



Acupuncture Board
APPROVED Education Committee Meeting Minutes

April 18, 2014

Department of Consumer Affairs
1747 North Market Blvd.
HQ2 Hearing Room
Sacramento, CA 95834

Teleconference Meeting Location:
Junipero Sera State Building
320 W. Fourth Street, 7th Floor Conference Room
Los Angeles, CA 95834

Board Members Present

Michael Shi – Chair (Sacramento)
Jeannie Kang – L.Ac (Los Angeles)
Jamie Zamora – Public Member (Los Angeles)
Kitman Chan – Public Member (Sacramento)

Francisco Hsieh – Public Member (absent)

Staff Present

Terri Thorfinnson – Executive Officer
Ben Bodea – Continuing Education Coordinator
Katie Le – Office Technician

Education Committee Members

Michael Shi, L.Ac, Chair, Licensed Member
Kitman Chan, Vice Chair, Public Member
Francisco Hsieh, Public Member
Jeannie Kang, L.Ac, Licensed Member
Jamie Zamora, Public Member

AGENDA

Agenda Item #1 – Call to Order and Establishment of a Quorum

Roll was taken. Michael Shi – present in Sacramento; Kitman Chan – present in Sacramento; Francisco Hsieh – absent; Jeannie Kang – present in Los Angeles; Jamie Zamora – present in Los Angeles. *4-0 quorum established.*

Agenda Item #2 -- Opening Remarks

Chair Shi announced that Kitman Chan will be joining the Examination Committee and will no longer be on the Education Committee.

Agenda Item #3 -- Stakeholder Meeting Issues (moved up on agenda order)

Chair Shi gave some background regarding the back to back stakeholder meetings that were held in December 2013 in San Francisco and Los Angeles. He noted both he and Member Kang attended the meetings in SF and LA, respectively. The meetings were facilitated by Board staff. The purpose of these meetings was part of the Board's outreach to the profession and to allow the profession to have an open forum for discussion. Attendees included representatives from the American Acupuncture Counsel, members of leadership from California Certified Acupuncture Association, representatives from Five Branches University and representatives from United California Practitioners of Chinese Medicine and KAANA. There were also reps from South Baylo University, Southern California University, Alhambra University, Donggunk University, Emperor's College, and CSOMA. The primary topic of the meetings was to identify the main challenges to the Acupuncture Profession.

Chair Shi outlined several issues which were addressed at the meetings but not within the Board's purview, such as insurance, business development, scope of practice, Affordable Care Act issues, and how to bring more patients into clinics. He explained those issues needed to be addressed by the profession itself. Chair Shi highlighted issues at the Stakeholder meeting within the Board's purview. He mentioned the quality of training, quality of continuing education and providers, practitioner ethics and entry into the profession requirements.

Committee members did not have any comments on this item.

Public comment was taken on the item. Several commenters said the stakeholder meetings were not well publicized; another commenter said he was concerned about the data gathered from the meeting and how it may be used. Chair Shi pointed out the meeting was just an open meeting, which was posted on the Board's website and a notice sent out to subscribers to the Board's email list. A third comment was made asking for more notice to the meeting, and the agendas to be more data-driven. Chair Shi also noted it was important for the industry and practitioners to organize and participate in the forums. Another comment made felt the agenda was specifically oriented towards schools.

Agenda Item #4 -- Review School Approval Process and Current Regulations

EO Thorfinnson introduced the issue and explained the purpose for the agenda item was to go through the regulations and see if there was anything that needed to be updated or changed.

- **1399.437 Documentation Required for Approval**

EO Thorfinnson laid out the following recommendations: all information submitted should be in English; the language should be the same as in 1399.439 and should also include a statement that requires the schools to provide the Board with information regarding their financial condition should also be included. Member Zamora asked that actual proposed regulatory text be included for this item, and that the existing language was limited. Member Kang noted the issue was going to take a little more data and wanted to make sure it was collected from the right organizations and association leadership. There was further discussion about requiring the documentation to be in English.

EO Thorfinnson will have the staff work on the wording, have Legal Counsel review the language and then bring the information back to the committee. A question was raised for the Board to consider creating conditional approvals.

MOTION: Member Kang made a motion to add the financial language information to 1399.437 and create a new section regarding the site visit. Member Zamora seconded the motion. VOTE: Shi – YES; Kang – YES; Zamora; YES. **Motion passes 3-0.**

Public comments referred to the requirement of a ‘student bulletin’ and how that created confusion. Another comment was concerned about what the meaning of competency was. A third commenter had questions regarding the school approval process.

- **1399.438 Suspension or Revocation of Approval**

There was a recommendation for EO Thorfinnson to do some studies as to what other processes are out there throughout the Boards and then bring the findings back to the committee; she will get together with Legal Counsel and give some preliminary data, without time frames, draft process-language for the Board to consider. She will also review what other Boards do on the issue. Chair Shi also suggested the EO Thorfinnson come up with some recommendations considering our own office functionality and whether issues are public safety related or not.

- **1399.439 School Monitoring; Records; Reporting**

EO Thorfinnson reviewed the issue. She noted the need to address schools that have had a name change, significant reorganization or is substantially a different institution should be judged as a new institution. She felt the language could go into 1399.439 or a separate section. Legal Counsel Walker pointed out that it could depend on whether the name was changed because they merged or if they changed the name because of accreditation or something. It also needs to address that if a school does reorganize in a manner that changes the program greatly from the initial approval that the school could be placed on probation or the group can be revoked. Member Kang agreed with Counsel Walker.

A public comment was made noting that schools may need accommodations from the Board in cases of merging. A second public comment noted that several other Public agencies in California were already monitoring changes such as the ones discussed

today. A third public comment was made feeling that a school merger might need some explanation and oversight, but a straight name change probably doesn't. Bodea, in response to the second public comment, noted that the other agencies monitoring schools may not be required to inform the Board what they are doing.

MOTION: Member Kang made a motion to have staff develop regulatory language for 1399.439 and bring back to committee at a future date. Member Zamora seconded the motion. **VOTE:** Shi – YES; Kang – YES; Zamora; YES. **Motion passes 3-0.**

- **Review of training program application**

EO Thorfinnson opened on the issue and reviewed the existing language; she noted anything was open for consideration on this item. Chair Shi discussed the need for a good, open process and the need for a clear timeline. Counsel Walker suggested a 90 day timeline. The committee agreed.

Bodea referred to the issue of incomplete training program applications; many of them are sent without correct documentation, CVs of instructors, or are not filled out correctly. He would like to see a limit on how many times a school can apply before the Board would re-charge the school to review after multiple attempts. Member Kang agreed and felt there should be a limitation on substandard applications. Counsel Walker felt an application should be submitted one time, with 90 days to cure the substandard application.

Public comment was taken on the item. A commenter felt the material requested as part of the Board application were beyond its purview.

Counsel Walker proposed tabling the issue; Committee agreed.

Agenda Item #5 -- Future Agenda Items

Chair Shi asked for the committee to review Continuing Education courses, specifically those which are offered free.

A public comment was made asking the Board to address competency. A second comment was asking the Committee to look at ACAOM accreditation. A third public comment was made urging the Board to also look at the ACAOM issue, especially in light of the Board's upcoming Sunset Review.

6. Adjournment

THE AGENDA, AS WELL AS COMMITTEE MEETING MINUTES, CAN BE FOUND ON THE ACUPUNCTURE BOARD'S WEBSITE AT

www.acupuncture.ca.gov