



# Oregon

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**Oregon Medical Board**

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## **ACUPUNCTURE ADVISORY COMMITTEE**

### **BOARD OFFICE/WORKING LUNCH**

### **MEETING MINUTES**

Friday, June 7, 2013, Noon

#### **Committee Members:**

Ellen Shefi, LAc, Chair  
Brynn Graham, LAc  
Lena Kuo, MD  
Diane L. Miller, MD  
Siamak Shirazi, LAc  
Shirin Sukumar, MD

#### **Staff:**

Kathleen Haley, JD, Executive Director  
Joseph Thaler, MD, Medical Director  
Eric Brown, Chief Investigator  
Netia N. Miles, Licensing Manager  
Charice Holloway, Committee Coordinator  
Shayne Nylund, Acupuncture Licensing Specialist

#### **Ms. Shefi called the meeting to order at 12:08 p.m.**

*Ms. Shefi to announce that pursuant to ORS 192.660(2)(f) and ORS 192.660(2)(k), the Acupuncture Advisory Committee of the Oregon Medical Board (OMB) may convene in Executive Session to consider information or records that are exempt by law from public inspection or information obtained as part of an investigation, including information received in confidence by the Board and Acupuncture Advisory Committee, information of a personal nature the disclosure of which would constitute an invasion of privacy, and records which are otherwise confidential under Oregon law. The Acupuncture Advisory Committee will reconvene in Public Session prior to taking any final action. Members of the news media may remain in the room during the Executive Session, but are directed not to report on the specific information discussed during the Executive Session.*

#### **EXECUTIVE SESSION**

1	Investigative Update from Eric Brown, Chief Investigator	Shefi
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Mr. Brown updated the Committee on licensees currently under investigation.

**COMMITTEE RECOMMENDATION:** Informational item only. No action taken.

OREGON ADMINISTRATIVE RULES (OAR)**PUBLIC SESSION**

2	OAR 847-070-0050: Acupuncture Advisory Committee	<i>FINAL REVIEW</i>	Shefi
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Ms. Shefi reviewed OAR 847-070-0050 before the Committee.

**COMMITTEE RECOMMENDATION:** Dr. Miller moved that the Committee recommend adoption of OAR 847-070-0050 as amended. Ms. Graham seconded the motion. The motion unanimously passed; forward to the Full Board for approval.

DISCUSSION ITEMS

**Time Certain: 12:15 p.m.**

3	Committee Member Interview-Teleconference	Kuo
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Interviewee failed to appear or notify staff of absence. The Committee recommended announcing the open position in the Board's quarterly newsletter.

**Time Certain: 12:30 p.m.**

4	Lab Tests in the Practice of Acupuncture, presentation by Al Thieme, Oregon Association of Acupuncture and Oriental Medicine	Shirazi
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Al Thieme, a member of the Oregon Association of Acupuncture and Oriental Medicine (OAAOM) lab task force and representative of the OAAOM, presented a proposal that would allow acupuncturists the ability to order lab tests. He requested the Committee's approval of the practice so that he may move forward on developing an acupuncture lab test certification program in the State of Oregon that would reflect similar training in other states. He anticipated the program would entail 150 to 200 hours of training and be administered by The National College of Natural Medicine (NCCM), with a focus on certification that would emphasize an acupuncturist's knowledge about ordering and interpreting test results.

**COMMITTEE RECOMMENDATION:** The Committee recommended not to include lab testing in the scope of practice for acupuncturists at the present time. The Executive Director will contact the Attorney General's office regarding statutory interpretation and to clarify whether lab testing would be included under the legal definition of Oriental medicine. Furthermore, the Committee recommended that the OAAOM propose a list of lab tests that reflect the level of training.

Mr. Thieme also presented his concern of MDs and DOs having the ability to do acupuncture without any acupuncture training as it is currently written in their scope of practice.

**COMMITTEE RECOMMENDATION:** The Committee recommended that OAAOM conduct a survey of MDs and DOs licensed in Oregon in regards to the number of physicians currently practicing acupuncture and their training to do so and whether they have taken a medical acupuncture certification course and have been certified as Medical Acupuncturists. With this information, the Committee can revisit the issue in the future.

5	Use of Assistants in Practice	Shefi
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The Committee discussed the use of assistants in practice.

**COMMITTEE RECOMMENDATION:** In response to recent inquiries surrounding duties of acupuncturists, the Committee clarified the following:

- Removal of needles can be performed by an assistant if they are trained by, and under the supervision of, a practitioner.
- Cupping, Acupressure, and Moxibustion are part of a practitioner's procedures and should be performed only by the licensed acupuncturist.
- A practitioner must conduct pertinent parts of a patient interview. However, an assistant can conduct parts of a patient interview with the option for the patient to opt out at any time during the appointment.

6	Use of Micro-Needling or Dermal Rolling in Practice	Shefi
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The Committee discussed the use of Micro-Needling or Dermal Rolling in practice.

**COMMITTEE RECOMMENDATION:** The Committee stated this technique is within the current scope of practice for acupuncturists; however, they recommended that the practitioner participate in a cosmetic acupuncture certification course.

7	Acupuncture Advisory Committee December 7, 2012, Meeting Minutes	Shefi
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Ms. Shefi reviewed the December 2012 Acupuncture Advisory Committee meeting minutes before the Committee.

**COMMITTEE RECOMMENDATION:** Dr. Miller moved that the Committee approve the December 2012 Acupuncture Advisory Committee meeting minutes as amended. Dr. Kuo seconded the motion. The motion unanimously passed.

8	Committee Member Reappointment	Graham
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Ms. Graham reported that the second term for Diane Miller, MD will expire on, August 5, 2013, and that the first term for Siamak Shirazi, LAc will expire on July 8, 2013.

Dr. Miller will serve on the Committee until a replacement has been secured.

**COMMITTEE RECOMMENDATION:** Dr. Miller moved that the Committee recommend reappointing Mr. Shirazi to a second term on the Acupuncture Advisory Committee. Dr. Kuo seconded the motion. The motion unanimously passed; forward to the Full Board for approval.

INFORMATIONAL ITEMS

9	OAR 847-005-0005: Fees	<i>TEMPORARY &amp; FIRST REVIEW</i>	Miller
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The Executive Director apprised the Committee of the contents contained in OAR 847-005-0005.

**COMMITTEE RECOMMENDATION:** Informational item only. No action taken.

10	OAR 847-008-0068: State and Nationwide Criminal Records Checks, Fitness Determinations	<i>TEMPORARY &amp; FIRST REVIEW</i>	Sukumar
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The Executive Director apprised the Committee of the contents contained in OAR 847-008-0068.

**COMMITTEE RECOMMENDATION:** Informational item only. No action taken.

11	OAR 847-001-0035: Approval of Suspensions and Terminations of Orders by Operation of Law	<i>FINAL REVIEW</i>	Shirazi
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The Executive Director apprised the Committee of the contents contained in OAR 847-001-0035.

**COMMITTEE RECOMMENDATION:** Informational item only. No action taken.

12	Approved Needling Privileges for Visiting Acupuncturists	Graham
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Ms. Graham reviewed the visiting acupuncturist list before the Committee.

**COMMITTEE RECOMMENDATION:** Informational item only. No action taken.

13	Approved Clinical Supervisors	Kuo
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Dr. Kuo reviewed the clinical supervisors list before the Committee.

**COMMITTEE RECOMMENDATION:** Informational item only. No action taken.

14	Approved Visiting Professors	Miller
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Dr. Miller reviewed the visiting professors list before the Committee.

**COMMITTEE RECOMMENDATION:** Informational item only. No action taken.

15	Future Committee and Board Meeting Dates	Shefi
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Ms. Shefi reviewed the future committee and board meeting dates before the Committee.

**COMMITTEE RECOMMENDATION:** Informational item only. No action taken.

16	Public Comment	Shefi
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No members of the public were present for comment.

17	Presentation of Plaque to Dr. Miller	Shefi
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Ms. Shefi presented a plaque to Dr. Miller acknowledging her service on the Acupuncture Advisory Committee. The Committee thanked Dr. Miller for her dedication.

**The Committee adjourned at 2:21 p.m.**