



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

February 14, 2022

MINUTES

The regular meeting of the Tennessee Board of Medical Examiners’ Committee on Acupuncturist (hereinafter, “the Committee”) was called to order at 10:00 a.m. in the Iris Room, Ground Floor, Metro Center Complex, 665 Mainstream Drive, Nashville, Tennessee 37243.

Members Present:

Bruce Roff Acupuncturist
Karman Gossett, Acupuncturist
Alexa Hulsey, Acupuncturist

Members Absent:

Charmaine Jamieson, Consumer Member

Staff Present:

Angela Lawrence, Director
Megan Gottschall, Office of General Counsel
Stacy Tarr, Administrative Director
Candyce Wilson, Administrative Director
Rene Saunders, MD Consultant
Jaime Byerly, Disciplinary Coordinator

Ms. Hulsey made opening remarks and a called the meeting to order at 10:00am.

Election of Officers

Ms. Hulsey nominated Ms. Gossett for chair, Mr. Roff seconded, vote taken, motion passed.

Ms. Gossett nominated Ms. Hulsey as vice chair, vote taken, motion passed.

Approval of Minutes

Members reviewed the minutes from the August 16, 2021, meeting. Ms. Hulseley made a motion to approve the minutes, seconded by Mr. Roff, and motion passed.

Conduct New Business

Ratification of Licenses

The Committee reviewed the list of new licensees and reinstatements. Ms. Gossett advised she can't vote on Brent Patrick King due to conflict of interest. Ms. Gossett made motion to approve all licenses except Patrick Brent King, Ms. Hulseley seconded, vote taken, and motion passed. Ms. Hulseley made the motion to approve Patrick Brent King, seconded by Mr. Roff, motion passed.

Discuss and consider ADS Renewal Applications

Ms. Hulseley wanted to bring this topic up to the Committee for another option or pathway for licensure without needing a current practice location regarding ADS renewal. Ms. Gottschall recommended a rule change going forward, regarding this issue. Ms. Gottschall recommended to revise the ADS renewal, discussed today, and what the Committee would like to revise. Ms. Hulseley wanted to discuss what documents would be required for an ADS to renew license. Ms. Hulseley advised she isn't familiar with continuing education with National Acupuncture Detoxification Association (NADA) and doesn't believe this is a requirement for acupuncture detoxification specialist. Ms. Hulseley advised she believes the new rules should outline proof of continuing education or professional letter of approval, from a supervisor that is known to the licensee, for competency requirements. Ms. Gottschall recommended upon renewal, to show a letter from future employer. Dr. Saunders asked for the validity with competency requirements prior to commencing practice if they haven't practice for a period of time. Mr. Roff asked if refresher courses are a good idea in regard to taking care of the competency requirement, prior to renewal. Dr. Saunders advised that is the case at this time, for a re-entry pathway, for those who have been out of practice for a period of time and will need to complete an initial application. Ms. Gossett informed the Committee to look into continuing education programs to see what is offered and to look into the past rules of the profession to assist in future rule making. Dr. Saunders informed the Committee that several other Board's and Committee's do have rules in place such as Tennessee prescribing courses, to maintain competency within their professional fields. Mr. Roff informed the Committee that licensees should attend training for maintaining boundaries or the like. The Committee will review the rules, make changes they feel are needed, and review at the next meeting.

Departmental Reports

Office of Investigations Report presented by Ms. Byerly

Summary Monitor Report

- Monitoring one (1) due to discipline.

Investigative Report as of 2021

- Four (4) new open complaints,
 - One (1) for sexual misconduct
 - Two (2) complaints for unprofessional conduct
 - One (1) complaints for outside of investigative scope.

Currently have Four (4) open complaints they are reviewing currently.

Division of Health-Related Boards Financial Report

Division of Finance was not present for the meeting; however, staff advised the Committee if they have questions, staff can forward to finance. Ms. Hulsey questioned the fee re-structuring and when that will be complete. Ms. Gottschall advised they are currently working on fee reductions and should have an answer at the next meeting. Ms. Hulsey brought an idea from the surplus of application fee's, asking is it possible to issue a rebate or reimbursement to licensees? Administrative staff advised there is no way to do that. Mr. Roff asked if renewal's can be moved from two years to four years, Dr. Saunders advised that the license renewal period is current statutory law. Ms. Gottschall asked if this report is the final fiscal report? Ms. Tarr advised this report is not the final fiscal report.

Receive Reports and or Requests from the Administrative Office

Managers' Report presented by Ms. Stacy Tarr

Activities that have transpired between August 1, 2021, through January 31, 2022:

- New Applications Received - Acupuncture 10
- Total New Licenses Issued – Acupuncture 13
- Total New License Issued – ADS 4
- Total Number of Acupuncture Reinstatements 5
- Total Number of ADS Reinstatements 0
- Total number of renewals is 45
- Total number of online renewals 35, giving a 77% online renewal rate.
 - Total number of active Acupuncturists as of January 31, 2022, is 201.
 - Total number of ADS as of January 31, 2022, is 47.

Receive Reports and Requests from the Office of General Council

Ms. Megan Gottschall informed the Committee of the conflict-of-interest statements in which a board member's individual interest impairs or impedes, or gives the appearance of impairing or impeding, his or her ability to make full, unbiased decisions or to provide full unbiased service to the Committee. Each Committee member shall disclose to the Committee on a case-by-case basis, any personal relationship, interest, or dealings that impairs or impedes, or gives the appearance of impairing or impeding, his or her ability to make full, unbiased decisions on a matter. Any Committee member who has a conflict of interest as defined above must recuse himself/herself from any matter and is prohibited from participating in any discussions or vote on the matter and shall leave the hearing room during the discussion or vote. It is improper for any Committee member having a conflict of interest to attempt to influence another Committee member at any time, including prior to the discussion on the matter for which the conflict exists.

Open Meetings Act- Pursuant to the Open Meetings Act, Committee business may only be discussed by the committee members during the meeting. Members should not discuss the committee's business at any time other than during the open Committee meeting. The prohibition applies to phone 2 calls, emails, and text messages. Committee members should also ensure that all comments during the meeting are stated for all to hear; private conversations between or among members during the meeting are inappropriate.

Disciplinary Action- As of February 10, 2022, there are currently one open case.

Rule Activity- Discuss and update status of rules on Fee change and CE requirements for out of practice acupuncturists in Rule 0880-12-.07. Committee held discussion; Ms. Gottschall advised she will make the changes for final rule change of verbiage.

Legislation-There is no known legislation regarding the Committee at this time.

Agreed Citation

Kathryn Sisson, ACU- Ms. Sisson failed to obtain twenty-four and a half (24.5) hours of required continuing education credits and agreed to pay a civil penalty fee of Four Hundred Ninety Dollars (\$490). Ms. Sisson also agreed to provide proof of completion of the required continuing education credits. Ms. Hulsey made a motion to accept the agreed citation. Mr. Roff seconded the motion, the motion passed and approved.

Public Comments

No public comments were noted

Adjourn

Meeting adjourned