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*Approved February 19, 2009*

**ACUPUNCTURE BOARD MEETING MINUTES**

The Westin Hotel  
LAX, CA

**FULL BOARD MEETING**  
**Thursday, November 20, 2008**

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**Members Present**

Adam Burke., L.Ac, Chair  
Kenny Cherng, L.Ac., Vice Chair  
Robert Brewer, Public Member  
Charles Kim, Public Member  
Larry Yee, Public Member

**Staff Present**

Janelle Wedge, Executive Officer  
LaVonne Powell, Legal Counsel  
Erica Davalos, Administrative Coordinator  
Christie Loftin, Examination Coordinator  
Cathy Hardin, Education Coordinator  
Kristine Brothers, Enforcement Coordinator  
Benjamin Bodea, Administrative Technician

**Guest List on File**

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**1. Call to Order – Adam Burke, Chair**

Board Chair Adam Burke called the Acupuncture Board meeting to order at 8:55 AM. All Board members were present.

**2. Chair Report – Adam Burke**

Board Chair Adam Burke asked that the comments be limited to three minutes. He commended the acupuncture community for the immense work and success in the last year and a half. He also announced that the acupuncture brochures are sixth in line at the printers.

**3. Executive Officers Report – Janelle Wedge**

Executive Officer Janelle Wedge presented the Board with the Workload and Revenue Statement that is attached to the budget during the budget process. She indicated that the Acupuncture Board's budget has remained stable over the last four years with fluctuations coinciding with the biannual renewal process. She also presented the Board the Work-force Planning Report that the department has stressed each Board complete.

Janelle also addressed that Governor's Executive order is still in place but that exemptions have been allowed which allowed the Board to bring back Patsy Dukes, the seasonal employee, who is essential to the Board's day to day operations.

Janelle introduced the Board's new AGPA, Erica Davalos, who replaced Mary Howard.

Adam commented that he would like to see the work-force profile read "Asian Medicine and Acupuncture" as well as to not refer to the practice of Acupuncture as the 'ancient' practice of Acupuncture. Adam Burke commended NCCAOM for getting the US Department of Labor, Bureau of Labor Statistics to recognize acupuncture as an actual profession and to be included in the Occupational Outlook Handbook.

**4. Approval of June 20<sup>th</sup>, 2008 Minutes**

The minutes of June 20, 2008 were reviewed. Legal Counsel LaVonne Powell indicated a correction on page fifteen. It should read 5-0-0.

**CHARLES KIM MOVED TO ACCEPT THE JUNE 20, 2008 MINUTES**  
**LARRY YEE SECONDED. 5 – 0 – 0 MOTION PASSED.**

Adam Burke requested that all pages be printed double sided in the Board Member Packets if possible.

**5. Administrative Business**

**a. Legislation Update**

AB 54 – Health Care Coverage - Governor Vetoed

AB 865 – Live Customer Service Agents - Governor Vetoed

SB 823 - California Private Postsecondary Education Act - Governor Vetoed

SB 1779 – Healing Arts – Governor Vetoed – The Board hopes this bill is reintroduced in 2009.

**b. Legislative Proposals (Business and Professions Code)**

Section 4933 – Change quorum requirement from five to four.

Section 4935 – Make unlicensed practice of Acupuncture a public offense

Section 4938 – Allow out of state students to qualify for CALE

Section 4939 – Require Acupuncture Schools to be approved by an Accrediting Agency recognized by the US Department of Education.

Section 4940 – Elimination of the Tutorial Program.

Executive Officer Janelle Wedge shared that the Board has found an author (Assemblyperson Huffman) who is interested in carrying these bills all in one package

Section 144 - Retroactive Fingerprinting requirements

Legal Counsel LaVonne Powell clarified Section 144 stating that the goal of the Department and the Agency is to make sure that all of our licensees are fingerprinted. Currently not all early licensed practitioners are fingerprinted and as such the Board does not receive the rap sheets if the licensee gets arrested. This is a department wide change that would allow the Acupuncture Board to match databases with the Department of Justice and find out who still needs a fingerprint and require them to obtain it.

**KENNY CHERNG MOVED FOR THE BOARD TO SUPPORT  
THE LEGISLATIVE PROPOSALS. CHARLES KIM SECONDED.**

**5 – 0 – 0                      MOTION PASSED**

**6. Examination Business**

**a. August 12, 2008 Licensing Examination**

Janelle Wedge reported that the Board can now report on first-time taker data as well as overall percentages. She attributes the access to this new information to the Enforcement Coordinator Kristine Brothers who has been relentless in figuring out the intricacies of our ATS system.

Board member Larry Yee asked if there were any discrepancies or anomalies on the exam. LaVonne Powell responded that anomalies were indeed looked out and the values were legitimate. Adam Burke asked about the 20% discrepancy in pass rates between the Korean test takers versus the English and Chinese test takers. LaVonne Powell responded that it's in the translation to Korean. Such translations usually require more words in Korean to be valid.

**b. Curriculum Requirement Form**

Janelle Wedge indicated that she and Christie Loftin have been working on resolving the issues with the Curriculum Requirement Form so as to make Christie Loftin's process easier for approving students for the upcoming exam. The staff would like to do away with the Curriculum form for individuals who have completed an approved training program. It will still be enforced for those who are showing equivalency and its use will continue if legislation passes for students who have completed programs outside of California. The Board currently uses a transfer credit form which helps us identify which transcript we need from different schools and the courses in progress so we know if a student could possibly complete certain courses by the next exam date.

**c. Occupational Analysis Update**

Janelle Wedge introduced the Board to Irene Wong of the Office of Exam Resources. The Occupational Analysis (OA) has been completed and the documentation of this report, which is the validation report, is in its final proofing stage. This documentation should be ready for publication in December. The major steps that have been completed include conducting thirty phone or onsite interviews with currently practicing California Licensed Acupuncturists in good standing with the Board as our Subject Matter Experts (SMEs). We developed a preliminary list of task and knowledge statements based on the SME interviews. We conducted a focus group workshop on July 18-20, 2007 with SMEs to review, revise and delete the task and knowledge statements, the demographic questions for the questionnaire and insure that all task statements had at least had at least one associated knowledge and that all knowledge statements were associated with at least one task. A confirmatory workshop was conducted on July 25 – 27 of 2007 with a new group of SMEs to finalize and approve all the work

done in the prior workshop. We've developed the occupation analysis questionnaire and mailed it to a stratified random sampling of California Licensees based on county. The questionnaire is a survey document prepared to collect information on the respondents, the frequency and importance ratings for all the acupuncture test statements and the importance ratings for all the knowledge statements. The questionnaires were mailed out on June 2, 2008. A total of three thousand nine hundred and eighteen surveys were mailed out. The survey results were based on analysis of 553 respondents or 14% of the mailing. The previous occupational analysis in 2001 was based on only 282 so we had a significant increase. The return questionnaires were inventoried and compiled with the response data then analyzed. The analysis includes calculating the mean rating responses of frequency and importance for each task statement and multiplying these means for a critical value which is attached to each statement. The mean rating of responses of importance for each knowledge statement was calculated and attached to each knowledge statement. The demographics of the respondents were tabulated and presented in percentages. A post-questionnaire workshop was conducted with Subject Matter Experts on July 30, 2008 to review the respondent demographic results to insure that all respondents were representative of the practice and to review the task critical values and the knowledge importance means. The task statements were sorted by their critical values and the knowledge statements were sorted by their means, both in descending order. The SMEs evaluated the list of statements to determine if any of the lowest value statements should be eliminated from the examination plan. It was determined that all task and knowledge statement should be retained. An examination plan and final occupational analysis workshop was conducted with SMEs on October 9 through 10, 2008 to establish the linkage of knowledge statements to task statements. The SMEs determined the sub areas of each content area by grouping like tasks within content area. The content area and sub area weights were determined by the critical values by the group task statements and approved by the SMEs. Then the SMEs developed the operational definitions for descriptions of each content area and sub area. The SMEs approved the final examination plan based on the results of the occupational analysis questionnaire response ratings.

Janelle Wedge noted that she included the information from Irene's presentation which showed the responses and the language of the patients giving one an idea of the practitioner. This lends to the credibility of this being representative of the practitioner population.

Ted Priebe voiced that the National Guild disagrees with how the Board carries out the OA and establishes educational requirements and will provide the board with recommendations.

Steven Stumpf requested that income be included in the next OA.

Mr. Lee, representing the Council of Acupuncture and Oriental Medicine urges the Board to push for more Board members to be appointed so as to raise their numbers to the maximum. He also requested that the Board not yield school approval to an agency outside of California.

Adam Burke asked that a Psychometrician be invited to speak to the Board regarding the OA.

#### **d. NCCAOM PRESENTATION**

Dr. Kory Ward-Cook, CEO of NCCAOM, introduced herself and her colleague, Betsy Smith, Deputy Director of NCCAOM who spends most of her time in state relations. They provided a packet with the organization's information to the Board including, a diplomate newsletter, a 25<sup>th</sup> anniversary booklet highlighting what I'll be talking about today. The mission of the NCCAOM is to establish, assess and promote recognized standards of competence and safety in Acupuncture and Oriental Medicine for the benefit and protection of the public. The organization values testing excellence, service to the local communities, to the acupuncture community and to the alternative and complimentary medicine, as well as nationally, trust and leadership. The NCCAOM was founded in 1982 then known as NCCA, National Certification Commission of Acupuncture. In 1984, the first code of ethics was developed and implemented. This is also when the credential review process started. The first comprehensive written exam for Acupuncture was given in 1985. Point location was included in 1989. In 1991 the National Certification Commission received accreditation from NOCA (National Organization for Competency Assurance) and they are a separate commission that certifies certifying agencies. Currently certification is done per program and the organization scrutinizes each one. A report must be maintained on annual basis on exam data, research data and policy and procedural changes. NCCAOM was reaccredited last year in all it's programs last year. The Oriental Medicine received it's first accreditation since you must have data to support the accreditation the first time out. In 1995 the Herbology exam was introduced and is offered as a separate certification. By 1996 the name of the organization was changed to NCCAOM and coincides with the introduction of the smallest program offered, the Asian Bodywork therapy certification program. In 2002 a Job task-Analysis was conducted to determine the need to have a separate certification program in Oriental Medicine that would embrace the full scope of Oriental Medicine. This is also the same time that the organization took a modular approach for testing for Oriental Medicine. This task analysis received national recognition for the modular approach. Dr. Kory Ward-Cook joined the organization at the end of 2004. By 2005 we began to work closer with the schools and conducted school performance reports. In 2006 we had a security breach and had evidence sent to us that crib sheets were out in the public. We cancelled our exams and completely eliminated our item bank and accelerated the process to go to computer testing in February of 2006 and initiated our first computer based

testing by June of 2006. Moving to computer based testing really tightened our security. In 2007 we moved to a computer adaptive approach which can only be applied if you have more than 100 applicants per year. This is not available for the Asian Bodywork Therapy program but is available for all other module exams. This approach involves item-response statistics and each item has calibration and so forth. The exam is individualized for each person taking the exam with algorithms set up to insure construct and content validity, a cut score and each question is weighted with a certain score.

In the last year, we've focused on marketing. We've noticed immediate interest in our professions.

Very recent activities include our reaccreditation. We also submitted a request to the Bureau of Labor Statistics for a separate occupation code for Acupuncturists and we hope that in 2010 Acupuncturists will have a new code in the publication. We are currently conducting our Job-Task Analysis as well as doing an extensive Workforce piece. When doing an OA, most organizations do not collect the income since it's not usually part of the process of that service.

We currently have 16,877 active diplomates. This means they continually recertify every four years. This doesn't mean they are practicing but it does mean that they are staying current in their recertification.

We have almost 300 diplomates world wide. Korea is where we are getting a lot of interest.

In regards to the 2008 Job Task Analysis was for the purpose of validating our content outlines. One is carried out every five years. We also added a goal to add more questions relating to demographics for the Bureau of Labor Statistics and more recently we received word from the AMA who wants to include a directory on CAM and they want to include Acupuncture. We had 4000 respondents actually open the email for the survey and about 700 responded. To test the validity of the response rate we carried out a randomly stratified sample with 75 diplomates from our database representing all the fields and geographical distribution. The test yielded a 99.9% agreement on all items except for one question so the organization believes that this is a good reflection of our profession. Our findings are as such, which will be published shortly:

- 70% diplomates are women
- 22% of diplomates are Asian with 6% in the other category
- Geographically, 36% are in the west, 26% in the NE, 20% in the south and 16% were from the mid-west.
- 60% of respondents said that they are working part time with a number saying that they did not want more hours. This will impact income data.
- 88% are in solo practice or self-employed and about 28% are self-employed and have contracts with someone else.
- For non-solo practitioners: 34% working in multi-group practices with other health professionals. Those in group practices with other acupuncturists within that group constitute 14% of that 28%.
- Top five respondent states: California, New York, Florida, Colorado and the State of Washington.
- 50% of students used student loans to pay for loan, with the average loan remaining at \$40K.
- 11% are Massage Therapists in addition to Acupuncturists, 5.5% registered nurses, 5% MDs, 2.7% Naturopathic physicians and 1.8% for Chiropractor.
- Average income works out \$41K - \$60K. When you take out the part-time workers it turns to \$75K - \$80K gross income. 21.1% earned between \$61K- \$120K and 8.8% earned over \$120K.

Regarding the test, this year, for the first time, the SMEs on our exam committees have produced knowledge statements for all the content outline which will help this group look at how our two exams compare. We use a psychometric vendor to help us with the standard setting and keeping track of our item statistics. Computer testing is allowing us to monitor item response statistics easily. We've been working with security company to audit us on our procedures, which we passed and one doing our testing worldwide, as well as California.

Betsy Smith introduced herself to the Board and commented on NCCAOM work with the states. The exam is accepted in 42 states plus Washington DC for licensure purposes.

We have a committee that meets monthly to hear cases on ethics and discipline. NCCAOM exchanges information regularly with State regulatory Boards including California. We placed on our website and newsletter the names of people sanctioned by us from a letter of censure all the way through revocation. This is done to insure that people don't hop from state to state. NCCAOM would like to commend the State of California Acupuncture Board for operating extremely professionally and we believe that both of our organizations protect the public working together in this way. We have started offering an ethics course through our organization.

Also, since we've transitioned to computer testing, we have seen a dramatic drop in the number of cheating cases. Two this year and none last year. We believe that the remaining cases are attributed to students talking with their professors after the test which is strictly forbidden.

## **7. Education Business**

### **a. School Site Report on Piedmont University**

California Acupuncture Board Education Coordinator Cathy Hardin reported on the site visit to Piedmont University. Cathy Hardin, Janelle Wedge and Christie Loftin visited Piedmont University at the Beginning of August. Piedmont started offering Classes in 2003. They were approved by the BPPVE to offer a variety of

degrees including a Masters of Science in Oriental Medicine, which at some point in the process was changed to Asian Medicine. They were temporarily approved by the BPPVE in January 2003. That was for a year and expired in January of 2004. The Board never received any clear information about the status of the school with the BPPVE between 2004, when that temporary approval expired, and 2007, when they signed the voluntary agreement. This is not an issue for the Board in considering them for approval, just an item noted in the report.

There were concerns with the status of completion of the student and faculty files. It was found that several students initial school application were not complete. Letters of recommendation were not included. Past schools were not included. One of the faculty files for a faculty member who according to the application had been at the school for a long time was empty. There was also a concern that they had listed three persons as clinic supervisors who had not been licensed for five years which is our requirement. They have since explained to us that those staff members were assistants to the clinical director. Their catalogue does clearly states the duties of a clinic supervisor and they had several documents indicating those staff members as such.

There was also some concern with some of the subject matter requirements in their academic program. The syllabi that the school submits is used to perform the review and there were some cases where, looking at the syllabus, no information on any of the classes that we require as subject requirements.

The financial documents found during site visit were pretty unorganized. No clear indication where money was coming from. Was tuition being paid? No copies of receipts of students paying tuition were found in the student files. This is a concern for the Board in protecting the students. There should be good records of this. The school had explained that the students had not been charged tuition so as to increase their student body. After the site visit the school sent back copies of student files that did have copies of student tuition as recently as this August. It is not certain if some students were charged and others were not.

A clinic review was also conducted. The concern there, again, being the supervisors having the proper term of licensure.

All the concerns have been synopsized at the end of the report.

Adam Burke asked for clarification as to why students are not able to sit for the exam. Cathy responded that they are not approved yet but they have publications that say that their students can. Adam Burke asked if this is the school that had the insufficient funds in the event of a closure and students needed to be reimbursed. Cathy confirmed indicating that there was a concern with that, again, because a significant amount of their income comes from Board members and community members.

Dr. Spanier, president of Piedmont University introduced himself indicating that things could have been done better for the visit. He is very busy teaching but acknowledges that the financial records were in disarray. He acknowledged that the school is set up as a non profit and in its starting stage therefore not obtaining it's income from students. There was a failure in the supervision of the students. He acknowledged that since the visit they have taken up the Boards suggestion.

Charles Kim asked if the president felt that this school could be provide quality education. The president felt so. Legal Counsel LaVonne Powell pointed out that the Board is the last line of defense for students and consumers since there is no BPPVE any more. It is the schools responsibility to meet your requirements the visit should be their best effort to present that to you. She pointed out 4928.1 of the code regarding the Board's mandate to protect the public. Dr. Spanier asked for another year.

**ROBERT BREWER MOVED THAT THE BOARD ACCEPT STAFF'S  
RECOMMENDATION TO DENY APPROVAL TO PIEDMONT UNIVERSITY.  
5 – 0 – 0            MOTION PASSED**

**b. School Site Report on Kingston University.**

Kingston University asked and received a continuance until the next board meeting

**c. Status of School Applications**

California Union University's initial application review has been completed and a report of the review was presented. They have applied for approval several times. Cathy said that staff recommends denying this application based on the application review since we do not need another site visit for the Board to make a decision on this approval. Staff doesn't feel that a site visit will yield new information. Adam Burke asked how many times can schools do deferments and can they keep their students floating that whole time. LaVonne responded that most Boards have a one-year abandonment and this school is not ready.

Janelle Wedge stated that she is confident in Cathy Hardin's recommendations and that her reports are thorough. LaVonne Powell said that the approval is not on the agenda but the Board can agree that a site visit is not necessary.

**KENNY CHERNG MOTVED TO NOT GIVE CALIFORNIA UNION UNIVERSITY A SITE VISIT  
UNLESS THEY CAN MEET THE INITIAL REQUIREMENTS IN THE APPLICATION  
ROBERT BREWER SECONDED 5 – 0 – 0    MOTION PASSED.**

Nine Star University has submitted an application and it is under review.

*Adam Burke asked to AGENDIZE looking at the timeline for school approval and asked Janelle to look at discussing university faculty having enforcement issues for changing school regulations or disciplinary guidelines.*

**d. Discussion Regarding Independent Study and Proposed Regulatory Language**

Current regulations state that the schools must offer didactic training or clinical instruction. Schools have been giving independent study to individuals to help them catch up from an illness or situations like these. Staff has seen that some have used this to an extreme. The term didactic has to be clearly spelled out. Janelle reported that she's drafted some regulatory language for limitations on the amount of independent study allowed specifically a maximum of three courses, no more than nine units, may be completed by independent study and no independent study can be used for the clinical portion of the instruction.

Suggestions from the public were to limit this to required courses allowing students to follow personal interests. Total number of units to not exceed nine. Set a minimum number of times of meetings between student and faculty. Differentiate between semester versus quarter units. Adam Burke suggested adding wording on appropriate faculty, evaluation of outcome and project kept on file.

**e. Discussion Regarding Transfer Credit and Possible Action on Proposed Regulatory Amendments to Section 1399.435(g)**

At the last board meeting Janelle brought to the Board some proposed regulations to address allowing the transfer credit for western science courses. The regulations read it would prohibit transfer credit for courses taken at a foreign institution. New wording was added including with regards to Tai Qi and Qi Gong courses since it seems ridiculous to limit those to 50%. Someone had pointed out that these courses aren't obtained in an accredited institution. So that was then separated under G5, allowing up to 100 percent transfer credit for courses in Exercise therapy. Another section was included requiring foreign education documents be sent to a credential evaluation service to be evaluated and for it's authenticity to be verified. Janelle also removed references to the BPPVE.

Public comment suggested adding US dept language to number three. Consider 50% of aggregate as opposed to how it is currently set up.

**f. Discussion Regarding English Language Competency Requirement and Possible Action on Proposed Regulatory Language**

Janelle stated that the Board has begun considering requiring English language competency as a prerequisite to entrance into the program. Janelle has drafted some language and Cathy has performed a lot of research into the TOEFL exam. The internet based TOEFL testing is the most widely used test. Cathy reported that TOEFL does not set competency levels but give guidelines in terms of what they consider passing rates. LaVonne Powell pointed out that another reason to look into this is that Acupuncturists are primary care givers and first responders. ACAOM has set some levels. Charles Kim expressed that California should set the standards for quality practitioners. Adam Burke suggested that students not be allowed to take the internet based test at an Acupuncture School if it is registered as a internet testing site.

Several other organizations use scores higher than ACAOM's scores. Robert Brewer expressed that our standards should be higher. Cathy addressed that in Internet Based Testing there are scores for four different proficiency areas, reading, listening, speaking and writing as well as the total score and that California can set their own level for each of the proficiency areas. Charles Kim suggested that our numbers should be no lower than other states. Board agreed to have regulations reflect the Internet Based Testing for TOEFL.

Public Comments yielded that California follow ACAOMs standards to address the English Proficiency for Foreign Equivalency. The public was in support of California having high standards. It was clarified that for students taking classes in Korean or Chinese to enter clinical studies they must pass the TOEFL at the levels established by the Board. They can continue instruction and practice in those respective language so long as they pass the test. Passing of the TOEFL should be required for admission to an acupuncture school so as to not make the school liable for students who cannot enter clinical trials due to repeated failure of TOEFL. Adam Burke commented that English proficiency should be applied to all Non-English speaking Exam applicants.

**8. Enforcement Business**

**a. Enforcement Case Report**

Kristine Brothers, California Acupuncture Board Enforcement Coordinator gave her report. The Board has received a total of 62 complaints from July 1 of 2008 to November 12 of 2008. As of November 12, 2008, there

are a total number of pending cases are as follows: 38 complaints Cases in-house, 38 formal investigations with the Division of Investigation, 18 disciplinary cases and 17 open probation cases.

**b. Discussion regarding Drug/Herb Interaction**

The Board asked for more information from the Acupuncture community regarding Drug/Herb interaction be forwarded to Board Staff. Board asked for possible speaker if enough time at a future board meeting.

**c. Discussion and Possible Action Regarding Myofascial Release/Manual Therapy**

The Board heard public comment on Myofascial Release/Manual Therapy. The Board asked for more information from the Acupuncture community regarding Myofascial Release/Manual Therapy be forwarded to Board staff .

**9. Petition Pursuant to B & P Code Section 4967(b)**

**a. Alan Danker (license cancelled 12/1/98)**

**ROBERT BREWER MOVED TO DENY ALAN DANKER A NEW LICENSE  
WITHOUT HAVING TO TAKE THE CALE. LARRY YEE SECONDED.  
5 – 0 – 0 MOTION PASSED**

**b. Tom Fung (license cancelled 5/1/05)**

**CHARLES KIM MOVED TO GRANT TOM FUNG A NEW LICENSE WITH THE  
CONDITION THAT HE PRESENT PROOF OF 50 CEU (CAB APPROVED) PRIOR  
TO ISSUANCE. LARRY YEE SECONDED  
5 – 0 – 0 MOTION PASSED**

**d. Pamela Anderson (license cancelled 5/1/03)**

**ROBERT BREWER MOVED TO DENY PAMELA ANDERSON A NEW LICENSE  
WITHOUT HAVING TO TAKE THE CALE. CHARLES KIM SECONDED.  
5 – 0 – 0 MOTION PASSED**

**e. Soo Hoon Owh (license cancelled 11/1/95)**

**KENNY CHERNG MOVED TO DENY SOO HOON OWH A NEW LICENSE  
WITHOUT HAVING TO TAKE THE CALE. ROBERT BREWER SECONDED.  
5 – 0 – 0 MOTION PASSED**

**f. Niloofar Hekmatiaz-Darvish (license cancelled 1/1/08)**

**ROBERT BREWER MOVED TO DENY NILOOFAR HEKMATIAZ- DARVISH A NEW  
LICENSE WITHOUT HAVING TO TAKE THE CALE. CHARLES KIM SECONDED.  
5 – 0 – 0 MOTION PASSED**

**10. Set 2009 Acupuncture Board Meeting Dates and Locations**

The following are the Board meeting dates and locations as decided on 11/20/08:

Thursday, February 19<sup>th</sup>, 2009 in San Francisco

Thursday May 21<sup>st</sup>, 2009 in San Diego

Thursday August 20<sup>th</sup>, 2009 in Los Angeles

Thursday November 19<sup>th</sup>, 2009 in Sacramento

**11. Public Comment Period**

Ken Sherman, of the National Board of Acupuncture, Orthopedics, Requests that the Acupuncture Board put on the next agenda discussion to recognize the NBAO as a Specialty Board so as to be recognized by the Dept of Industrial Relations especially in regards to Workers Comp and treatment of injured workers.

Lloyd Wright encourages the Board to approve the NBAO as a specialty Board.

The issue of the number of times the CALE could be taken was brought up.

12. **CLOSED SESSION:** Pursuant to Government Code Section 11126 (c)(3) to discuss or take action on above hearings and disciplinary actions

No closed session

13. **Adjournment**

**CHARLES KIM MOVED TO ADJOURN. LARRY YEE SECONDED.  
5 – 0 – 0 MOTION PASSED**

Meeting was adjourned at 4:05 PM