



**ACUPUNCTURE BOARD  
EXAM COMMITTEE MEETING  
ACCEPTED Meeting Minutes  
January 17, 2014**

**Department of Consumer Affairs  
1625 North Market Blvd., First Floor Hearing Room  
Sacramento, CA 95834  
Francisco Hsieh, Chair, Public Member  
Michael Shi, Licensed Member**

**Teleconference Meeting Location:  
Hildegarde Aguinaldo, Public Member  
Ronald Reagan State Building  
300 South Spring Street, Auditorium  
Los Angeles, CA 95834**

**Staff Attending:  
Terri Thorfinnson, Executive Officer  
Terry Sinkovich, Exam Coordinator  
Spencer Walker, Legal Counsel**

<p><b>Exam Committee Members</b> Francisco Hsieh, Chair, Public Member Hildegarde Aguinaldo, Public Member Michael Shi, L.Ac, Licensed Member</p>
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**EXAM COMMITTEE MEETING**

- 1. Quorum established**
- 2. Opening Remarks**

Chair Hsieh began by wishing everyone a Happy Chinese New Year.

**3. Computerized CALE update**

Executive Officer (EO) Thorfinnson provided an update on the Board shifting to computerized testing for the California Acupuncture Licensing Examination (CALE). The former board last year requested the EO to explore the cost and feasibility of shifting to computerized testing. She explained that currently the exam is administered twice a year, once in Northern California (Sacramento) and once in Southern California (Long Beach). She noted that the vast majority of Boards use computerized testing through a master contract that the Department of Consumer Affairs (DCA) negotiates and contracts on behalf of Boards.

EO Thorfinnson addressed the barriers the Board faces to going to computerized testing are 1) The Board is unable to enter into the current master contract that is a three year contract, which expires around August of 2015, 2) BreEze implementation is

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a barrier as DCA has indicated that the Board needs to implement BreEze before it can shift to computerized testing due to the interface of exam reporting that is linked to BreEze. The Board is scheduled for the 3<sup>rd</sup> phase of implementation, which has not been given a projected date of implementation. Board Staff feels that the BreEze issue of exam reporting could be worked out, leaving the last of getting into the master contract itself.

EO Thorfinnson noted the Board's exam regulations would have to be changed to eliminate the exam deadlines since they would no longer apply under computer testing. She feels the current system is very inefficient because staff has to review incomplete applications at least 6-8 times instead of once. Under computerized testing, the staff would only have to review applications once for completeness and approve or deny. From a consumer perspective, computerized testing would allow more flexibility and convenience in exam dates and locations than under the current system. EO Thorfinnson asked whether the Committee wanted her to continue to pursue shifting to computerized testing. Committee members agreed it was a good idea and to keep pursuing it.

There was no public comment on this agenda item.

#### **4. Limit on number of times applicants can retake the CALE**

Chair Hsieh introduced the issue by indicating that some exam applicants take the California Acupuncture Licensing Exam (CALE) up to 18 times. EO Thorfinnson explained that the Board has been reviewing what the current statistics reveal and what other statistics may be possible to query; she referred to the breakdown of first time versus repeat test takers for each exam. She noted that the repeat test takers group does not distinguish between applicants who take the exam twice or 18 times; simply that they are taking the exam again. EO Thorfinnson provided two examples of the Medical Board and Dental Board policies for repeat test takers. The Medical Board limits the number of times to four. In contrast, the Dental Board allows applicants to take the exam three times and then requires they take remedial education before they are allowed to retake it.

Several Board members expressed concern about candidates taking the exam as many as 18 times. There was a suggestion that some schools may be interested in offering remedial course work for students who fail, and perhaps allowing three times and then require 30 or 40 units of classes. There was some consensus for this. Other discussion suggested more detail about the remedial training requirements may be needed to ensure competency and the public safety is protected.

There was a suggestion that the Board try to breakdown exam scores by domain for those that fail. There was a question about whether the domains overlapped and whether providing this information to candidate who fails is helpful. The Board does

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provide a breakdown by domains of the number of questions asked the number of questions answered correctly to those who fail. There was concern expressed that if there was overlap they may end up having to study all domains. It was suggested the Board allow for three attempts then require remedial training.

The past Board discussed setting a hard cap of five times to take the exam based on the Pharmacy Board's cap. It was further pointed out that the Dental Board does have a hard cap of five times, not at the state level but the Joint Commission on Dental Exams requires a cap of five times. The final proposal was to allow candidates to take the exam three times, then require 30 or 40 units of remedial training and then allow them to take it two more times and cap it at five times total. There was an additional time requirement that this must be done within five years. There was discussion about the time frame not allowing candidates time to reflect and study. There was concern expressed that the longer the time away from school or remedial training may not serve public safety or competency interests. There was interest in the Board producing statistics on whether five times was a right amount of times to set for a cap. Exam security was raised as a concern and reason to set a cap. Having a cap would curtail potential exam harvesting of questions. It was decided that more discussion was needed on this issue

*Public Comment.* Concern from schools was raised that the domain statistics would not be enough information for schools to design remedial training for candidates who fail. There was a question raised about whether if someone got all five domains incorrect, then they would be required to do remedial training. Another speaker said that it would be nice for all students to receive a breakdown of how all students performed. There was a concern raised by the Board about confidentiality of exam results, so any results would have to be aggregated data. Interest was expressed for such data analysis so schools could see how their training programs are performing.

## **5. Herb List for CALE: Discussion of Board's Current List of Herb Translations**

The CALE exam guide has a list of herbs with translation in all languages and pin yin. In 2009, the Board revised the herb list to delete some herbs. The resulting list has some translation issues that the prior list did not have. After some discussion, it was decided that the issue should be left to the exam subject matter experts.

*Public Comment.* This issue has not historically been the Board's purview and it has deferred to the subject matter experts. John Chen, explained that he was the one to recommend revising the list to delete some herbs that are considered illegal. Upon further questioning about certain translations it was decided that the Board should not delve into this issue further.

## **6. August 2012 CALE results**

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EO Thorfinnson presented on the issue; the results of the August 2012 exam were reviewed based upon concern that the results were not accurate. As a result, an exam investigation and Independent Review were conducted. She noted both reviews found nothing wrong with the exam. Further analysis of the pass rates found that there were a significant proportion of repeat test takers that failed which brought the exam pass rate down. The pass rate for the first time test takers was consistent with prior years pass rates. The unusually high failure rate of repeat test takers distorted the overall pass rate.

Member Shi explained that the prior Board spent 50 percent of their meeting discussing this issue and listening to the public and devote a significant amount of time at subsequent meetings on this issue. The results are that first time test takers passed at a high rate consistent with past exams and re-takers failed at high rates. OPES did several presentations at Board meetings and explained that the reason for the high fail rate may be that they removed compromised exam questions. This anomaly points to the importance of setting a cap on the number of times repeat test takers can take the exam.

There was no public comment.

## **7. Future Agenda Items**

There was concern expressed from a school about the change from 30 days to 45 days from the exam date that schools must get the Board final transcripts.

## **8. Adjourned**