



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 EXAM COMMITTEE MEETING

Friday, May 26, 2017

Upon conclusion of Education Committee 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**

Exam Committee Members

Jeannie Kang, Chair, Licensed Member

Kitman Chan, Public Member

Dr. Michael Corradino, DAOM, Licensed Member

Francisco Hsieh, Public Member

Dr. Amy Matecki, MD, Licensed Member

AGENDA

EXAM COMMITTEE MEETING

- 1. Call to Order and Establishment of a Quorum (Kang)**
- 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 Exam Committee Assignments (Bodea)**
- 4. Approval of January 17, 2014 Exam Committee meeting minutes (Johnson)**
- 5. Approval of April 18, 2014 Exam Committee meeting minutes (Johnson)**
- 6. Future Exam Committee Agenda Items (Kang)**
- 7. 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 COMMITTEE AGENDA, AS WELL AS COMMITTEE MEETING MINUTES AND MATERIALS, CAN BE FOUND ON THE ACUPUNCTURE BOARD'S WEBSITE:

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

Exam Committee

#4

Approval of January 17, 2014

Meeting Minutes



**ACUPUNCTURE BOARD
EXAM COMMITTEE MEETING**
Draft 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**

Exam Committee Members

Francisco Hsieh, Chair, Public Member
Hildegarde Aguinaldo, Public Member
Michael Shi, L.Ac, Licensed Member

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 3rd 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

Exam Committee

#5

Approval of April 18, 2014

Meeting Minutes



**Acupuncture Board
Exam Committee Meeting
Draft Meeting Minutes
April 18, 2014**

Location:

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

Exam Committee Members

Kitman Chan, Chair, Public Member
Hildegarde Aguinaldo, Public Member
Francisco Hsieh, Public Member
Michael Shi, L.Ac, Licensed Member

Teleconference Meeting Location:

**Junipero Sera State Building
320 West Fourth Street, 7th Floor Conference Room
Los Angeles, CA 95834**

Board Members Present

Kitman Chan, Chair, Public Member
Michael Shi, L.Ac, Licensed Member
Hildegarde Aguinaldo, Public Member

Board Member Absent

Francisco Hsieh, Public Member

Staff Present

Terri Thorfinnson, Executive Officer
Katie Le, Office Technician
Spencer Walker, Legal Counsel

EXAM COMMITTEE MEETING - Upon adjournment of the Education Committee Meeting

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

Chair Kitman Chan (Chan) called the meeting to order and noted he was now chair of the committee. Roll was taken. Chan – present in Sacramento; Hsieh – absent; Shi – present in Sacramento; Aguinaldo – present in Los Angeles (joined the meeting late). **3-0 Quorum established.**

Agenda Item #2 - Opening Remarks

Chair Chan did not have any opening remarks.



Agenda Item #3 - February 20, 2014 Exam Results Update

Executive Officer Terri Thorfinnson (EO Thorfinnson) presented the exam results. She noted the overall pass rate was 49%, first time test takers pass rate was 60%, and re-takers were 20%. Committee members had no comments.

A public comment was made regarding the exam results specific to a school; the commenter felt the numbers were incorrect and overall pass rates were inconsistent. A second commenter also was concerned about the pass rate.

Agenda Item #4 - Budget Change Proposal for Audit of NCCAOM Exam

This was an informational item only; Thorfinnson notified the committee she was seeking a budget change proposal for purposes of contracting for the audit of the NCCAOM exam. Member Aguinaldo asked why the budget change was necessary since the Legislature wanted the Board to move toward a national exam; Thorfinnson replied it was needed to plan in case the opportunity comes for a switch, and the BCP submission was needed before an upcoming deadline. Member Aguinaldo, for the record, disagreed with the budget change proposal and felt the audit was not needed.

Le Ondra Clark, from the Senate Business and Professions committee, addressed the issue and agreed with Member Aguinaldo. She added the Board can do the audit if it wished. There was additional discussion about the need for an audit; however since it was an informational item the Committee was not able to take a position on it.

There was no public comment on this item.

Agenda Item #5 - Cap on the Number of Times Repeat Test Takers Take CALE Policy Change

EO Thorfinnson provided some history on the re-taker issue. She noted the Committee had previous discussions on the issue with a little bit of consensus; however, there was no consensus exactly on the number of times that people should take it vis-a-vis the remedial training requirements. Member Shi recalled the issue has come up previously during Board meetings and that schools have spoken up in favor of some type of remedial work. He felt that five years of time with five fails of the exam as a limit would be a good starting point.

EO Thorfinnson asked the committee if it was in the Board's interest for public safety to require remedial education, or is it the five attempts with a five-time cap that protects the education and the public safety element? Member Aguinaldo felt it could be both. Member Shi felt it would be difficult to require all schools to have a similar remedial program and suggested the Board would not really have control over it; it would simply be guidance. He believed putting remediation as a requirement would mean the Board

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would be on the hook for prescribing what that could entail; thus he did not feel the Board should impose such a requirement.

Thorfinnson felt there was more discussion needed on the issue. Chair Chan noted there was more information needed from the schools, specifically what appropriate Board action may be. Member Aguinaldo noted there seemed to be agreement that five re-takes of the exam in a five year time frame, but also felt there needed to be more input from the schools about remediation.

Public comment was taken on the item. One speaker felt a five year limit was arbitrary, but the remediation issue was a simple one. Another commenter disagreed with the five year limit. Another commenter suggested the committee make a recommendation to the Board to pursue legislation on the issue. Another commenter disagreed with the whole process of remediation, and additional comment was made regarding the overall problems with the CALE exam and concerns about the security of the exam.

The Committee decided to further discuss the issue at a future committee meeting, including the limit on how many times a person can retake the exam and the time length to do so.

Agenda Item #6 - Future Agenda Items

Several public comments were made urging a move to the NCCAOM exam as a future agenda item.

Agenda Item #7 - Adjournment

Committee adjourned.

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