transferred to the general fund. The bill was introduced last year but died and she feels it will do the same this year.

Ms. Heisler also gave the Board an overview of the Board's budget and licensee statistics.

Ms. Falabella asked whether the Board felt it appropriate for a person who suffers with seizures to become a licensee. She questioned patient safety. Ms. Heisler stated that the Board was asked a similar question in the past concerning a blind person. At the time, members did not feel that they could deny a blind person since many blind acupuncturists are licensed in Japan. Mr. Bloom stated that the individual would have to share their impairment with the Board to ensure that safety measures are in place for his/her patients.

The meeting adjourned at approximately 2:30 p.m.