

<< DRAFT UNAPPROVED >>

ADVISORY BOARD ON ACUPUNCTURE
MINUTES

Wednesday, October 3, 2012
Perimeter Center
9960 Mayland Drive
Board Room 3, 2nd Floor
Henrico, Virginia

The Advisory Board on Acupuncture met on Wednesday, October 3, 2012 at 10:00 a.m. at the Department of Health Professions at 9960 Mayland Drive, Henrico, VA 23233.

MEMBERS PRESENT: Elaine Komarow, L. Ac., Chair
Lynn Almloff, L. Ac., Vice Chair
Mari Eder
Chheany Ung, MD

MEMBERS ABSENT: Floyd Herdrich, L. Ac.

STAFF PRESENT: William L. Harp, MD. Executive Director
Alan Heaberlin, Deputy Executive Director-Licensing
Elaine Yeatts, Senior Regulatory Analyst
Beulah Baptist Archer, Licensing Specialist

GUESTS PRESENT: Matthew Stanley -ASVA
Janet L. Borges - ASVA
Paul Millea, MD – Virginia Medical Acupuncture Society

CALL TO ORDER

Ms. Komarow called the meeting to order.

EMERGENCY EVACUATION PROCEDURES

Dr. Harp announced the Emergency Egress Procedures

ROLL CALL - The roll was called and a quorum was declared.

APPROVAL OF MINUTES FROM February 2, 2011

Ms. Almloff moved to adopt the minutes of February 2, 2011. The motion was seconded and carried.

ADOPTION OF AGENDA

Dr. Ccheany Ung moved to adopt the agenda. The motion was seconded and carried.

PUBLIC COMMENT ON AGENDA ITEMS

Matthew Stanley stated that the Acupuncture Society of Virginia would have items prepared for submission for regulatory review.

New Business

1. Regulatory / Legislative Report –Elaine Yeatts

Review of Legislation-2012 Session of the General Assembly

Ms. Yeatts informed the Advisory Board of legislative changes made during the 2012 Session of the General Assembly. No action was required. Additionally, Ms. Yeatts explained that a comprehensive review of the regulations for acupuncture should be conducted to determine if any regulations should be repealed. There will be a period for public comment.

Lynn Almloff requested information from Dr. Harp regarding a request from the February 2, 2011 meeting to obtain information about dry needling by chiropractors.

Dr. Harp recalled for the Advisory that this issue had been on its October 2010 meeting for information. He also read the decision of the Board of Medicine from its October 2010 meeting on this matter. William Ward, DC, had presented to the Board which had opined that dry needling fell within the scope of practice for chiropractic. Dr. Harp provided information from Dr. Ward to the Advisory about the training developed for chiropractors who sought to do dry needling. He said there is a 12-14 hour weekend course for chiropractors that reviews and teaches anatomy, muscles, insertions, trigger points and needle angle. Chiropractors doing dry needling have patients sign a disclaimer that the myofascial treatment is not acupuncture.

2. Regulatory Review for Graduates of Foreign Schools

Elaine Komarow inquired whether professional certification by NCCAOM was sufficient to license acupuncturists in Virginia. She believed that accrediting agencies should opine in their reports if the applicant's level of education meets the requirements of the Virginia Regulations Governing the Practice of Licensed Acupuncturists required by the regulations.

Dr. Harp stated that it is sometimes difficult to determine how the credit hours in transcripts translate to clock hours referred to in the Board's regulations. He suggested changes to the application instruction sheet that would clearly indicate the Board's requirement for didactic

educational hours and clinical hours, such that the applicant would know what they need to present to the Board.

3. Regulatory Review for Unlicensed Practice under Supervision

Lynn Almloff inquired if current regulations provide for a unlicensed person to perform acupuncture under the supervision of a L.Ac. in Virginia.

Elaine Yeatts indicated there is no current language in the Regulations for unlicensed personnel. Delegation to an unlicensed person must be strictly for nondiscretionary tasks. In the training setting, it is the responsibility of the supervising licensee to ensure that the student is performing tasks for which he/she is trained, and that there is no risk to the public.

Dr. Harp stated that students should be under continuous supervision and that supervisors should be immediately available.

4. License Renewals Having NCCAOM Certification

Concern was expressed that some acupuncturists might be renewing although their NCCAOM had expired. Lynn Almloff stated that perhaps attestation of continuing education might be a reasonable alternative to requiring current NCCAOM. Mari Eder asked to include this topic in the Regulatory Review.

Lynn Almloff motioned to draft the language for attestation of CE's at renewal. Dr. Ung seconded. Motion carried. Ms. Almloff will submit language for the regulatory review to try and effect this change.

5. Review of Applications- Alan Heaberlin

Elaine Komarow motioned to table the review of applications for Licensed Acupuncturists until February 2013. Lynn Almloff seconded.

6. Meeting Calendar for 2013

Dr. Harp reviewed the meeting calendar for 2013 with the Advisory Board. No action was required.

7. Election of Officers

Lynn Almloff moved to nominate Elaine Komarow to serve as Chair.

Dr. Ung moved to nominate Lynn Almloff for Vice Chair. The motions were seconded and carried.

8. Conflict of Interest Training

Mr. Heaberlin provided instructions to the Advisory Board members regarding completion of the Conflict of Interest training.

ANNOUNCEMENTS

Dr. Harp further introduced Alan Heaberlin, Licensing Supervisor, to the Advisory Board.

Mr. Heaberlin informed the Advisory Board that there are currently 445 licensed acupuncturists.

NEXT SCHEDULED MEETING: February 6, 2013

ADJOURNMENT

Lynn Almloff motioned to adjourn the meeting of the Advisory Board on Acupuncture. Mari Eder seconded. Motion carried.

Elaine W. Komarow, L.Ac., Chair

William L. Harp, M.D., Executive Director

Beulah Baptist Archer, Licensing Specialist