



**Tennessee Board of Medical Examiners’  
Committee on Acupuncture  
Regular Board Meeting**

**Monday, February 12, 2018**

---

**MINUTES**

---

The regular meeting of the Tennessee Board of Medical Examiners’ Committee on Acupuncture (hereinafter, “the Committee”) was called to order at 11:00 a.m. in the Poplar Room, Ground Floor, Metro Center Complex, 665 Mainstream Drive, Nashville, Tennessee 37243 by Maegan Martin.

Members Present:      Karman Gossett  
                                 Jain Yan  
                                 Alexa Hulsey  
                                 Charmaine Jamieson  
                                 Shelia Berry-Sanders

Staff Present:            Rene Saunders, MD, Medical Consultant  
                                 Maegan Martin, Executive Director  
                                 Candyce Waszmer, Administrative Director  
                                 Steven Delk, Board Administrator  
                                 Nathaniel Flinchbaugh, Office of General Counsel

**Election of Officers:**

- Chair: Ms. Charmaine Jamieson made a motion to elect Mr. Jain Yan as chair. Shelia Ms. Berry-Sanders seconded the motion and it passed unanimously.
- Vice Chair: Ms. Berry-Sanders made a motion to elect Ms. Alexa Hulsey a vice chair. Ms. Jamieson seconded the motion and it passed unanimously.

I. **Approval of Minutes**

The Committee reviewed the minutes from the August 14, 2017 regular meeting. Ms. Hulseley made a motion to approve the minutes. Ms. Jamieson seconded the motion and it passed unanimously.

II. **Applicant Interviews**

Scott Nugent – Mr. Nugent was invited to the Committee meeting to discuss his failing of one (1) module of NCCAOM four (4) times. Mr. Nugent stated he graduated from school in May of 2015 and did not test until July 2015. He stated he felt confident in his needle depths and angles and that he passed every clinical. He also stated that the NCCAOM allows five (5) attempts and he was within that guideline. Ms. Jamieson made a motion to approve licensure for Mr. Nugent. Ms. Karman Gossett seconded and the motion passed unanimously.

There was a request for a cover sheet to be provided for each applicant interview condensing the reason for the invitation to appear before the Committee.

III. **Conduct New Business**

Ms. Gossett recused herself from ratifying two licensees: Kelly Weatherly Hall and Ora Simons. A motion was made by Ms. Jamieson to approve all initially approved applicants. It was seconded by Ms. Berry-Sanders and the motion passed unanimously.

IV. **Reports**

1. **Office of General Counsel**

Mr. Nathaniel Flinchbaugh reported there are no active cases and no pending legislation which will affect this Committee. The filing deadline has passed and the legislative liaison will attend the next meeting to talk about pending legislation, if any, concerning the acupuncture profession.

2. **Managers' Report**

As of February 1<sup>st</sup>, 2018 we have one hundred and sixty-one (161) active Acupuncturist, fifty-six (56) active ADS, eleven (11) Applications for Acupuncturist and three (3) for ADS.

Ms. Martin also stated that we need to receive a signed Conflict of Interest Disclosure from everyone.

3. **Office of Investigations**

Lori Leonard – Ms. Leonard stated there is currently one (1) practitioner under a board order, which is a reprimand. She shared there were four (4) new complaints for 2017, as a

comparison to one (1) for each 2015 and 2016. So far, for 2018, there has been one (1) new complaint for unprofessional conduct.

#### **4. Financial Office**

Ms. Noranda French shared the 2017 Fiscal Year End Numbers:

##### **Direct Expenditures:**

- Salaries and Wages \$7,018.52
- Employee Benefits \$3,129.39
- Travel \$2,307.82
- Communication \$ 283.50
- Professional Services & Dues \$ 280.78
- State Professional Services \$ 326.37

##### **Allocated Expenditures:**

(This is figured using two formula methods, either is based on the amount of active licensees and percentages out across all of Health Related Boards, or the actual amount of hours spent servicing the board.)

- Administrative \$1,461.31
- Investigations \$0.00
- Legal \$2,755.80
- Cash \$160.33

##### **2017 Totals:**

- Total Expenditures \$17,723.83
- Total Revenue \$39,960
- Net \$22,236.17
- Portion of LARS \$1,461.65
- Brings Cumulative Carryover to \$202126.23

It was stated when carryover gets to a certain point we need to address fee structure. This policy only takes effect during year end conversations. Policy was stated: *If a Board, Committee or Counsels' financial report reveals that it's cumulative carryover balance for 2 consecutive years is twice the amount of the 3 year average such entities annual operational expenditures this review shall include a discussion concerning modification of its current fee structure.*

Two (2) times the three (3) year average for 2016 should have been just over \$25,000 and it was \$181,000 and for 2017 it should have been just over \$30,000 and it was \$202,000. This required us to initiate conversation. Ms. Jamieson stated our fee seems high and asked what other surrounding states are charging. It was discussed whether interested in reducing application fee, certification fee or renewal fee. It was stated that it was believed the renewal fee had been decreased in 2016. Ms. Hulsey stated she felt it important to lower the cost of entry. It was discussed not having both certification and application fee. It was asked what the purpose of the certification fee was for, Ms. Martin said she would need to look into that further and discuss

with her predecessor Ms. Rosemarie Otto. Ms. Martin also stated she would have a history of fee reduction discussions previously held by the Committee. Ms. French stated she would have an update of fee reduction numbers for the next meeting. It was also asked to have other states initial application fees for the next meeting.

**The Committee adjourned at 11:53am.**