



**TENNESSEE BOARD OF MEDICAL EXAMINERS'  
COMMITTEE ON ACUPUNCTURE**

**August 15, 2016**

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**MINUTES**

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A regular meeting of the Tennessee Board of Medical Examiners' Committee on Acupuncture (hereinafter, "the Committee") was held in the Poplar Conference Room at 665 Mainstream Drive, Nashville, Tennessee on August 15, 2016 at 11:00 am (Central).

**Members Present:** Jill Kelly, Acupuncturist  
Serina Scott, Acupuncturist  
Jian Yan, Acupuncturist  
Shelia Ann Berry-Sanders, ADS  
Charmaine Jamieson, Public Member

**Members Absent:** None

**Staff Present:** Keshia Evans, Administrator, Committee on Acupuncture  
Stacy Tarr, Administrative Director  
Maegan Carr Martin, JD, Executive Director  
Rene Saunders, MD, Medical Consultant  
Hannah Lanford, JD, Associate General Counsel

Ms. Jill Kelly, Committee Chairperson, called the meeting to order at 11:00 a.m. The Chairperson determined that a quorum was present.

**Approval of Minutes**

Ms. Scott made a motion to approve the February 1, 2016 minutes. Ms. Scott's motion was seconded by Ms. Sanders. The motion carried.

## **Applicant Interviews**

**Scherri Henderson** – Ms. Henderson was asked to appear before the Committee to address her criminal history and possible unlicensed practice. Ms. Henderson explained the situation giving rise to her arrests and discussed the positive changes in her life that have led her to this profession. Ms. Scott made a motion to approve Ms. Henderson’s license conditioned upon a TnPAP evaluation and compliance with any recommendations. Ms. Scott’s motion was seconded by Ms. Sanders. The motion carried.

Next the Committee turned its attention to the issue of Ms. Henderson’s unlicensed practice. After the Committee determined that she had, in fact, been practicing without a license, they discussed how to proceed. The Committee does not currently have a policy addressing unlicensed practice. Accordingly, they discussed an appropriate penalty. They determined that they would like to impose a per-month penalty of \$50 for unlicensed practice. Ms. Lanford will bring a policy for consideration to the next meeting. Ms. Scott made a motion to impose a fifty dollar (\$50.00) penalty for Ms. Henderson’s for her unlicensed practice. The motion was seconded by Ms. Sanders and passed.

**Hui Lu Pruett** – Ms. Pruett was asked to appear before the Committee to address whether she met the requirements for licensure. At issue was TENN. COMP. R. & REGS. 0880-12-.05(1)(f) and whether it requires that applicants submit proof of employment in a qualifying entity as a condition of licensure. The Committee determined that proof of employment is not a condition of licensure; however, practice is not authorized except in an institution, facility or entity that provides comprehensive alcohol and substance abuse or chemical dependency services including counseling, and not until proof of such employment is received in the administrative office. Sufficient proof will be a letter from the program director or other appropriate health professional associated with the program attesting to the program’s satisfaction of the requirements set out above. Mr. Yan made a motion to approve the application for licensure as an Acupuncture Detoxification Specialist. Mr. Yan made a motion to approve Ms. Prutt’s license. The motion was seconded by Ms. Jamieson. Ms. Scott abstained. The motion passed.

## **Ratification of New Licenses and Reinstatements**

Ms. Scott made a motion to ratify the list of new licenses and reinstatements. Mr. Yan seconded the motion. The motion carried.

## **CONDUCT NEW BUSINESS**

### **Legislative Report**

Ms. Blair gave an updated from the legislative session. She stated that Public Chapter 616 extends the Tennessee Advisory Committee for Acupuncture for six years until June 30, 2020. It also establishes a minimum attendance requirement. Any member who misses more than fifty (50%) of the scheduled meetings in a calendar year will be removed from membership. It also requires that the chair of the committee notify the appointing authority of the member’s unexcused absences. This act went into effect on March 22, 2016.

Public Chapter 719 applies to all Health Related Boards. It allows licensing authorities for certain state regulatory agencies to consider whether a person's convictions for the commission of a felony bears directly on the person's fitness to practice, competency when making determinations, regarding a licensure status. This act went into effect on April 6, 2016.

### **Report from the Office of General Counsel**

Ms. Lanford, Office of General Counsel, informed the Committee that there were no open files in the Office of General Counsel. There were no contested cases and no consent orders to consider.

Rule 0880-12.063 - Reduction in renewal fee went into effect on July 19, 2016.

### **Statistical Report**

Ms. Tarr reported that from March 1, 2016 to July 31, 2016 there have been nine (9) new applications received for acupuncture and zero (0) new applications received for ADS. There were five (5) acupuncturists licensed during that time and five (5) ADS. There were (3) reinstatements, thirty-six (36) renewals. Sixty-one percent of those renewing did so online. The total number of active acupuncturists as of July 31, 2016 is one hundred and forty three (143). The total number of active ADS as of July 31, 2016 is fifty-two (52).

### **Continuing Education Report**

Ms. Tarr reported that for the audit period of August 12, 2016 thru July 2016, there were twelve (12) acupuncturist audited and of the twelve (12), four (4) of the licenses were not compliant giving a sixty-seven (67%) compliant rate. The four (4) licensees which were deemed to be non-compliant did respond to the audit, but were determined to be deficient in the number of required C.E. hours completed.

### **Financial Report**

Ms. Tarr reviewed the financial report with the Committee.

### **Investigation & Disciplinary Report**

Ms. Nichelle Dorroh reported that there are currently no cases open in the Office of Investigations.

### **Adjournment**

Ms. Scott made a motion to adjourn the meeting there being no further items for discussion. Ms. Jamieson seconded the motion. The motion carried.