ACUPUNCTURE ADVISORY COMMITTEE
MEETING AGENDA
BOARD OFFICE/WORKING LUNCH

June 7, 2019
Noon

The mission of the Oregon Medical Board is to protect the health, safety, and wellbeing of Oregon citizens by regulating the practice of medicine in a manner that promotes access to quality care.

Committee Members:
Collin Stoll, LAc, Chair
Lisa Albanese, MD (arrived 12:05 p.m.)
David Berkshire, LAc
Forrest Cooper, LAc, DAOM
Barbara de la Torre, MD
Charlotte Lin, MD, Board Liaison

Staff:
Nicole Krishnaswami, JD, Executive Director
Elizabeth Ross, Operations & Policy Analyst
Netia N. Miles, Licensing Manager
Shayne J. Nylund, Committee Coordinator

Guests Present:
Catherine Hillerman, LAc (12:45 pm – 2:17pm)
Jarrett Hendricks (12:45 pm – 2:17pm)

Mr. Stoll called the meeting to order at 12:00 p.m.

Mr. Stoll to announce that pursuant to ORS 192.660(2)(f) and ORS 192.660(2)(L), 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  
   Stoll

Eric Brown, Chief Investigator, updated the Committee on acupuncture licensees currently under investigation.

COMMITTEE RECOMMENDATION: Informational item only; no action taken.

2 Applicant Review: Entity ID: 1044024  
   Berkshire

COMMITTEE RECOMMENDATION: The Committee recommended granting an active license via a Consent Agreement for Re-Entry to Practice. The Agreement will require the applicant to complete a mentorship under a Board-approved mentor for 80 hours, and 30 hours of completed continuing education units (CEU). Additionally, staff will issue a civil penalty in the amount of $195.00 for failure to answer personal history question (PHQ) number six (Category one), PHQ number 11 (Category one) and PHQ number 2 (Category two) on the application for licensure. Forward to the full Board for review.

3 Applicant Review: Entity ID: 1000742  
   Albanese

COMMITTEE RECOMMENDATION: The Committee recommended granting an active license via a Consent Agreement for Re-Entry to Practice. The Agreement will require the applicant to complete a five-month full time equivalent mentorship under a Board-approved mentor with a minimum of 300 patient contacts. Additionally, the applicant will be required to submit documentation of 300 continuing education units (CEU). Forward to the full Board for review.

PUBLIC SESSION

4 NCCAOM Certification – Route 8: Reciprocal Certification for California Licensed Acupuncturists  
   de la Torre

Dr. de la Torre presented the time limited, NCCAOM Certification – Route 8: Reciprocal Certification for California Licensed Acupuncturists topic. She reported that California is the only state that administers their own licensure examination, which is known as the California Acupuncture Licensure Examination (CALE). As California does not recognize NCCAOM certification, out-of-state applicants may not practice until they have taken and passed the CALE.

The floor was opened at 12:50 p.m. for public comment:

Catherine Hillerman identified herself as a licensed California Acupuncturist, who moved to Oregon 2016. She wishes to obtain Oregon licensure. She stated that she has passed two sections of the NCCAOM examination, but she has not obtained NCCAOM certification. She requested that the Committee accept the CALE as a qualifier for Oregon licensure.
As the CALE doesn’t have attempt limits, the Committee inquired if the California Acupuncture Board would provide us with the number of exams attempts an applicant sits for. Additionally, the Committee would like a breakdown of exam scores by subject matter. Board staff will contact California regarding the Committee’s requests. Additionally, it was clarified that while a legislative change wasn’t required to accept CALE, it would require a rule change process, should it be accepted by the Board. The earliest a rule change could happen is April 2020.

While research on the matter continues, the Committee requested that a statement be placed on the Oregon Medical Board website, which clearly states the current requirement for acupuncture licensure in Oregon is NCCAOM certification.

**COMMITTEE RECOMMENDATION:** The Committee recommended gathering more information from the California Acupuncture Board for additional review. Forward to the full Board for discussion.

---

<table>
<thead>
<tr>
<th>Applicant Review: Entity ID: 1045614</th>
<th>Stoll</th>
</tr>
</thead>
</table>

Mr. Stoll presented the applicant’s request for licensure, as she obtained California licensure through NCCAOM Certification – Route 8: Reciprocal Certification for California Licensed Acupuncturists.

As the Committee has not yet made a full recommendation regarding Route 8, it was suggested that the application either be tabled, or the applicant may wish to sit for the NCCAOM examination.

**COMMITTEE RECOMMENDATION:** The Committee recommended tabling the application pending further review. Forward to the full Board for review.

---

<table>
<thead>
<tr>
<th>Applicant Review: Entity ID: 1046020</th>
<th>Stoll</th>
</tr>
</thead>
</table>

**COMMITTEE RECOMMENDATION:** The Committee recommended granting an active license via a Consent Agreement for Re-Entry to Practice. The Agreement will require the applicant to complete a mentorship under a Board-approved mentor for 400 hours. Additionally, the applicant will be required to maintain NCCAOM certification and submit documentation of completed 60 continuing education units (CEU). Forward to the full Board for review.

**OREGON ADMINISTRATIVE RULES (OAR)**

<table>
<thead>
<tr>
<th>First Review – OAR 847-070-0019 &amp; OAR 847-070-0045: Interview &amp; Examination &amp; Inactive Registration Re-Entry to Practice</th>
<th>FIRST REVIEW</th>
<th>Berkshire</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>The proposed amendment updates acupuncture rules for mentorships when required for initial licensure or re-entry to practice. The proposed rule requires board approval of the mentorship and clarifies that the length of the mentorship will be tailored to the time the acupuncturist was out of practice. Under the Board-approved matrix for re-entry for acupuncturists, a 40-hour mentorship for each year out of practice is generally required.</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Mr. Berkshire reviewed the proposed changes to OAR 847-070-0019 and OAR 847-070-0045 before the Committee. The committee agreed the proposed changes should have no fiscal impact.
**COMMITTEE RECOMMENDATION:** The Committee recommended forwarding the rules as written. Forward to the full Board for review.

**DISCUSSION ITEMS**

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Presenter</th>
</tr>
</thead>
<tbody>
<tr>
<td>8</td>
<td>Acupuncturists Carrying CBD Hemp Oil for Resale</td>
<td>Stoll</td>
</tr>
</tbody>
</table>

Mr. Stoll presented the topic by noting that several other Boards allow acupuncturists to carry and distribute CBD products that aren’t above the federally illegal levels above .03%. He noted that there is some continuing education available online for acupuncturists.

Dr. de la Torre expressed concerns about how CBD oil is advertised in relation to the lack of adequate research and education.

Nicole Krishnaswami, Executive Director, noted that Oregon pharmacists have been discussing the issue of CBD oil. The Oregon Board of Pharmacy is putting together a position statement that will be later this year.

**COMMITTEE RECOMMENDATION:** The Committee recommended tabling the discussion for additional review of the Oregon Board of Pharmacy’s position statement at the December 2019 Committee meeting.

**INFORMATIONAL ITEMS**

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Presenter</th>
</tr>
</thead>
<tbody>
<tr>
<td>9</td>
<td>Review of Board-Approved Minutes from December 7, 2018</td>
<td>de la Torre</td>
</tr>
</tbody>
</table>

**COMMITTEE RECOMMENDATION:** The Committee acknowledged the Board-approved minutes from December 7, 2018.

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Presenter</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>Approved Needling Privileges for Visiting Acupuncturists</td>
<td>Albanese</td>
</tr>
</tbody>
</table>

**COMMITTEE RECOMMENDATION:** The Committee reviewed the list of approved visiting acupuncturists. Informational item only; no action taken.

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Presenter</th>
</tr>
</thead>
<tbody>
<tr>
<td>11</td>
<td>Approved Clinical Supervisors</td>
<td>Berkshire</td>
</tr>
</tbody>
</table>

**COMMITTEE RECOMMENDATION:** The Committee reviewed the list of approved clinical supervisors. Informational item only; no action taken.

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Presenter</th>
</tr>
</thead>
<tbody>
<tr>
<td>12</td>
<td>Future Committee and Board Meeting Dates</td>
<td>Stoll</td>
</tr>
</tbody>
</table>

**COMMITTEE RECOMMENDATION:** The Committee reviewed the upcoming meeting dates. No amendments were suggested. No action taken.
There were no further comments from the public.

**ADJOURN at 2:17 PM**