

The Federation

of Acupuncture and Oriental Medicine Regulatory Agencies

4201 Patterson Avenue, Baltimore MD 21215 • www.FAOMRA.com

Mission Statement: The mission of the Federation shall be to provide an organization through which member agencies may work together to better assure the protection of the public through good communication about licensure, practice, regulatory activity and professional disciplinary action and to promote the delivery of quality healthcare to the public.

Fall Annual Meeting
The Hilton Portland & Executive Tower
Portland, Oregon 97204
October 18-19, 2007

DRAFT MEETING MINUTES

Thursday, October 18, 2007

Call to Order/Roll Call

David Paton, President, called the meeting to order and welcomed members.

Board Members Present:

David Paton, President, Professional Member (MD – Board Member)
Pete Gonzalez, Vice President (AZ - Executive Director)
Penny Heisler, Treasurer/PR Chair (MD - Executive Director)
Ronda Bryan, Secretary (FL - Program Operations Administrator)
Anna Hansen, Board Member (NM - Public Member)

Board Members Absent:

Frank Ervolino, Professional Member (FL – Board Member)

Representatives from Member States

Kathleen Coleton (MO - Committee Member)
Darrell Samples (WV - Executive Director)
Steve Kaufman (MD - Board Member)
Joy King (WA – Executive Director)
Della Estrada (AZ – Board Member)
Vicki Brown (WA – Health Services Consultant)
Michelle Provinsal (OR – Medical Board)
Malvin Finkelstein (OR – Medical Board)
Nan Cameron (NC – Board Member)

Official Welcome and Introductions

Mr. Paton introduced himself and welcomed everyone to Portland, Oregon. All members and participants introduced themselves.

Review of Minutes

Minutes from May 10-11, 2007 meeting

Action Taken: After discussion, a motion was made by Ms. Coleton to approve the minutes as submitted. The motion was seconded by Mr. Gonzalez and carried unanimously.

Reports

President Report – David Paton

Mr. Paton welcomed everyone to the first official AAAOM meeting and 25th Anniversary.

1 **GET David's LETTER**

2
3 **Treasurer – Penny Heisler**

4 Ms. Heisler provided an overview of the current budget report and revenue balance sheet. Ms. Heisler
5 noted that the revenue balance sheet included states that have been represented at least once at a prior
6 meeting.

7
8 **Secretary – Ronda L. Bryan**

9 Ms. Bryan provided an overview and status on the pending issues. After discussion, it was the consensus
10 that all members would research their states health care practice acts for language relating to “Cold Laser”
11 to share at the next meeting. David noted that he would prepare a letter to solicit representatives from
12 states that are concern with the use of herbs in their practice act.

13
14 **National Examination – Betsy Smith**

15 Ms. Smith provided a color chat indicating states using NCCAOM examination and/or states use of
16 certification or examination. Ms. Smith asked everyone to verify their state information listed on the maps
17 and advise her of any corrections.

18
19 Ms. Smith noted that the NCCAOM - Regulatory Task Force has a website and will be posting their
20 progress and updates for all state agencies to review. The primary link to the website will be able through
21 the NCCAOM or the Federations main website.

22
23 Ms. Smith inquired about module bills for new legislation being available on the Federations website. It
24 was noted that the Federations had a few module bills currently available and are currently drafting a few
25 more. Ms. Smith stated that New York was working on legislation to add herbal in their practice act. The
26 NCCAOM informs their diplomats when changes are occurring. There is an increase of fraud and boulder
27 issues occurring in the profession. Ms. Smith requested feedback on the practice management and ethic
28 questions from the Regulatory Affairs Task Force.

29
30 **Committees**

31 **Marketing Plan – Frank Ervolino**

32 Ms. Hansen noted that she will have an image of the postcard by the end of the year and will send it to the
33 members for review. Ms. Heisler suggested that the Federations seal be included on the postcard.

34
35 **Action Taken:** After discussion, a motion was made by Ms. Coleton to mail a letter to regulatory agencies
36 capturing today's meeting. The motion was seconded by Ms. Hansen and carried unanimously.

37
38 It was the consensus of the Board to adopt the 2008 Federation Market Plan as follows:

39
40 **2008 Federation Market Plan**

Action Items	Responsible Party	Time Line
Draft and mail letter to regulatory agencies capturing the October 2007 meeting.	David, Committee Members	Nov 1, 2007
Mail the President's letter from the October 2007 meeting to regulatory agencies.	Committee Members	Jan 15, 2008
Mail postcard to regulatory agencies.	Committee Members	Apr 15, 2008
Mail letter, renewal form and agenda to regulatory agencies.	Committee Members	Jul 1, 2008
Mail postcard to regulatory agencies	Committee Members	Sept 1, 2008

1 **Website – Anna Hansen**

2 Ms. Hansen indicated that she has been working on the website and have made great improvements. Ms.
3 Hansen requested feedback and suggestions to assist her with continuing to improving the website. She
4 also requested a copy of the frequently asked questions that Frank drafted so they can be added to the
5 website.

6
7 **Disaster Relief – Anna Hansen, Penny Heisler, Della Estrada**

8 Ms. Hansen noted that the disaster relief was a working progress. Ms. Coleton indicated that she will be
9 meeting with Betsy Smith to create questions to ask the RA on disaster Relief.

10
11 **Doctoral Task Force – David Paton**

12 Mr. Paton thanked David Canzone for his hard work and dedication for his services on the Task Force. Mr.
13 Paton indicated that the final product has been completed and the Task Force committee has official
14 ended. Their proposal is to require doctoral program's to have a minimum of 4-year educational program
15 and be approved by ACAOM. The state of Oregon currently has a doctoral program and students will be
16 graduating from their program in the near future. A public hearing on the doctoral program will be held
17 tonight.

18
19 **State of the States Collaboration**
20 **Regulators Sharing Business Practices**

21
22 **Washington** – Ms. Brown noted that the state of Washington does not recognize Oriental Medicine, they
23 only recognize acupuncture. Acupuncturist can not prescribe medicine, they can only recommend and
24 dispense. Washington has approximately 1400 licensees and growing. Recently, an acupuncturist was
25 arrested for sexual misconduct. As a result, all 62 professions were required to adopt a sexual misconduct
26 rule. All professions were successful in adopting the rule except for two professions who are continuing to
27 push the rule through the adoption process. The Secretary of the Department is requiring mandatory
28 reports on adverse incidents on professionals and hospitals.

29
30 **Oregon** – Ms. Provinsal noted that the state of Oregon allows physicians to perform acupuncture without
31 going through an accredited program. Oregon has regulated acupuncture since 1979 and has
32 approximately 1033 licensees. Board staff presented recommendations at the last board meeting
33 regarding requirements to reactive a practitioner's license. The association(s) just completed draft
34 language regarding Code of Ethics and will be presenting it before the Board of Medicine for consideration.
35 The language will be provided to schools as a disciplinary tool. The Board is considering placing a limit on
36 the number of times the examination can be taken.

37
38 **West Virgin** – Mr. Samples noted that the state of West Virgin has approximately 45 licenses, 25 actually
39 practicing. West Virgin just completed their Sunset Review and was successful. Legislation passed for the
40 Board to offer continuing education courses and require all licensees to attend. Additionally, next year the
41 educational requirements will increase and practitioners will be required to have a writing treatment plan
42 explaining what they are treating and how.

43
44 **Arizona** – Mr. Gonzalez stated that the Arizona Board is currently going through a Sunset Review and
45 asked if the Federation would do a letter of support. Mr. Gonzalez noted that he had already contacted the
46 National organization requesting a letter of support.

47
48 **Action Taken:** After discussion, a motion was made by Ms. Hansen for Mr. Paton to write a letter from the
49 Federation supporting the Arizona Board. The motion was seconded by Ms. Heisler and carried
50 unanimously.

51
52 **Missouri** – Ms. Coleton noted that the state of Missouri had approximately 86 licensees with only 74
53 renewing in June 2007. The regulation of acupuncture falls under the Board of Chiropractic as a sub-
54 committee. Ear Stapling is a growing problem. Missouri is experiencing an increase of individuals coming
55 from other states to do ear stapling because they fell it is easier. Another concern is licenses advertising

1 as Dr. and calling themselves doctor but they can only use LAc. Currently, herbs are not regulated in
2 Missouri. The committee is considering lowering the licensure fees due to huge revenue collected.
3

4 **Idaho – Tess Hahn** (Idaho Acupuncture Association)

5 Ms. Hahn noted the Idaho has approximately 152 licenses. Idaho created the Board of Neuropath. The
6 naturopath physicians attended a specific college, Doctors by Naturopath but have not gone to college for
7 acupuncture training. The acupuncture association asked for information on accreditation and examination
8 requirements for regulating acupuncturist. The Board of Acupuncture asked that individuals licenses as
9 naturopath have the same acupuncture educational requirements since naturopath licensees allows them
10 to practice acupuncture without a specific license.
11

12 **Maryland** – Ms. Heisler noted the Maryland’s licensure and school enrollment numbers are decreasing.
13 The Board looked at establishing an herbal committee to prepare for the Federal requirements. The Board
14 is considering removing the educational hours due to the frequent change. Also, amend the scope of
15 practice language because it is too broad.
16

17 **Florida** – Ms. Bryan noted that due to budget shortages, the Board of Acupuncture adopted the following
18 cost saving measures that will save at least 10% of the current budget. The potential areas of reduction:

- 19 1. Allow the Department to schedule meetings in locations that are lower in cost
- 20 2. Hold one of our regular meetings by conference call
- 21 3. Reduce overnight mailings to liaisons – by using e-mail
- 22 4. Cease presentations at association meetings for this fiscal year
- 23 5. Cease printing of Laws and Rules – require individuals to get materials on-line
- 24 6. Cease printing of applications – require individuals to get materials on-line
25

26 Ms. Bryan noted that the Department made the following cuts:

- 27 1. No out of state travel – unless you are speaker or the trip is paid by the entity
- 28 2. Cut budget by 10% across the board
29

30 **Arizona** – Ms. Estrada noted that the Board of Arizona has been regulating for 10 years and has
31 approximately 450 licensees. Ms. Estrada stated that serious and fatal decisions have been made by
32 some health professions that are putting the spot light on their profession. Legislators have asked for
33 letters of support to continue regulating acupuncturist. The Board has asked associations, licensees and
34 other organizations fro a letter of support. Have been doing outreach to associations, schools and other
35 organizations.
36

37
38 Adjourned: A motion was made by Ms. Colton to adjourn the meeting at 4:20 p.m. The motion was
39 seconded by Ms. Estrada and carried unanimously.
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42

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Call to Order/Roll Call

David Paton, President, called the meeting to order and welcomed members.

Representatives from National Organizations

AAAOM – American Association for Acupuncture and Oriental Medicine

- Leslie McGee, President
- Martin Herbkersman, Vice President
- John Scott

ACAOM – Accreditation Commission for Acupuncture and Oriental Medicine

- Bort Bigg, Executive Director

CCAOM – Council of Colleges of Acupuncture and Oriental Medicine

- Catherine Niemiec, L.Ac., J.D., Vice President

NCCAOM – National Certification Commission for Acupuncture and Oriental Medicine

- Kory Ward-Cook, Ph.D. CAE, Chief Executive Officer
- Netsy Smith, Associate Deputy Director

Official Welcome and Introductions

Mr. Paton introduced himself and welcomed everyone to Portland, Oregon. All members and participants introduced themselves.

Presentations

ACAOM - Accreditation Commission for Acupuncture and Oriental Medicine

Dort S. Bigg, J.D., Executive Director

Mr. Bigg noted that it has been a busy year and have had two law suites filed. They are working on streamlining the appeal process for non-compliance and/or areas requiring further development. Clarify the scope of accreditation (types of programs) and scope of recognition by the US Department of Education.

The accreditation handbook that contains 300 pages will be divided into separate handbooks for policy/procedures, study guide and standards/eligibility requirements. The task force reduced the 14 standards to 10 standards.

A workshop will be held in San Frisco to train new site visitors. At least 4 qualified site visitors are required to be present during the review process. We are trying to improve how schools are documenting standards and are exploring the use of technology as a method to improve.

1 **NCCAOM – National Certification Commission for Acupuncture and Oriental Medicine**

2 Kory Ward-Cook, Ph.D. CAE, Chief Executive Officer

3
4 Dr. Ward-Cook congratulated David Canzone on his appointment to the NCCAOM Board of Commission.
5 The Commission has been working hard on improving customer service. Some of the changes are the
6 creation of a telephone support line and combining several functions (application, certification and
7 recertification) between specialists to assist with cross training.

8
9 The AOM Day is October 24, 2007 and the NCCAOM has partnered with the AAAOM, CCAOM and
10 AOBTA. The NCCAOM has been receiving a lot of media coverage and has seen an 86% increase. The
11 NCCAOM has received two awards (honorary mention) for marketing

12
13 The CCAOM, NCCAOM, AAAOM are celebrating their 25th Anniversary and invited everyone to stop by the
14 Exhibit booths. At the Banquet, the NCCAOM will be handing out Commemorative Booklet Honoring their
15 25th Anniversary; sponsors are listed on page 8.

16
17 We have new categories for professional development (PDA) activity points to assist diplomats get their
18 PDA points less expensive by offering:

- 19 ▪ Passing the Biomedicine exam: maximum of 20 PDA points
- 20 ▪ Completion of an additional NCCAOM certification: maximum of 20 PDA points
- 21 ▪ Participation on a professional board or advocating legislation: maximum of 10 PDA points
- 22 ▪ Peer reviewed posters/exhibits: maximum of 5 PDA points
- 23 ▪ Editing a professional book or journal: maximum of 5 PDA points

24
25 The NCCAOM website will soon offer:

- 26 ▪ Candidates and Diplomats to apply directly online for certification, resulting in faster processing
27 of applications and applicant monitoring of application status.
- 28 ▪ New E-News for Candidates and E-News for School Liaisons
- 29 ▪ New Sections: The Press Room, For Regulators, The Diplomate Resource Corner

30
31 The NCCAOM, 2007 Job Task Analysis Goals are:

- 32 ▪ Primary – Identify entry-level competencies and tasks performed by practitioners, based on
33 quantitative criticality and frequency of tasks, resulting in a new content outline for each exam
- 34 ▪ Secondary – To gain an understanding of differences in tasks performed by practitioners with
35 advanced practice and to collect demographic and workforce-related data to share with
36 governmental agencies

37
38 **AAAOM – American Association for Acupuncture and Oriental Medicine**

39 Leslie McGee, President and Martin Herbkersman, Vice President

40
41 Ms. McGee noted that the reunited of the American Association of Oriental Medicine (AAOM) and the AOM
42 Alliance was successful. They are trying to stay engage with major issues on the state and national level.
43 On the national level, the FDA has finalized their rule on dietary supplements. The AAAOM are engaging
44 legal counsel to help interpret the new rule. This is a very complex issue, one that has generated a lot of
45 fear with practitioners. Another interest is the bill covering Medicare and general federal insurance for
46 acupuncturist.

47
48 Mr. Herbkersman noted that state associations are increasing communication and providing direct input at
49 their round table conferences. There has been an increase of state agencies participating at the round
50 table conferences. Some of the topics involved are related to issues at the legislator level and/or general
51 scope of practice. In this upcoming year, the AAAOM will be getting a lobbyist to assist them with issues in
52 Washington. They will hold campaigns to help fund there projects. The membership has increase to 3,000
53 members.

1 Ms. McGee stated that her goals were to continue increasing the membership, represent members,
2 increase public awareness and increase partnership with sister organizations. Her primary initiative is to
3 respond effectively with the FDA and her major goal is to continue building Unity.
4

5 The organization is available to assist during legislation if a representative from that state contact them
6 requesting assistance.
7

8 **CCAOM – Council of Colleges of Acupuncture and Oriental Medicine**

9 Catherine Niemiec, L.Ac., J.D., Vice President
10

11 Ms. Niemiec noted that the CCAOM is upgrading their website that will include the capability search by
12 state.
13

14 The CCAOM adopted a new strategic plan as follows:
15

16 First Goal: Develop resources for members to access. As a membership organization for AOM
17 colleges and programs in the U.S., this goal is of great importance as the existence of quality
18 resources that are readily accessible by the membership can enhance the academic excellence of
19 each institution.

20 Second Goal: Develop new sources of revenue for the Council. The primary action item under this
21 goal has been the creation of a fee-based, online CNT safety course for continuing education
22 credit, which can be applied to re-certification by NCCAOM.

23 Third Goal: Collaborate and provide leadership in the development of educational standards.

24 Fourth Goal: Direct the organization to increase its collaboration with other national organizations,
25 including improving graduate success and patient care.

26 Fifth Goal: Seek to increase the visibility of AOM and CCAOM.
27

28 Ms. Niemiec state that in 2008 the Council will begin offering a new online CEU course that has been
29 approved by NCCAOM for 4 PDA points toward the CEU safety requirement for NCCAOM diplomats. The
30 course will be offered exclusively through the distance learning website Blackboard.com and focus on up-
31 to-date information on blood borne pathogens, safety information, and emergency procedures, as well as a
32 review of clean needle technique.
33

34 **State of the States Collaboration** (continued)

35 John Scott, New Mexico

36 Mr. Scott noted that he had been practicing since 1982 and currently serves on the AAAOM Herbal
37 committee. New Mexico has concerns with imported goods from China and is one of the 6 largest
38 disturbers. Mr. Scott suggested that the Federation to create a legislative package regarding herbs.
39

40 **Election of Officers**

41 Ms. Hansen noted that she will not be at the 2008 fall meeting but would like to stay in her current position.
42

43 Mr. Paton noted that the 2009 meeting will be held in the spring.
44

45 **Mission, Vision and Goals**

46 Mr. Paton noted that there are three committees that we have been asked to participate. Mr. Paton called
47 for volunteers to sever on the herbal committee. The below individuals volunteered to sever on the
48 following committees:
49

50 Herbal Committee

51 AAAOM – Steve Kaufman

52 CCAOM – Darrel Samples

53 Kathleen Coleton

54 Marketing

55 Vicki volunteered to mail letter to state agencies

56 Anna requested a copy of Franks' frequently asked questions

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Conference Call - Mr. Paton reminded everyone to speak with each other within 3-months. Mr. Paton appointed Mr. Samples, Chair of the Herbal Committee and noted that the committee should formulate ideals for a draft module.

State of the States Collaboration (continued)

New Mexico - Ms. Hansen noted that the New Mexico Board has been without an Administrator since December 2006. However, Martha was hired as the new Administrator and should be attending the next meeting.

Glen Wilson had gotten several legislative laws passed including prescribed rights and RX2 program. They are working on developing competencies laws and rules.

New Mexico does not have many complaints or discipline and no RX disciplinary actions. New Mexico has implemented a rule for license reinstatement.

North Carolina – Mr. Cameron is the Chair of the Board and has served for six years. North Carolina has a company that assists them with administratively. The Board is comprised of four acupuncturist, one lay person, physician and adding additional three acupuncturist. The Board are working on developing rules and was successful in moving the renewals from date of birth to one set date. North Carolina is experiencing unlicensed activity involving ear stapling. They are currently working on issuing cease and desist agreements.

The Board wants to amend the statute to allow them to hire their own legal counsel.

Next Meeting

October 16-17, 2008
Chicago – West Chicago North Shore

Adjournment

A motion was made by Ms. Coleton to adjourn the meeting. The motion was seconded by Ms. Estrada and carried unanimously.