

**DRAFT**  
**DEPARTMENT OF HEALTH**  
**DIVISION OF MEDICAL QUALITY ASSURANCE**  
**FLORIDA BOARD OF ACUPUNCTURE**

**MINUTES**  
**GENERAL BUSINESS MEETING**  
**September 16, 2011**

**Tampa Airport Marriott**  
**4200 George J. Bean Parkway**  
**Tampa, FL 33607**  
**813-879-5151**

1    **CALL TO ORDER**

2    Katherine Teisinger, Chair, called the General Business Meeting to order approximately 9:00 a.m. Those  
3    present for all or part of the meeting included the following:

4    **MEMBERS PRESENT**

5    Katherine Teisinger, AP, Chair  
6    Barbara Thurman, AP, Vice Chair  
7    Melody Clancy, AP, D.O.M.  
8    Min Tian, AP, D.O.M., Ph.D.  
9    Greg Gunter, Consumer Member  
10   Barbara Rezmer, Consumer Member

**STAFF PRESENT**

          Anthony Jusevitch, Executive Director  
          Paula Mask, Program Operations Administrator

**COURT REPORTER**

          Argus Bay Park Reporting  
          407.896.1813

11   **BOARD COUNSEL**

12   Lee Ann Gustafson, Esq.  
13   Assistant Attorney General

**DEPARTMENT ASSISTANT GENERAL COUNSEL**

          Adrienne Rodgers, Esq.

14    ***Please note the meeting minutes reflect the actual order agenda items were discussed during the***  
15    ***meeting and may differ from the agenda outline.***

16   **REVIEW AND APPROVAL OF MINUTES**

17    **Tab 1            June 10, 2011 General Business Meeting**

18    Ms. Thurman made a motion to approve the minutes as written. Ms. Rezmer seconded the motion which  
19    carried unanimously 6/0.

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

21  
22    **NEW BUSINESS**

23  
24    **Tab 18        Mary Riggan, President, Florida Society for Doctors of Oriental Medicine,**  
25    **Correspondence requesting clarification on AIT permissible substances**

26    Ms. Riggan addressed the Board regarding policy clarification for rule 64B1-4.012, F.A.C., specifically,  
27    which substances may or may not be injected. Ms. Gustafson advised the Board could not clarify this rule  
28    and would have to amend the rule.

1 Audience members addressed the Board as well and a lengthy discussion ensued. The determination  
2 was made to propose a list of non-injectibles.

3 **Action Taken:** After public comment and discussion, Mr. Gunter moved to schedule a workshop to  
4 develop a negative formulary at the December 9, 2011 meeting upon conclusion of the General Business  
5 Meeting. Ms. Tian seconded the motion which carried unanimously 6/0.

6 The December 9, 2011 General Business Meeting will begin at 8:30 a.m.

7 Ms. Gustafson will publish a notice for rule development.

8 Ms. Teisinger requested audience members to submit proposed non-injectibles to the board office for  
9 inclusion on the rules workshop agenda for public testimony.

10 **Tab 19 Richard Freiberg, Correspondence regarding Acupoint Injection Therapy**

11 Covered under Tab 18.

12 **Tab 20 Colorado Acupuncture Licensure – Re: Injection therapy**

13 Information for Board's discussion and noted under Tab 18.

14 *(Break)*

15 **Tab 25 Isali Ben-Jacob, Presentation – Acupoint Injection Therapy (Addendum – New Item)**

16 Mr. Ben-Jacob gave a brief presentation regarding acupoint injection therapy and the positive aspects of  
17 AIT. His handout included the syllabus for his AIT course.

18 **REVIEW OF CONTINUING EDUCATION COURSES**

19 **Tab 2 Course # 20-289263 End of Life Issues: Ethical Issues**

20 **Action Taken:** Ms. Clancy made a motion to approve. Motion was seconded by Ms. Teisinger and  
21 passed unanimously 6/0.

22

23 **Tab 3 Course # 20- 311691 Advanced Face Color Diagnosis**

24 **Action Taken:** Mr. Gunter made a motion to deny based on the grounds that the material submitted  
25 does not appear to support the request for 15 credit hours. Motion was seconded by Ms. Tian and passed  
26 unanimously 6/0.

27 **Tab 4 Course # 20-316210 How to use Electrical -Stimulation with Acupuncture and**  
28 **why it works.**

29 Mr. Harvey Kaltsas, continuing education provider, was present.

30 **Action Taken:** Ms. Thurman made a motion to approve which was seconded by Ms. Rezmer and  
31 passed unanimously 6/0.

1 **Tab 5** **Course # 20-316526** **Obstetric Complications in Pregnancy: The red flags for**  
2 **Acupuncturists**

3 **Action Taken:** Ms. Teisinger made a motion to approve which was seconded by Ms. Thurman and  
4 passed 5/1 with Ms. Tian opposing the motion.

5 **Tab 6** **Course # 20-316581** **Chinese Herbal Medicine for Gynecological Conditions:**  
6 **A Beginners Course**

7 **Action Taken:** Ms. Clancy made a motion to approve which was seconded by Ms. Rezmer and passed  
8 unanimously 6/0.

9 **(Tabs 7, 8 and 9 were voted on en masse.)**

10 **Tab 7** **Course # 20-322574** **An introduction to the Treatment of Women during**  
11 **normal pregnancy physiology and miscarriage prevention**

12 **Tab 8** **Course # 20-322575** **The treatment of Women during labor and the**  
13 **the postpartum period with Chinese herbs. Module 3**

14 **Tab 9** **Course # 20-322576** **Sharon Weizenbaum's complete pregnancy course using**  
15 **Chinese herbs for preventing miscarriages to labor and the**  
16 **postpartum.**

17 **Action Taken:** Ms. Thurman made a motion to approve the above listed courses. Motion seconded by  
18 Ms. Clancy and passed unanimously 6/0.

19 **(Tabs 10 and 11 were voted on en masse.)**

20 **Tab 10** **Course # 20-323133** **Traditional and Modern approaches to psychophysical**  
21 **Diseases**

21 **Tab 11** **Course # 20-323137** **Treating Endocrine diseases with complimentary medicine**

22 **Action Taken:** Ms. Thurman made a motion to approve the above listed courses. Motion seconded by  
23 Ms. Clancy and passed unanimously 6/0.

24 **Tab 12** **Course # 20-316965** **Ethics in Action**

25 **Action Taken:** Mr. Gunter made a motion to deny based on the grounds the course content does not  
26 appear to support the requested hours of course credit, and the instructor has not demonstrated any  
27 training in the practice of acupuncture. Motion was seconded by Ms. Tian and passed unanimously 6/0.

28 **Tab 13** **Course # 20-321567** **FCA National 2011**

29 **Action Taken:** Ms. Clancy made a motion to approve the program for 52 credit hours and deny the 4  
30 credit hours in chiropractic nutrition on the grounds the course content is beyond the scope of the practice  
31 of acupuncture as defined in Chapter 456, Florida Statutes. Motion was seconded by Ms. Thurman and  
32 passed unanimously 6/0.

1 **Tab 14 Course # 20-322722 3231: Breastfeeding**

2 **Action Taken:** Ms. Clancy made a motion to deny based on the grounds the course material does not  
3 support the request for 15 hours of course credit and the topics is not an appropriate subject for  
4 adjunctive acupuncture therapies. Motion was seconded by Ms. Thurman and passed 5/1 with Ms.  
5 Teisinger opposing the motion.

6 **TAB 26 Course # 20- 325265 Safety & Ethics: Acupuncture Pneumothorax**  
7 **(Addendum – New Item)**

8 **Action Taken:** Ms. Clancy made a motion to approve which was seconded by Mr. Gunter and passed  
9 unanimously 6/0.

10 *(Break for lunch)*

11 **GENERAL BUSINESS/CORRESPONDENCE**

12 **REPORTS**

13 **Tab 15**

14 **Board Chair Report – Katherine Teisinger**

15 Ms. Teisinger advised the Board concerning the Chair and Vice Chair meeting scheduled for September  
16 27, 2011 in Tallahassee.

17 **Board Counsel Report – Lee Ann Gustafson**

18 **Rules Report**

19 **Proposed rule language - 64B1-9.001 Disciplinary Guidelines**

20 Discussion ensued.

21 *(agenda out of order)*

22 **OLD BUSINESS**

23 **Tab 16 Florida Board of Acupuncture Position on “Dry Needling”**

24 Ms. Clancy presented her draft of the Board's position paper on dry needling.

25 **Action Taken:** Mr. Gunter made a motion to accept the paper with corrections. Ms. Tian seconded the  
26 motion which carried unanimously 6/0.

27 The board returned to:

28 **Proposed rule language - 64B1-9.001 Disciplinary Guidelines**

29 **Action Taken:** After review of all information submitted for this proposed rule, the Board agreed by  
30 consensus to retain the current proposed language and move forward with rulemaking

1 **Rule 64B1-3.004 Acupuncture Examination**

2 **Action Taken:** After taking testimony from audience members, Mr. Gunter moved to amend the  
3 proposed rule to include an effective date of October 1, 2014 for implementation of this rule. Ms. Clancy  
4 seconded the motion which carried 6/0.

5 Ms. Gustafson provided an overview of the recent Florida Supreme Court finding regarding the  
6 rulemaking process and OFARR.

7 Ms. Gustafson presented options to the board concerning the rulemaking process.

8 **Action Taken:** After discussion, Ms. Thurman moved to follow the regular rulemaking procedures; send  
9 rules to the Florida Administrative Code, the Florida Administrative Weekly and the Joint Administrative  
10 Procedures Committee; and send courtesy copies of rules to the Governor's Office. Ms. Rezmer  
11 seconded the motion which carried unanimously 6/0.

12 **Board Liaisons**

13 **Application Examination & Endorsement – Katherine Teisinger**

14  
15 No report.

16 **Budget – Gregory Gunter**

17 Mr. Gunter and Mr. Jusevitch discussed the budget report.

18 **Community Relations – Barbara Rezmer**

19 No report.

20 **Consumer Protection – Barbara Rezmer**

21 No report.

22 **Continuing Education – Barbara Thurman, Melody Clancy, Min Tian**

23 Ms. Thurman requested Board staff to review the course applications, send incomplete notices to the  
24 continuing education provider if the course application is incomplete. Once complete then refer the course  
25 information to the liaisons for final review.

26 **Legislative & Rules – Katherine Teisinger**

27 The Chair advised that under current law Acupuncturists may no longer bill for PIP reimbursement without  
28 the supervision, order, or prescription of a covered medical provider. (Section 627.736, F.S.) Proposals  
29 to amend this statute are being suggested, considered and reviewed by the profession."

1 **Unlicensed Activity – Melody Clancy**

2 No report.

3 **Return to OLD BUSINESS**

4 **Tab 17 Long-range policy planning – Section 456.005, Florida Statutes**

5 The Board discussed long range policy planning for the upcoming chair and vice chair meeting.

6 **Return to NEW BUSINESS**

7 **Tab 21 Jim King Keep Florida Working Act – Chapter 2011-207, Laws of Florida**

8 The board answered the following questions regarding this new legislation:

9 Are there any board statutes or rules that disqualify from employment or licensure persons who have  
10 been convicted of a crime and have completed any incarceration and restitution to which they have been  
11 sentenced for such crime? No

12 Are the disqualifying statutes or rules readily available to prospective employers and licensees? N/A

13 Identify and evaluate alternatives to the disqualifying statutes or rules which protect the health, safety,  
14 and welfare of the general public without impeding the gainful employment of ex-offenders. N/A

15 **Action Taken:** Mr. Gunter made a motion the Board of Acupuncture does not have any rules or statutes  
16 that would disqualify persons with prior convictions from employment or licensure. Motion seconded by  
17 Ms. Clancy and carried unanimously 6/0.

18 **Tab 22 Ratification of Licensure 6/1/11 through 8/31/11**

19 **Action Taken:** Mr. Gunter moved to ratify the new licensees, license numbers 2990-3019. Ms. Tian  
20 seconded the motion which carried unanimously 6/0.

21 **Tab 23 Ratification of continuing education courses 5/28/11 through 8/31/11**

22 **Action Taken:** Ms. Clancy moved to ratify the continuing education courses which was seconded by Mr.  
23 Gunter and carried unanimously 6/0.

24 **INFORMATIONAL**

**These are non-voting matters.**

25 **Tab 24 Oregon Chiropractors practicing Acupuncture with minimal training**

26 **Tab 27 Delegation of Authority (Addendum – New Item)**

27 Mr. Jusevitch addressed the concerns as presented in the addendum.

1 The Chair recognized Amy Sear from the audience. Ms. Sear raised a concern regarding the continuing  
2 education form the registered providers fill out for course descriptions. She asked if the Board had the  
3 authority to amend the form. Mr. Jusevitch stated it could only be done by rule as inclusion of the form  
4 has to be in the rule. She asked if the form could be more detailed. Mr. Jusevitch suggested to Ms. Sear  
5 that perhaps she could suggest changes to the form and send to him.

6 **NEXT MEETING**

7 **December 9, 2011**

8 **Holiday Inn & Suites**

9 **2725 Graves Road**

10 **Tallahassee, FL 32303**

11 **850-536-2005**

12 **The Board adjourned approximately 3:05 p.m.**