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2
3 DEPARTMENT OF HEALTH
4 DIVISION OF MEDICAL QUALITY ASSURANCE
5 BOARD OF ACUPUNCTURE

6 MINUTES
7 RULES HEARING
8 September 3, 2009
9

10 Crowne Plaza Universal
11 7800 Universal blvd.
12 Orlando, FL
13
14

15 Meeting Convenes at 7:00 p.m.

16 **CALL TO ORDER**

17 Katherine Teisinger, Chair, called the Rules Hearing meeting to order approximately 7:04 p.m. Those
18 present for all or part of the meeting included the following:
19

20 **MEMBERS PRESENT**

21 Katherine Teisinger, AP, Chair
22 Barbara Schwartz, AP
23 Barbara Thurman, AP
24 Zong Lan Xu, AP
25 Greg Gunter, Consumer Member
26 Barbara Rezmer, Consumer Member
27

STAFF PRESENT

Kaye Howerton, Executive Director
Paula Mask, Program Operations Administrator
Erica Milam, Regulatory Specialist II

COURT REPORTER

American Court Reporting
407.896.1813

28 **MEMBER ABSENT**

29 Qun Wang (unexcused)
30

31 **ASSISTANT ATTORNEY GENERAL**

32 Lisa Comingore
33

34 **Introductory Comments Lisa Comingore, Assistant Attorney General**
35

36 Ms. Comingore advised the notice for the rules hearing had language that the Joint Administrative
37 Procedures Committee (JAPC) found confusing. The notice stated that written materials would be accepted
38 until August 21, 2009 which coincided with the deadline date for agenda materials. She explained the
39 dilemma was the law concerning rule hearings which states that written comments are to be received from
40 the date of the notice until the end of the rule hearing.
41

42 Originally she thought the board could extend the comment period through announcing on the record that
43 the record would remain open for 14 days beyond the hearing, but JAPC advised against that. Therefore,
44 the remedy was to proceed with the rules hearing as it stands and have another rule hearing with a
45 corrected notice beforehand in conjunction with the December meeting.
46

47 **Tab 1 Rule Hearing re: 64B1-4.001, F.A.C., Acupuncture Program Requirements**
48

49 Discussion was held and the following recommendations were made:

50 **64B1-4.001 Acupuncture Program Requirements.**

51 In order to be certified to take the licensure examination or to be eligible for licensure by endorsement, the
52 applicant must establish that he/she has met the following minimal requirements.

53 (1) For students enrolled in a program prior to August 1, 1997, applicants under this section must have
54 completed at least 900 hours of supervised instruction in traditional oriental acupuncture and at least 600
55 hours of supervised clinical experience. All applicants under this provision must have started classes no
56 later than February 1, 1998.

57 ~~(2) Applicants who apply for licensure on or after August 1, 2001 must have completed a core~~
58 ~~curriculum comparable to that of the Accreditation Commission for Acupuncture and Oriental Medicine~~
59 ~~(ACAOM) master's level program in oriental medicine with a minimum of 2700 hours of supervised~~

1 instruction:

2 ~~(a) 15 hours of supervised instruction in universal precautions; and~~

3 ~~(b) 20 hours of supervised instruction in Florida Statutes and Rules, including Chapters 456 and 457,~~
4 ~~F.S., and this rule chapter.~~

5 ~~(2) (3) Applicants who apply for licensure on or after October 1, 2003 must have graduated from an~~
6 ~~ACAOM candidate or accredited 4-year master's level program or foreign equivalent in oriental medicine~~
7 ~~with a minimum of 2700 hours of supervised instruction:~~

8 ~~(3) (a) All applicants must successfully complete 15 hours of supervised instruction in universal~~
9 ~~precautions and~~

10 ~~(b) 20 hours of supervised instruction in Florida Statutes and Rules, including Chapters 456 and 457,~~
11 ~~F.S., and this rule chapter. For purposes of the Florida Statutes and Rules and HIV/AIDS requirements~~
12 ~~imposed by this chapter for initial licensure, the term "supervised instruction" shall mean instruction in a~~
13 ~~Board approved continuing education program or in a program offered at an ACAOM accredited oriental~~
14 ~~medicine school.~~

15 (4) For applicants who enroll on or after July 31, 2001, applicants must have completed an eight hour
16 program that incorporates the safe and beneficial use of laboratory test and imaging findings in the practice
17 of acupuncture and oriental medicine.

18 *Rulemaking Specific Authority 457.102, 457.104, 457.105 FS. Law Implemented 456.033, 457.102,*
19 *457.105 FS. History—New 8-30-84, Formerly 21AA-4.01, Amended 7-20-88, 4-30-89, 9-19-89, 3-18-92,*
20 *Formerly 21AA-4.001, 61F1-4.001, Amended 3-24-96, Formerly 59M-4.001, Amended 12-31-97, 11-1-99,*
21 *6-21-00, 4-3-01, 5-24-04, 10-11-04, 10-24-04, 5-30-07, _____.*

22 **Tab 2 Rule Hearing re: 64B1-6.005, F.A.C., Standards for Approval of Continuing Education**
23 **Credit**

24
25 Discussion was held and the following recommendations were made:

26
27 **64B1-6.005 Standards for Approval of Continuing Education Credit.**

28 (1) through (4) no change.

29 (5) To receive credit for programs on HIV/AIDS at the licensee's first renewal, the program must be, at
30 a minimum, three (3) two (2) hours in length and must address the areas mandated in Section 456.033,
31 F.S. The Board accepts HIV/AIDS programs presented or conducted by the Department of Health and
32 programs approved by other professional regulatory boards for the health professions.

33 (6) Continuing education programs related to biomedical sciences laboratory test or imaging findings
34 shall be designed to provide course content on the clinical relevance of laboratory and diagnostic tests and
35 procedures as well as biomedical physical examination findings and to advance, extend or enhance the
36 licensee's skills and knowledge ~~related to the safe and beneficial use of laboratory test and imaging~~
37 ~~findings.~~

38 *Rulemaking Specific Authority 456.013(9), 456.033, 457.104, 457.107(3) FS. Law Implemented*
39 *456.013(9), 456.033, 457.107(3) FS. History—New 2-24-88, Amended 8-6-89, Formerly 21AA-6.005, 61F1-*
40 *6.005, Amended 3-18-97, Formerly 59M-6.005, Amended 6-1-99, 1-7-03, _____.*

41 The meeting adjourned approximately 9:00 p.m.

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43 Note: At the Board of Acupuncture's September 4, 2009 full board meeting, a motion was passed to
44 schedule a rules hearing regarding rule 64B1-4.001, F.A.C., and rule 64B1-6.005, F.A.C., on December 3,
45 2009 commencing at 7:00 p.m.

46
47 Note: A complete transcript of the comments provided by board members and the audience is attached as
48 an official part of this record.