

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

MINUTES OF THE REGULAR SESSION

SEPTEMBER 11 10, 2012
1:00 p.m.

BOARD MEMBERS PRESENT:

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

BOARD MEMBERS ABSENT:

Steve Kaufman, L.Ac.,

BOARD STAFF PRESENT: Penny Heisler, Executive Director and Richard Bloom, AAG

GUESTS:

David Wurzel, L.Ac., Kristen Neville, Regulations Coordinator, Sharon Bloom, DHMH,

1. CALL TO ORDER AND ESTABLISHMENT OF A QUORUM

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

2. APPROVAL OF JULY 10, 2012 MINUTES

After review of the Minutes, Ms. Falabella moved to approve the Minutes as written and Mr. Exler seconded the motion. The motion passed unanimously.

3. OLD BUSINESS

A. DRY NEEDLING

Ms. Axelrod stated that she and Ms. Heisler were invited to speak with Dr. Sharfstein, Secretary of DHMH via conference call to discuss concerns with the Physical Therapy Board's draft regulations. Dr. Sharfstein stated that he was going to seek public comment on the regulations by posting specific questions on the DHMH website regarding advantages or disadvantages to public health and appropriate training and safeguards to ensure safety. Written comments will be due by September 5. Ms. Axelrod volunteered to start a draft of the Board's response.

B. PRELIMINARY SUNSET REVIEW UPDATE

Ms. Heisler stated that she has been working with the legislative analyst and providing statistics on complaints, licensing and budget. The analyst said that she should have a report completed by mid October.

NEW BUSINESS

A. INITIAL LICENSURE APPLICATION APPROVAL

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

B. 2013 LEGISLATION

Ms. Heisler stated that the Boards have been working on joint legislation as follows:

- Health Occupations - Revisions – this would be a cleanup bill to allow Boards to email renewal notices, set up a system to distribute renewed licenses instead of sending out hard copies by mail, giving people who assist certain Boards immunity from liability, authorizing certain Boards to investigate complaints; etc.
- Criminal History Records Checks – this bill would authorize Boards to require their new licensees to submit to a criminal history records check.
- Stay of orders - this bill would prohibit a certain order issued by certain Boards from being stayed, pending judicial review. This would prevent a licensee who is under a Board order from practicing while the order is being reviewed.
- Cease and desist-this would give Boards the authority to issue cease and desist orders for unauthorized practice. Mr. Bloom stated that this bill will have to wait as the North Carolina Dental board has been cited by the Federal Trade Commission for anti trust violations and the matter is now in court. The AG's office has recommended that the bill be put on hold until the matter is resolved.
- Civil Penalties- this would give all boards the authority to impose a civil penalty for practicing without a license, fine goes to the Board fund
- Service Members and Spouses-Temporary Certification- this bill would require boards to develop a process for temporary licensure for service members and spouses.

C. BUDGET

Ms. Heisler stated that due to her increase in hours and benefits being paid to the investigator, expenditures are now higher than revenue. Ms. Axelrod requested that an ad hoc committee be formed to review the budget and make recommendations for possible cuts at the next board meeting. Ms. Falabella, Mr. Neustadt and Mr. Exler volunteered to sit on the committee.

D. EXECUTIVE DIRECTOR UPDATE

None

The meeting adjourned at approximately 2:00 p.m.