

**MINUTES  
DEPARTMENT OF HEALTH  
BOARD OF ACUPUNCTURE  
GENERAL BUSINESS MEETING  
JUNE 11, 2010**

**Renaissance Tampa Hotel  
International Plaza  
4200 Jim Walter Blvd.  
Tampa, FL 33601  
813.877.9200**

**CALL TO ORDER**

Katherine Teisinger, 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**

Katherine Teisinger, AP, Chair  
Barbara Thurman, AP, Vice Chair  
Melody Clancy, AP, D.O.M.  
Barbara Schwartz, AP  
Min Tian, AP, D.O.M., Ph.D.  
Greg Gunter, Consumer Member

**STAFF PRESENT**

Paula Mask, Program Operations Administrator  
Jacqueline Clahar-Anderson, Regulatory Specialist II

**COURT REPORTER**

American Court Reporting  
407.896.1813

**MEMBER ABSENT**

Barbara Rezmer, Consumer Member (Excused)

**BOARD COUNSEL:**

Lisa Comingore, Esq.

**DEPARTMENT PROSECUTING ATTORNEY:**

Patricia Smith, 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.***

***(Agenda moved out of order)***

**REVIEW AND APPROVAL OF MINUTES**

**Tab 13 March 5, 2010 General Business Meeting Minutes (Addendum)**

**Action Taken:** Ms. Schwartz made a motion to approve the minutes with the following corrections:

- Add CE liaison report

Ms. Thurman seconded the motion, which passed unanimously 6/0

**ADMINISTRATIVE PROCEEDINGS**

**Examination:**

**Tab 1 Richard Greene – Continued from December meeting**

**Action Taken:** Mr. Gunter made a motion to table the application as Mr. Greene has not completed the required program at this time. Ms. Clancy seconded the motion which carried unanimously 6/0.

## **Petition for Variance and Waiver of Rule:**

### **Tab 2 Rhonda A. Bilsker**

Ms. Bilsker was not present.

The Board discussed her request for the CE hours completed on February 27, 2010 to be counted for the new biennium 3/1/10 – 2/28/12.

**Action Taken:** Ms. Thurman made a motion to deny the request for waiver. Ms. Schwartz seconded the motion which carried unanimously 6/0.

## **DISCIPLINARY PROCEEDINGS**

### **Settlement Agreement:**

#### **Tab 3 Tin Chow, AP**

**Case # 2009-12635**

**PCP: Gunter and Ervolino**

Respondent was present without counsel. Ms. Smith represented the department. Mr. Gunter was recused as he was on probable cause panel.

The department filed an administrative complaint alleging a violation of sections 457.109(1)(q), 457.109(1)(r), and 457.109(1)(p), F.S.

Ms. Schwartz moved to reject the Settlement Agreement as presented. Ms. Teisinger seconded the motion which carried 5/0.

Ms. Clancy moved to approve a counter-offer Settlement Agreement to impose the following penalty:

- Suspension for one (1) year
- Probation for one (1) year with direct supervision
  - Board delegated authority for chair to select the supervisor from three (3) CV's of licensed acupuncturists which Respondent shall submit to the board office no later than three (3) months prior to the end of the suspension
  - Appear prior to probation begins with monitor and appear again at meeting prior to lifting of probation
  - Monitor will submit quarterly reports on a random ten (10%) of clients to insure compliance with laws and rules in the maintenance of medical records
- Proof of completion of 20 hours of laws and rules continuing education within one (1) year of the date of the filed final order
- Proof of medical malpractice issuance within thirty (30) days of reinstatement
- Pay \$1,000 fine within two (2) years from the date of the filed final order
- Pay \$2,566.26 costs within two (2) years from the date of the filed final order
- Prohibited from using Acupoint Injection Therapy

Ms. Schwartz seconded the motion, which passed 5/0.

## **PROSECUTOR REPORT**

Informational. No action needed.

## REVIEW OF CONTINUING EDUCATION COURSES

**Tab 4 Course # 20-2648482 Hypertension 2<sup>nd</sup> Edition Health Studies Institute**

**Action Taken:** Ms. Teisinger moved to approve and Ms. Tian seconded which carried 5/1 with Ms. Schwartz opposing the motion.

**Tab 5 Course # 20-255064 Case Studies: Live Discussion on Pulse Diagnosis and Herbal Prescription Lotus Institute of Integrative Medicine**

**Action Taken:** Ms. Thurman moved to approve and Ms. Clancy seconded which carried 5/1 with Ms. Schwartz opposing the motion.

**Tab 6 Course # 20-255058 Pulsynergy Made Easy Part IV Lotus Institute of Integrative Medicine**

**Tab 7 Course # 20-255057 Pulsynergy Made Easy Part III Lotus Institute of Integrative Medicine**

**Tab 8 Course # 20-255054 Pulsynergy Made Easy Part II Lotus Institute of Integrative Medicine**

**Tab 9 Course # 20-255053 Pulsynergy Made East Part I Lotus Institute of Integrative Medicine**

The courses were tabled until one of the courses is audited.

**(Note: Course audited and all courses have been approved.)**

## GENERAL BUSINESS/CORRESPONDENCE

**Tab 10 Christopher Bickford Re: Certified Acupuncture Assistant**

Mr. Bickford was present. Mr. Bickford requested approval of a program to train persons to become an assistant to an acupuncture physician.

After discussion, the board advised there is no statutory authority to approve acupuncture physician assistants.

Later in the meeting, it was decided Mr. Bickford would contact Ms. Comingore regarding section 457.109(1)(r), F.S.

## REPORTS

**Tab 11**

**A. Board Chair Report Katherine Teisinger**

She discussed the disclaimer regarding Acupuncture licensees listed in telephone directories.

**B. Board Counsel Report Lisa Comingore**

Ms. Comingore requested input on how to proceed with rules 64B1-8.001 and 8.002, F.A.C. Mr. Freiberg will confer with Ms. Comingore regarding proposed language and she will present the proposed language at the September meeting.

Also, Ms. Comingore will present language for Rule 64B1-9.001, F.A.C., at the September meeting.

## **C. Board Liaisons**

**Application Examination & Endorsement – Katherine Teisinger** – No report.

**Budget – Gregory Gunter** – Presented report on Expenditures by Function for period ending March 31, 2010.

**Community Relations** – No report as Ms. Rezmer was absent.

**Consumer Protection** – No report as Ms. Rezmer was absent.

**Continuing Education** – Barbara Thurman, Barbara Schwartz,

Ms. Thurman requested a committee meeting be held to train the newly appointed continuing education liaisons. Ms. Comingore advised this meeting would need to be noticed. Ms. Thurman stated she would develop some training guidelines for the members.

### **Additional items discussed:**

Ms. Schwartz made a motion to open for rule development, rule 64B1-4.012, Acupoint Injection Therapies, to cross reference rule 64B1-9.001(1)(cc), F.A.C. Ms. Clancy seconded the motion which carried 6/0.

Ms. Mask will request if a question regarding AIT can be placed on the renewal notice, such as “Are you certified in AIT? Y/N and if yes, submit documentation to the board office.” Additionally she will review if a license modifier for AIT can be placed on the licensure verification screen.

Ms. Mask advised she will begin the process of developing the AIT and laser biostimulation postcard to be mailed to all licensees.

Ms. Tian noted for the record she was told she could no longer order the nutritional supplement vitamin B12 and that it was considered a pharmaceutical drug. Ms. Mask advised she would check with the Board of Pharmacy.

**Legislative & Rules – Katherine Teisinger** – No report.

Ms. Teisinger with input from the board, revised the Liaison list.

**Application** - Exam & Endorsement Liaison – Barbara Schwartz

**Budget** – Greg Gunter

**Community Relations & Consumer Protection Liaison** – Barbara Rezmer

**CE Liaisons** – Barbara Thurman, Melody Clancy, Min Tian, Barbara Schwartz

**Legislative & Rules Liaison** – Katherine Teisinger

**Unlicensed Activity Liaison** – Melody Clancy, Barbara Schwartz

**Probable Cause Panel** – Greg Gunter & Frank Ervolino

## **OLD BUSINESS**

None

## **NEW BUSINESS**

**Tab 12 Monitor Report - Re: Grace Park, AP Case #2008-09756**

Informational.

A Petition for Declaratory Statement from Matthew Enright was provided to the board members. Ms. Comingore advised the petition should be noticed and the board will be able to discuss at the September meeting.

### **ADJOURNMENT**

The meeting adjourned approximately 11:50 a.m.