



ACUPUNCTURE BOARD
1747 North Market Boulevard, Suite 180, Sacramento, CA 95834
(916) 515-5200 FAX (916) 928-2204 www.acupuncture.ca.gov

**NOTICE OF ACUPUNCTURE BOARD
EDUCATION COMMITTEE MEETING
Friday, May 26, 2017
9:00 AM until completion of business**

**Location:
Tai Chi Studio – 2nd floor
Yo San University of Traditional Chinese Medicine
13315 W. Washington Blvd., Los Angeles CA 90066**

Education Committee Members

*Jamie Zamora, Chair, Public Member
Kitman Chan, Public Member
Dr. Michael Corradino, DAOM, Licensed Member
Jeannie Kang, L. Ac, .Licensed Member*

AGENDA

EDUCATION COMMITTEE MEETING

- 1. Call to Order and Establishment of a Quorum (Zamora)**
- 2. Public Comment for Items Not on the Agenda**
The Committee may not discuss or take any action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting (Government Code Sections 11125, 11125.7(a))
- 3. Update on Education Committee Assignments (Bodea)**
- 4. Approval of January 17, 2014 Education Committee meeting minutes (Johnson)**
- 5. Approval of April 18, 2014 Education Committee meeting minutes (Johnson)**
- 6. Approval of December 14, 2016 Education Committee meeting minutes (Johnson)**
- 7. Future Education Committee Agenda Items**
- 8. Adjournment**

Public Comment on items of discussion will be taken during each item. Time limitations will be determined by the Chairperson. Times are approximate and subject to change. Action may be taken on any item listed on the Agenda.

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

www.acupuncture.ca.gov

Please Note: Committee meetings are open to the public and are held in barrier free facilities that are accessible to those with physical disabilities in accordance with the Americans with Disabilities Act (ADA). If you need additional reasonable accommodations, please make your request no later than five (5) business days before this meeting. Please direct any questions regarding this meeting to the Board Liaison, Tammy Graver at (916) 515-5204; FAX (916) 928-2204

Education Committee

#4

Approval of January 17, 2014

Meeting Minutes



**ACUPUNCTURE BOARD
EDUCATION COMMITTEE MEETING
DRAFT MEETING MINUTES
January 17, 2014**

**Department of Consumer Affairs
1625 North Market Blvd., First Floor Hearing Room
Sacramento, CA 95834**

**Teleconference Meeting Location:
Jeannie Kang, L.Ac., Licensed Member
Jamie Zamora, Public Member
Ronald Reagan State Building
300 South Spring Street, Auditorium
Los Angeles, CA 95834**

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*

Staff Present

Terri Thorfinnson, Executive Officer
Ben Bodea, Education Coordinator
Katie Le, Office Technician
Spencer Walker, Legal Counsel

EDUCATION COMMITTEE MEETING - 9:00 a.m.

1. Call to Order and Establishment of a Quorum

Chair Michael Shi (Shi), Committee Members Kitman Chan (Chan) and Francisco Hsieh (Hsieh) present in Sacramento. Committee Members Jeannie Kang (Kang) and Jamie Zamora (Zamora) present in Los Angeles. 5-0 Quorum established.

2. Opening Remarks

Chair Shi welcomed everyone to the meeting.

3. (Moved up) Review and recommendation for school approval application for Arizona School: Phoenix Institute of Herbal Medicine and Acupuncture (PIHMA)

Chair Shi moved this item up and noted PIHMA's application was previously discussed at the October 25, 2013 Board meeting and referred back to committee. EO Terri Thorfinnson (Thorfinnson) noted during the site visit they found that the school was a good program with good resources, educational environment and curriculum. She also noted they had a few noncompliance issues which were fixed. Education Coordinator Ben Bodea (Bodea) further laid out several issues which were fixed, including clinic



issues, faculty handbooks, and curriculum issues. He finished by saying the school was in compliance with Acupuncture Board (Board) regulations.

MOTION: Member Chan moved to approve to PIHMA as an approved school. Member Hsieh seconded. Vote: Shi – Yes; Chan – Yes; Hsieh – Yes; Kang – Yes; Zamora – Yes. **MOTION PASSES 5-0.**

Jonathon Lindsey from PIHMA thanked the Board for the approval of their school. No other public comment was made.

4. Review and recommendation for school approval application for New York school: New York Chiropractic College Finger Lakes School of Acupuncture and Oriental Medicine (NYCC)

EO Thorfinnson noted the NYCC campus and faculty was impressive; however there were some deficiencies. NYCC did submit some corrective action to the Board but that did not address all the issues and thus the school remains out of compliance. Bodea reported that their clinic was licensed under New York law, not California, and the supervision of clinical interns was not consistent. He further stated that the issues were addressed with NYCC but they indicated they would not address the issues to provide the supervision California regulations require. He also detailed further curriculum requirements which did not match California's regulations but they were able to correct those issues. As a result of choosing to not bring their clinical supervision requirements into compliance with Board regulations, staff recommended denial of the application.

Member Zamora asked about the school coming into compliance; Bodea answered that he was under the impression NYCC would address the supervision issue, but their final letter stated they could not accommodate such a change financially. Dave Willard, from NYCC, explained that while they were appreciative of the Board and the staff visit, school administration faculty went back and reviewed the process and concluded that what they do is different from what is required by California regulation. He felt it does provide a rigorous and appropriate learning experience and educational process for their students. He concluded by saying NYCC would like to be approved by California, but understood it was not in the cards at this point.

MOTION: Member Chan made a motion to deny NYCC's application to become an approved school. Member Hsieh seconded. Vote: Shi – Yes; Chan – Yes; Hsieh – Yes; Kang – Yes; Zamora – Yes. **MOTION PASSES 5-0.**

Public comment was made pointing out the issue of clinic supervision may be a new interpretation on the part of the Board. EO Thorfinnson pointed out the regulation on supervision is not a new one, and Bodea also noted back in 2011 the Board was enforcing the regulation, to the surprise of some schools.

5. The number of continuing education providers (Policy Discussion)

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Bodea reviewed the number of CE providers in California; there are roughly 850 providers for about 11,000 active acupuncturists. He also noted there were 60 to 70 providers a year being added, with most of them offering distance education courses. Chair Shi felt the numbers were a little out of whack and wanted to look into how to better manage the process. Member Kang felt the CE providers fees needed to be increased, and a discussion needed to be had on the types of courses that the Board approves.

Chair Shi asked about the fees for CE providers. Bodea replied that the fee is currently \$150.00 for a two year period at which point they must renew again. In that time, providers are allowed to submit as many courses for review as they wish as long as they are current on the CE Provider fee. He also noted there is also no real qualification of providers. The qualification review comes down to the application itself. Member Kang asked Bodea about the process to weed out unsound providers. Bodea replied the use of Subject Matter Experts and increasing staff was critical.

Public comment was made. A commenter felt it was not the Board's role to be concerned with the number of providers or reduction of that number. He felt there needed be analysis of the costs involved.

The Committee agreed there was need for a study on charging a per-course CE fee. EO Thorfinnson said there would need to be some research done and a workload analysis on the issue, and that she would examine the fees that support the CE workload function. Chair Shi referred the issue back to staff to study the cost structure for provider approval, course approval, and review. Member Hsieh asked how long it might take to research the issue, and Chair Shi replied he'd like to see it at the next meeting.

Public comment was made in support of finding limits for web-based coursework and also whether there is a need to change that.

6. Future Agenda Items

Public comment was made asking the Committee to address the issue of accreditation.

7. Adjournment

Committee adjourned at 11:31am.

THE AGENDA, AS WELL AS COMMITTEE MEETING MINUTES, CAN BE FOUND ON THE ACUPUNCTURE BOARD'S WEBSITE: www.acupuncture.ca.gov

Education Committee

#5

Approval of April 18, 2014

Meeting Minutes



Acupuncture Board
Draft 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)

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; Francisco Hsieh – absent; Jeannie Kang – present in Los Angeles; Jamie Zamora – present in Los Angeles. 3-0 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

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Education Committee

#6

Approval of December 14, 2016

Meeting Minutes



ACUPUNCTURE BOARD

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**California Acupuncture Board
Education Committee Meeting
Wednesday, December 14, 2016
DRAFT meeting minutes**

Location:

**Elihu M. Harris State Office Building
1515 Clay Street
Meeting Room #2
Oakland, Ca 94612**

Committee Members Present

Kitman Chan, Public Member
Jeannie Kang, L.Ac., Licensed Member
Jamie Zamora, Chair, Public Member

Education Committee Members

*Jamie Zamora, Chair, Public Member
Dr. Michael Corradino, DAOM, Licensed Member
Kitman Chan, Public Member
Jeannie Kang, L.Ac., Licensed Member*

Committee Member Absent

Dr. Michael Corradino, DAOM, Licensed Member

Staff Present

Ben Bodea, Executive Officer
Kristine Brothers, Enforcement Coordinator
Jay Herdt, Education Coordinator
Marc Johnson, Policy Coordinator

EDUCATION COMMITTEE MEETING – 9:55 AM

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

Jamie Zamora, (Zamora), Chair, called the meeting to order at 9:57am. Policy Coordinator Marc Johnson (Johnson) called the roll. Michael Corradino – absent; Kitman Chan – present; Jeannie Kang – present; Jamie Zamora – present. 3-0 Quorum established.

Agenda Item #2 – Approval of September 25, 2015 Education Committee meeting minutes (Zamora)

Chair Zamora presented the September 25, 2015 meeting minutes. No changes were made. Legal Counsel Kelsey Pruden (Pruden) suggested Jeannie Kang (Kang), who was not present at the September 25 meeting, abstain on a vote. Since a 3-0 quorum to vote to adopt minutes was not available, Counsel Pruden said the minutes would be accepted, instead of adopted, if passed.

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No public comments were made on this item.

MOTION: Chair Zamora made a motion to accept the September 25, 2015 education committee meeting minutes. Member Kitman Chan (Chan) seconded the motion. Vote: Zamora – YES; Chan – YES; Corradino – ABSENT; Kang – ABSTAIN. MOTION PASSES 2-0-1-1

Agenda Item #3 – Discussion and Possible Action of Acupuncture Board ethics continuing education requirement for licensees (Johnson); Possible Recommendation to Board

Johnson gave a short overview of the ethics regulation, which was originally approved by the Board at the November 11, 2012 public meeting, with the goal of filing with Office of Administrative Law by September 2016. He noted during a review of all regulatory packages with Legal Counsel, it was recommended that the Ethics rulemaking package be given back to the Committee for further development. Johnson also suggested several issues for Committee consideration, including Category 1 or 2 requirements, which laws should be reviewed, and better defining what ethics are. Education Coordinator Jay Herdt (Herdt) detailed what other Boards have as an ethics requirement. He noted the Chiropractic Board requires two hours of ethics courses annually since their renewal is annual, and Physical Therapy Board requires two hours.

Discussion commenced on the required CE hours. Chair Zamora asked the Committee if four was a good number. Members Kang and Chan agreed four was a good number. Member Kang also pointed out NCCAOM had an ethics requirement, and felt the Acupuncture Board's ethics requirement had to be on par with the Chiropractic and Psychology Board. Counsel Pruden had some concerns about the language and suggested defining the difference between distance or in person for the ethics requirement. Additionally, she suggested requiring a test component for the ethics course. Committee agrees.

Public comment was taken on the item. One comment was made on supporting an in-person class and recommended joining the dialogue on the national standards for the issue.

Chair Zamora returned to the existing language but suggested adding the following: "an Acupuncturist shall take no less than four hours of continuing education professional ethics in person or distance education every two years to meet his/her continuing education requirements". Member Kang recommended adding the words "and law" to help specify the requirement but Member Chan had concerns about using "and law" saying it might confuse licensees. Chair Zamora proposed adding "and law that regulates the acupuncture profession"; Member Chan agreed with that addition.

Counsel Pruden then asked whether first time license renewals – those with less than two years on their initial licensing period -- should be required to meet the ethics

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requirement. Members Zamora and Kang felt it was not necessary. Counsel Pruden also suggested placing the proposed regulation in CCR Section 1399.489(c) and requiring a test component. Committee agrees.

Public comment was taken further on the item. A comment asked how the Board would verify if the class was taken, and what guidelines would be provided in order to develop CE courses.

MOTION: Chair Zamora made a motion to direct staff to make changes outlined in the committee meeting to Section 1399.489 and bring back language to the full Board at a later date. Member Kitman Chan (Chan) seconded the motion. Vote: Zamora – YES; Chan – YES; Corradino – ABSENT; Kang – YES. MOTION PASSES 3-0-1

Agenda Item # 4 – Future Education Committee Agenda Items

Chair Zamora reviewed future Committee agenda items. They include evaluating curriculum standards, defining physically present, naming terms and use of training programs, licensing qualifications for the MCLE, and requiring a TOEFL exam for international applicant.

Public comment was taken on this item. One commenter would like to see the CAB clinical education requirements align with other medical professions. Another asked for students in a DAOM program not licensed in California be allowed to complete their hours at a school. Another commenter felt CE providers are poorly regulated.

Agenda Item #5 – Public Comment for Items Not on the Agenda

(The Committee may not discuss or take any action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting (Government Code Sections 11125, 11125.7(a))

No public comments were made on this item.

Adjournment at 10:48am.

ALL COMMITTEE AGENDAS AND COMMITTEE MEETING MINUTES CAN BE FOUND ON THE ACUPUNCTURE BOARD'S WEBSITE: www.acupuncture.ca.gov