

MARYLAND BOARD OF ACUPUNCTURE

4201 Patterson Avenue
Baltimore, MD 21215
Room 105

MINUTES OF THE REGULAR SESSION

MAY 13, 2014

1:00 p.m.

BOARD MEMBERS PRESENT:

Deneb Falabella, L.Ac., Kate Carter, L.Ac., Thomas Ingegno, L.Ac., Grant Zhang, L.Ac., Jan Exler, Consumer, Charles Neustadt, Consumer

BOARD MEMBERS ABSENT:

BOARD STAFF PRESENT: Penny Heisler, Executive Director, Marian Ruth, Investigator, and Noreen Rubin, AAG

GUESTS:

Kristen Neville, Regulations Coordinator, David Wurzel, L.Ac., Teal Beatty, L.Ac. and Paula Hollinger

1. CALL TO ORDER AND ESTABLISHMENT OF A QUORUM

Ms. Falabella called the Acupuncture Board meeting to order at 1:00 pm and a quorum was established. Ms. Falabella wanted to publicly acknowledge that Corinne Axelrod decided to resign and wanted to thank her for her hard work and dedication while serving on the Board. Ms. Axelrod served as Vice Chair and as a member of the Disciplinary and Dry Needling Committees.

2. APPROVAL OF MAY 13, 2014 MINUTES

Mr. Neustadt moved to approve the Minutes and Mr. Ingegno seconded the motion. The motion passed unanimously.

3. OLD BUSINESS

A. DRY NEEDLING REGULATIONS

No report

B. ETHICS AND REGULATION GUIDE BOOK

No report.

C. LEGISLATION 2015

Ms. Heisler stated that the Board voted at the last meeting to change its statute to prohibit the stay of a suspension or revocation of a license during an appeal of a Final Order. However, Board Counsel was not present and she felt that the Board should have her input. Ms Rubin stated that the Physicians Board currently has this authority. She stated that under this provision, a physician whose license has been revoked or suspended can not continue practicing medicine while appealing a Final Order. Ms. Rubin stated that without this authority a respondent is likely to draw out their appeal because they can continue working. The prohibition of the stay of an Order usually compels the defense to expedite judicial review.

D. SCOPE OF PRACTICE

Mr. Ingegno stated the Committee has no report. The Board asked Ms. Heisler to publish an article in the newsletter to ask licensees for feedback on possible new practices in Maryland.

4. NEW BUSINESS

A. INITIAL LICENSURE APPLICATION APPROVAL

Ms. Carter moved to approve the list of new applicants and Mr. Zhang seconded the motion. The motion passed unanimously.

B. 2014 STATISTICS

Ms. Heisler provided the following statistics:

Total Active:

1027 FY2014

339	applied by exam
688	applied by accredited school
862	live in MD
4	live in DE
30	live in DC
12	live in PA
64	live in VA
5	live in WV
6	live in other states

New applications:

88	FY2014
75	FY2013

77	FY2012
88	FY 2011
78	FY 2010
89	FY 2009

Renewals

407	FY2014
420	FY2013
374	FY 2012
383	FY 2011
336	FY 2010
320	FY 2009

Inactive Requests

18	FY2014
23	FY2013
11	FY 2012
19	FY 2011
26	FY 2010

Verification Requests

38	FY2014
20	FY2013
49	FY 2012
37	FY 2011
43	FY 2010
44	FY 2009

Reinstatements

14	FY2014
21	FY2013
12	FY 2012
9	FY 2011
6	FY 2010
6	FY 2009

Ms. Carter asked Ms. Heisler to include the number of total active licenses for each year in the next report.

C. CIVIL FINE

Due to the passage of HB 304, the Board must promulgate regulations to carry out the mandates of the bill. Ms Heisler provided a draft regulation to the Board.. Mr. Ingegno moved to change 10.26.04.12 to add a civil fine against an acupuncturist who practices acupuncture in the amount of \$100 per day not to exceed \$5,000 after 30 days of expiration of license and to impose a civil fine on individual advertising or practicing

acupuncture without a license, no less than \$5,000 and no more than \$50,000 Ms. Carter seconded the motion. The motion passed unanimously.

D. EXECUTIVE DIRECTOR UPDATE

Ms. Heisler provided the year to date revenue summary for FY 2014. The Board collected approximately \$273,000 in fees. Expenses for FY 2015 are expected to be \$266,000.

Mr. Neustadt moved to close the regular session meeting at 3:10 PM. and move into executive session in order to comply with specific constitutional, statutory or judicially imposed requirements that prevent public disclosure about a particular proceeding or matter and to discuss the investigation of complaints against specific licensees. Ms. Carter seconded the motion. The motion passed unanimously.

The meeting adjourned at approximately 3:10 PM