

1625 North Market Blvd., Suite N-219
Sacramento, CA 95834
P 916.515.5200 F 916.928.2204
www.acupuncture.ca.gov



**BOARD MEETING
APPROVED MEETING MINUTES
March 7, 2025**

LOCATION:

1625 North Market Boulevard
Suite 102
Sacramento, CA 95834

Remote Access via Web Ex Teleconference

Staff Present

Benjamin Bodea, Executive Officer
Brennan Meier, Legal Counsel
Jay Herdt, Licensing Manager
Enrico Garcia, Administrative Coordinator
Marisa Ochoa, Central Services Manager, Remote

Members (of the Board) Present

Dr. Yong Ping Chen, Ph.D., L.Ac., President
Hyun “Francisco” Kim, M.S., L.Ac., Vice President
Gregory Leung
Shu Dong Li, Ph.D.
Dr. Amy Matecki, M.D., L.Ac.
Ruben Osorio

Item 1 – Call to Order, Roll Call, and Establishment of Quorum

Meeting commenced at 9:40 a.m.

Roll call taken. All members present. Quorum established.

Item 2 – President’s Remarks

President Yong Ping Chen (President Chen) welcomed members, staff, and the public to the meeting.

Item 3 – Review and Possible Approval of Board Meeting Minutes for November 7, 2024

Members reviewed the minutes from the November 7, 2024, meeting.

MOTION

Vice-President Francisco Kim (VP Kim) motioned to approve the November 7, 2024, meeting minutes.

Member Shu Dong Li (Li) seconded.

Yes: Chen, Kim, Leung, Li, Matecki, Osorio

6-0

Motion Passes

Public Comment

The public commenter proposed to indicate the name of public speakers in meeting minutes.

Item 4 – Executive Management Report (A) Budget Update

Rachael Lanzone (Lanzone) from the DCA Budget Office presented the Board's expenditure and revenue projections as well as the fund condition statement. Ms. Lanzone noted one of the main factors driving expenditure increases for the ensuing years is personal service adjustments which include general salary increases, employee compensation, and retirement rate adjustments. The Budget Office will continue to monitor the Board's revenues and expenditures then report back to the Board with expenditure projections as they continue to close fiscal months in the current fiscal year.

VP Kim asked how many months in reserve is recommended. Ms. Lanzone answered twenty-four months, but a healthy month in reserve is typically between six to nine months. The Board is at 16.2 months.

Public Comment

The speaker noted that the Board's funds are from licensing fees and not a part of the general fund and should not be subject to the budget restrictions.

(B) Licensing Report Q2 FY 2024-25

Licensing Manager Jay Herdt (Herd) reported the data for Licensing, Continuing Education (CE), Tutorial, Training Programs, and Exam Results.

Member Ruben Osorio (Osorio) inquired whether the number of new license applications has returned to pre-pandemic levels. Mr. Herdt answered the numbers are stable and has no significant uptick.

Member Gregory Leung (Leung) questioned if the Board would consider a retired license. Executive Officer Benjamin Bodea (E.O. Bodea) responded there is a regulatory package for a retired status the Board is working on.

Member Li inquired on the increasing number of cancelled licenses. Mr. Herdt responded the fee increase and aging licensee population are some of the factors contributing to the cancellations.

Member Amy Matecki (Matecki) lauded the Board's transparency on its licensing statistics.

Public Comment

The speaker sought feedback on the efficacy of the wall license requirement.

(C) Enforcement Report Q2 FY 2024-25

E.O. Bodea reviewed the complaints/convictions, investigations, and disciplinary data for Quarter Two of 2024-25 Fiscal Year (October 1 – December 31, 2024).

Member Leung inquired how the wall license requirement is being enforced. E.O. Bodea answered violations are complaint driven. If the complaint was not specifically for the lack of a wall license then the Board will occasionally find the licensee in violation of the wall license posting requirement and that is addressed at that time via a Citation.

President Chen proposed the wall license requirement be added on the Consumer's Guide to Acupuncture Brochure.

Member Li queried if an acupuncturist is required to obtain a wall license in each practice location. E.O. Bodea confirmed, adding each wall license is specific to a regular place of practice.

Member Matecki asked about the high aging of cases. E.O. Bodea responded the high aging of cases can be attributed to staff vacancies and high turnover rate from the last few years.

Member Ruben Osorio wanted to know the repercussion of not having a wall license. E.O. Bodea answered an acupuncturist would be in violation of Board requirements and subject to a Citation.

Public Comment

The first public commenter asked if the Board is receiving unlicensed practice complaints.

The second public commenter suggested an audit of wall licenses when acupuncturists renew their license.

The final public commenter lauded the Board for including the wall license reminder on license renewals. The commenter also inquired on out-of-scope practice.

D) Business Modernization Update

Mr. Herdt reported:

- the Board is working on a Continuing Education (CE) audit module for the Connect system.
- Connect now allows licensees to submit active and inactive status changes.
- Licensee can request a replacement pocket license in Connect.
- The Board began the development of an enforcement module allowing staff to transition to a more effective and efficient way of handling enforcement cases.

President Chen asked what percentage of the licensee population the Board has email contact information. Mr. Herdt answered ninety-eight percent and part of the high number can be attributed to the Board's CE audit module. E.O Bodea added the Board is looking to introduce email renewal notifications as well.

The Board recessed from 11:00 a.m.-11:15 a.m.

Item 5 – Presentation from the Accreditation Commission of Acupuncture and Herbal Medicine (ACAHM)

Mark McKenzie, ACAHM Executive Director, and Jason Wright, ACAHM Director of Accreditation Services, presented on several topics namely: ACAHM's program naming policy, English language proficiency standards, pandemic-related flexibilities, and distance education policy. ACAHM has updated program names to remove outdated terms like "Oriental," allowing institutions flexibility in terminology while maintaining clarity about curriculum content. Regarding English proficiency, students entering ACAHM-accredited programs must demonstrate English language ability with international applicants meeting this through standardized tests (e.g., TOEFL, IELTS, Duolingo) or previous English-language education. During the pandemic, ACAHM permitted temporary distance education flexibilities, which expired in October 2023. Now, institutions must receive ACAHM approval for any ongoing distance education. Hands-on skills and clinical internships still require face-to-face instruction though limited observation hours may be done remotely. ACAHM clarified its role is limited to educational standards and not licensure, which varies by state. They also indicated that potential policy changes related to entry-level doctoral degrees post-2030 were under public review with announcements in the future. The Board expressed appreciation for ACAHM's engagement and hoped for continued collaboration.

Public Comment

The first public commenter expressed frustration over the lack of engagement and representation of California acupuncture associations in national surveys and decision-making. The commenter also mentioned the importance of reaching out to associations to better represent the state's significant acupuncture community.

The second commenter stated acupuncture remains the only healthcare profession without a doctoral entry-level degree and emphasized the need to transition the entry level acupuncture degrees from a master's degree to a doctorate degree.

Item 7 – Presentation from Council of Colleges of Acupuncture and Herbal Medicine (CCAHM)

Dr. Thomas Kouo (Dr. Kouo), CCAHM President, and CCAHM Executive Director Kristin Richeimer (Ms. Richeimer), provided an update on CCAHM's work, goals, and challenges they see facing the profession. Dr. Kouo highlighted the mission to support

member institutions in preparing competent, well-trained acupuncturists while fostering unity and professionalism. He acknowledged the complexities in transitioning acupuncture education nationwide from a master's to an entry-level doctorate, citing legislative and regional obstacles. Ms. Richeimer outlined CCAHM's strategic plan, emphasizing goals such as professional unification, enhancing teaching standards, and expanding clinical partnerships. She highlighted ongoing investments in social media, technology upgrades, and faculty development efforts. CCAHM currently includes thirty-seven accredited schools and oversees the Clean Needle Technique exam, which remains a national standard for safety and competency. Dr. Kouo and Ms. Richeimer also discussed their committee structure, including a special ad hoc committee working on renaming the Doctor of Acupuncture and Oriental Medicine degree to remove the outdated term "Oriental."

Public Comment

The first public commenter raised concern about the professional success of acupuncture graduates. The commenter highlighted the financial struggles many practitioners face especially those starting their own practice.

The second public commenter encouraged schools to collaborate more with experienced practitioners and send students to participate in advocacy work.

The third commenter asked if council meetings are open to the public and recommended inclusion of practitioners and associations. The commenter also suggested if the Clean Needle Technique program can be administered within the state.

The final commenter stated the Bureau of Labor Statistics is currently in the process of updating its classification and data regarding the acupuncture profession. The updated classification and data are expected to be reflected starting in 2028.

The Board recessed from 12:50 p.m.-1:45 p.m.

Roll Call taken at 1:50 p.m.

Members Present

6 Present: Chen, Kim, Leung, Li, Matecki, Osorio

Quorum Established

Item 4 – Executive Management Report (E) Enforcement Committee Meeting Update

E.O. Bodea gave a summary of the previous day's enforcement committee meeting. Discussion was on the possible update of the Consumer's Guide to Acupuncture Brochure. The committee agreed that additional work was necessary and emphasized the importance of public input. The committee plans to meet again to continue refining

the document. Adding a section on wall licenses was also recommended to enhance public understanding and ensure protection for both consumers and practitioners. Another point of discussion was an updated version of the "Top Ten Enforcement Violations in the Practice of Acupuncture" document. The list was revised to include current enforcement trends removing less relevant violations and adding more detailed guidance. It was also suggested that acupuncture schools adopt the document to help educate students about common compliance issues.

Public Comment

The public commenter proposed convening a dedicated committee meeting that would allow stakeholders to work with the Board and Legal on revisions in an interactive setting.

Item 4 – Executive Management Report (F) Licensing Committee Meeting Update

Member Matecki gave a report on the committee's discussion from the previous day. The committee collaborated with the public to review various treatments and techniques related to patient safety, access, and terminology. These included practices such as Asian massage, tuina, manual therapy, trigger point acupuncture, dry needling, ashi point therapy, and the use of various stimulation devices involving heat, magnets, light, lasers, sound, as well as techniques like bleeding and therapeutic blood withdrawal. Recognizing the complexity and long-standing nature of these issues, Member Matecki emphasized the Board's commitment to addressing them in collaboration with practitioners, schools, and the public. She stressed that the Board will not dictate professional scope, its priority is ensuring public safety.

Public Comment

The first public commenter stressed that any time dry needling is done, it should be performed by a licensed acupuncturist.

The second commenter reiterated the importance of dry needling.

The third public commenter suggested adding dry needling to the Consumer's Guide to Acupuncture Brochure.

The fourth commenter supported the previous commenters on dry needling.

The final commenter addressed dry needling, therapeutic blood withdrawal, use of lasers, and ultrasound.

Item 6 – Discussion and Possible Action on The Naming of Acupuncture Professional Degrees

Member Matecki stated the need for clearer and more accessible information for the public regarding the training and qualifications of licensed acupuncturists in California.

She highlighted how difficult it is for patients and even referring physicians to understand what certain degree titles mean in terms of actual clinical and classroom hours. Member Kim asked what specific post-graduate training would make an acupuncturist more credible for referrals from physicians. Member Matecki responded that while licensure is the basic requirement, additional education and training makes a practitioner more appealing for referrals. She also emphasized the importance of distinguishing graduates from tutorial programs from those with formal advanced degrees and suggested clearly listing credentials and training hours would improve trust and decision-making. Member Osorio echoed concerns about protecting public safety and fairness. He noted that poorly trained practitioners could offer services at a lower cost potentially undermining higher standards. Member Matecki added that while post-graduate training varies, even new graduates can demonstrate high competency and earn the trust of physicians if their foundational training is strong. Member Li supported the idea of modernizing and clarifying terminology and standards in the profession. He called for updates to outdated regulations, better naming conventions and greater national consistency in licensure requirements such as training hours and English proficiency tests. Member Matecki reminded the Board that while national standardization is ideal, the Board's jurisdiction is limited to California. She suggested that improving clarity within the state is a more feasible starting point.

Public Comment

The first commenter emphasized California's leadership in acupuncture and oriental medicine, noting its influential role in shaping education and practice standards across the country.

The second commenter stressed that the focus should be what is best for California regardless of national concerns. The speaker recommended seeking legal guidance to understand what is permissible regarding degree naming.

The third commenter agreed with the previous speaker that the Board should focus on California first.

The final speaker expressed concern that if each state continues to operate under its own unique requirements, the acupuncture profession will remain fragmented and inconsistent.

Item 8 - Legislative Report

E.O. Bodea reported the Bills of Interest to the Board listed on the agenda.

Item 6 – Regulatory Report

E.O Bodea reported the status of the Board's active regulatory packages listed on the agenda.

Item 10 – Establish Future 2025 Board Meeting Calendar

The Board set the following meeting dates for 2025: June 12 and 13 in the Bay Area; August 21 and 22 in Sacramento, December 11 and 12 in San Diego.

Public Comment

The commenter suggested supplementing the Board's regular meetings with informal workshops or informal roundtables.

Item 11 – Public Comments for Items Not on the Agenda

The first commenter requested a reconsideration of current regulations governing externship in acupuncture education.

The second commenter urged the Board to focus on what best serves public safety and consumer protection when it comes to dry needling.

The third commenter requested the Board to revisit and formally discuss the professional title of licensed acupuncturists.

The fourth commenter proposed the Board should consider developing its own Clean Needle Technique certification program.

The fifth commenter suggested two professional titles for licensed acupuncturists.

The sixth speaker urged the Board to consider a broader, more comprehensive professional title that better reflects the full scope of what acupuncturists do.

The final speaker hopes to have greater participation from schools, associations, students, and professionals in future Board meetings.

Item 12 – Future Agenda Items

VP Kim suggested to discuss the externship program restriction.

Member Leung asked to hear about mental health services available in acupuncture.

President Chen proposed to look into a regulation to offer CE credits for licensees attending Board meetings.

Public Comment

The first commenter sought to highlight the importance of expanding the scope of practice for acupuncturists.

The second commenter wanted to discuss artificial intelligence implementation in acupuncture clinical practice.

The third commenter would want a discussion on the possibility of California having its own Clean Needle Technique certification program.

The final commenter suggested the credit for acupuncturists attending a Board meeting should be limited to Category 2.

Closed Session

Item 13 – Pursuant to Government Code, section 11126, subd. (a), the Board Will Meet in Closed Session for Discussion, Deliberation, and Possible Action on Evaluating the Executive Officer’s Performance

Closed session began at 4:16 pm and ended at 4:44 pm.

Return to Open Session

Item 14 – Adjournment

President Chen adjourned the meeting at or around 4:45 p.m.