

# MARYLAND ACUPUNCTURE BOARD

## Newsletter

Summer 2010

### BOARD CONTACT NUMBERS:

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## FAREWELL TO BOARD MEMBERS

### Tyme Gigliotti, L.Ac., Barbara Cronin, Consumer Dr. Charles Griffin, Consumer

At this time, the Board must bid farewell to members Tyme Gigliotti, L.Ac., Barbara Cronin and Dr. Charles Griffin. All three members dedicated endless time, knowledge and energy to the Board and we would like to thank them for their efforts and many accomplishments throughout their terms.

**Tyme Gigliotti**, appointed in 2003, served as both as Vice Chair and Chair of the Board. With his expertise as a practitioner, he was able to give the Board sound advice on professional matters and worked diligently to protect the interests of Maryland citizens.

**Barbara Cronin** completed a long term service of 10 years. As a former elementary school principal, Ms. Cronin served as an attentive consumer member and stepped in as the Board's Secretary. As a crafty word smith, she assisted in editing many regulation changes, minutes and legislative proposals. She also provided the Board with her valuable perspective as a patient.

**Charles Griffin** was appointed in 2003. As a consumer member for other health occupational boards for many years, Dr. Griffin was able to steer the board in the right direction with his expertise in Board policies. He also served as Chair for the Consumer Advisory Committee.

**The Board would like to thank all three members for their hard work, expertise, diligence and dedication throughout their terms. YOU WILL BE MISSED!**

## WELCOME NEW BOARD MEMBERS

### Corinne Axelrod and Deneb Fallabella

**Corinne Axelrod** is a 2001 graduate of the Maryland Institute of Traditional Chinese Medicine (MITCM). She has a B.A. degree in Medical Anthropology, where she studied Tibetan medicine, and a Masters in Public Health degree in health policy from the University of California, Berkeley. After graduating from MITCM, she continued her studies in Shanghai, China, and now maintains a part-time practice in her home in Kensington, MD. Corinne is the former Vice-president of the American Association of Acupuncture and Oriental Medicine, and she continues to be active in promoting and preserving acupuncture and Oriental medicine on the national level.

**Deneb A. Falabella**, B.A., M.Ac., L.Ac., NADA Certified ADS, Dipl. Ac. (NCCAOM), is a graduate of Muhlenberg College and the Traditional Acupuncture Institute. She is currently serving at the TAI Sophia Institute as the Associate Director of the Master of Acupuncture Program. Ms. Falabella has been a practitioner and member of the staff at the Institute since 1999. She holds a certificate in Chinese Herbal Medicine and enjoys complementing acupuncture with herbs to help patients regain their natural state of wellness.

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## **DON'T LET THIS HAPPEN TO YOU!!**

### **TWO MONETARY PENALTIES THAT CAN AFFECT THE RENEWAL OF YOUR LICENSE**

#### **1. Delinquent Child Support Payment: Professional License Suspension Program**

Under Family Law Article 10-119.3, the Child Support Enforcement Administration (CSEA) under the Department of Human Resources, is authorized to refer the names of delinquent payees to health professional licensing boards to request the suspension of their professional license. The CSEA will send notification to licensing boards when a practitioner is in arrears more than 120 days under the most recent court order. If payments are not made, practitioners could face suspension of their professional license or the denial of an initial application.

Practitioners will have 15 days of the date of receiving the notice of referral to a licensing board to pay the arrears in full or request an investigation of the accuracy of the information contained in the notice.

Before a license is suspended, the Board must send written notice of suspension to the individual including their right to contest the action. The only cases that can be contested will be those demonstrating mistaken identity.

#### **2. Tax Clearances for Renewal of License**

The Board has encountered several practitioners who have experienced problems renewing their licenses due to unpaid taxes. The Budget Reconciliation and Financing Act of 2003 requires that the Board must first verify that all renewing licensees have paid all undisputed taxes and unemployment insurance contributions before renewing their license. Therefore, the Board of Acupuncture checks with the State Comptroller's Office to verify that a licensee applying for renewal has paid or satisfactorily arranged to pay state taxes before the Board can issue a license.

If your tax payments are not current, the Board cannot issue a license to you until your taxes are paid or are accounted for payment. Any renewal applicant who may owe outstanding taxes or unemployment insurance contributions should satisfy these debts before attempting to renew his or her license. If the debt cannot be satisfied, the applicant should contact the appropriate party (at the Comptroller's Office or at Labor, Licensing and Regulation) to work out a satisfactory payment plan.

For questions or concerns regarding this matter, please feel free to call the Comptroller's Compliance Division at 410 974-2432 or toll-free at 1-888-674-0016, for further information.

### **BOARD OF ACUPUNCTURE CODE OF ETHICS**

The Board believes that it is worthwhile to periodically review its Code of Ethics, which can be found under Code of Maryland Regulations, COMAR 10.26.03. Copies of the regulation as well as an Ethics Guideline booklet are available on the Board's website: [www.dhmf.state.md.us/bacc](http://www.dhmf.state.md.us/bacc)

The Guidebook is a collective summary of practice guidelines and is designed to provide a quick reference on current laws and rules of the Board. The Guidebook should not be used in place of knowing and understanding the actual statute and regulations as adopted by the Board. The policies cited are subject to change after publication and are not binding when determining state law or regulation.

You should always check on current law or regulation before making any decisions that might affect your practice. The Board also recommends that you seek the advice of attorney for professional, legal or business advice before making a decision in your practice. If you have questions concerning the guidelines, or would like a printed copy, please contact the Board at 410-764-4766.

## Continuing Education

The Board requires that for every two years of licensure, 40 hours of continuing education is earned for renewal. It is the responsibility of the licensee to maintain documentation of continuing education. Documentation is acceptable for the May or November 2-year cycle as follows:

**Month of Expiration**

November 2010  
May 2011

**Timeframe for accrual of CEU**

December 1, 2008 - November 30, 2010  
June 1, 2009- May 31, 2011

**THE BOARD DOES NOT REQUIRE THAT YOU SUBMIT PAPER DOCUMENTATION OF CEU HOURS UNLESS YOU ARE SELECTED FOR AUDIT.** You must simply list the courses you have completed online or on the paper application. If you are selected for audit, the Board will request that you provide copies of the following documentation of your hours with your renewal form. Documentation that does not contain the following information will be returned. If replacement documentation is not received, renewal of your license will not be granted.

Continuing education **documentation** must contain the following information in order to be acceptable to the Board.

- Must be on sponsor letterhead
- Must have the complete name of course
- Must have number of credit hours received
- Must have date(s) credit hours were received
- Must have signature of instructor

Licensees who have not met the continuing education requirement **due to extreme hardship** may request an extension of time to meet the requirement. A request for a time extension must be in writing to the Board, and must outline a plan for completing the requirement, and must be received by the Board prior to the deadline for expiration. The Board has sole discretion in granting/denying extension requests.

A licensee will not be renewed unless the continuing education requirement has been met. Licensees who fail to meet this requirement must apply for reinstatement.

**The CEU breakdown is as follows:**

- **At least 25 hours in formally organized programs which are relevant to the practice of acupuncture.**
- **Not more than 15 hours of training in accredited programs which will assist a licensee to carry out the licensee's professional responsibilities** such as management courses, computer training, CPR, western medicine, massage, foreign language training for translators of relevant texts, or educational methodology for teachers of acupuncture
- **Not more than 15 hours teaching** acupuncture and related oriental medical therapies
- **At least 3 hours in ethics/professional boundary training every 4 years.**  
This means that those of you renewing in November 2010 will be required to earn 3 hours of continuing education by November 2014. Those renewing in May 2011 will be required to earn 3 hours in ethics by May 2015.
- **Not more than 10 credit hours in pro bono activity.** 1 credit hour for each 3 hours of pro bono activity is allowed per renewal cycle.

## BOARD COMPOSITION

### BOARD MEMBERS

#### CHAIR:

**Steven Kaufman, L.Ac**

PROFESSIONAL MEMBER

#### VICE CHAIR:

**Grant Zhang, L.Ac.**

PROFESSIONAL MEMBER

**Kate Carter, L. Ac.**

PROFESSIONAL MEMBER

**Corinne Axelrod, L. Ac.**

PROFESSIONAL MEMBER

**Deneb Fallabella, L.Ac.**

PROFESSIONAL MEMBER

**Barbara Cronin**

CONSUMER MEMBER

**Charles Griffin, Ed.D.**

CONSUMER MEMBER

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#### STAFF

#### EXECUTIVE DIRECTOR:

Penny K. Heisler

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#### ADMINISTRATIVE ASSISTANT

Cynthia Dobbins

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#### BOARD COUNSEL

Richard Bloom, AAG

### DON'T WAIT UNTIL THE LAST MINUTE TO RENEW YOUR LICENSE

Unfortunately, the end of the May renewal period occurred over the Memorial Day holiday weekend and many of you waited until the last minute to renew. Because of the State holiday and a furlough day, the Board's office was closed for 5 days.

Those of you who waited until the last minute to renew were unable to contact staff over the long weekend to resolve problems and you had to wait until Tuesday, June 1, which, unfortunately, was the past the expiration date of your license. This caused panic in many of you and ruined some holidays. It is therefore in your best interest to ensure that you renew promptly and give your self enough time to avoid any problems in the future.

### IMPORTANT DUPLICATE LICENSES

The Board would like to remind licensees that you are **required that to post an official license in every office, clinic, or practice setting in which you are working.** It is no longer permissible to post Xerox or scanned copies of your license in your office. The Board will furnish an official duplicate of your license to any licensed acupuncturist who currently resides in Maryland, **free of cost.**

**The duplicate license request must be made in writing and an address must be given for each duplicate license requested.** Only one duplicate will be granted for each office. If at anytime a license is lost or destroyed, you may request a duplicate, in writing, stating the circumstance under which the license was lost or destroyed.

### SUPERVISORS/EXPERT WITNESSES FOR DISCIPLINARY CASES WANTED

The Board is looking for qualified Maryland acupuncture licensees to provide expertise in disciplinary cases, or to supervise licensees who have been disciplined and require supervision.

The Board is currently compiling a list of available supervisors/experts from which it can draw names as needed. Licensees with knowledge in boundary issues, professional conduct, sexual misconduct, herbal medicine, western medicine, acupuncture, oriental body works, and other oriental therapies, may apply. Applicants must have been in practice for a minimum of five years and must fill out an application provided by the Board.

Volunteers will be compensated at the rate of \$75 per hour. Supervisors will be compensated by the practitioner.

**Feel free to call the Board to request an application for either placement.**

## LATE RENEWAL, INACTIVE, REINSTATEMENT

What are the requirements for late renewal, being on inactive status and reinstatement?

**LATE RENEWAL:** A late renewal means that you have sent in your renewal application within a 30-day grace period after the expiration date of your license. If you file a late renewal, you will be required to pay a **\$100 late fee**. Please remember that a late renewal only applies if you submit your application and fee within 30 days after the expiration date.

**PLEASE NOTE THAT IF YOU FAIL TO RENEW YOUR LICENSE ON TIME YOU MAY BE CONSIDERED PRACTICING WITHOUT A LICENSE AND MAY BE CHARGED IN VIOLATION OF THE MARYLAND ACUPUNCTURE PRACTICE ACT.**

**REINSTATEMENT:** If you submit your renewal application more than **30 days after the expiration date**, you will be required to **reinstate** your license. This means that you failed to renew within the 30-day grace period and will have to pay the renewal fee and a reinstatement fee of \$200. You will also have to provide proof of 40 hours of CEU's for every 2 years your license has lapsed.

**INACTIVE:** Recommended for licensees who will not be practicing acupuncture in Maryland for more than 2 years. If you know that you will be out of state for a period or want to go on maternity leave, you may think about placing your license on **inactive** status. This process avoids the higher cost of reinstatement. To become inactive you simply complete an inactive application, pay a \$100 fee and request that you be placed on an inactive list. Upon your return to your Maryland practice, you can easily fill out a renewal form, pay the renewal fee and provide documentation of 40 CEU's for every 2 years you are inactive. Inactive status is limited to a 6 year time period.

## ACUPUNCTURE TREATMENTS OUTSIDE THE OFFICE HEALTH FAIRS AND OTHER PUBLIC FORUMS

The Board of Acupuncture frequently receives questions regarding the proper standards of practice at health fairs and public venues. Treating individuals at such locations will require the same measure of care and privacy that you would offer to your patients within the confines of your private office.

If you offer a trial treatment to individuals at open forums, you must ensure that the following procedures are followed or completed:

1. Informed consent form
2. History and evaluation
3. Follow up care
4. Treatment rendered in a private place
5. Record of individual is maintained for 5 years
6. Health Insurance Portability and Accountability Act (HIPPA)
7. Clean needle techniques, universal precautions, proper sanitation and hygiene

**Your contact information should also be provided in case of an adverse reaction.**


## **Board Meeting Schedule**

The Board of Acupuncture traditionally meets on the second Tuesday of every other month, starting at 1:00 p.m. Scheduled months are September, November, January, March, May, and July.

All meetings are held at 4201 Patterson Avenue in Baltimore, usually at 1 PM on the first floor.

These meetings are open to the public and you are encouraged to attend. Please call the Board before the meeting to confirm the proper time and room number.

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ACUPUNCTURE BOARD**  
4201 Patterson Ave  
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Unit 252