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**BOARD MEETING
APPROVED MEETING MINUTES
November 7, 2024**

LOCATION:

Alhambra Medical University
2215 W Mission Road
Alhambra, CA 91803

Remote Access via Web Ex Teleconference

Staff Present

Benjamin Bodea, Executive Officer
Brennan Meier, Legal Counsel
Jay Herdt, Licensing Manager
Enrico Garcia, Administrative Coordinator
Marisa Ochoa, Central Services Manager, Remote
Kristine Brothers, Policy Coordinator, Remote

Members (of the Board) Present

Dr. Yong Ping Chen, Ph.D., L.Ac., President
Hyun “Francisco” Kim, M.S., L.Ac., Vice President
Gregory Leung
Shu Dong Li, Ph.D.
Dr. Amy Matecki, M.D., L.Ac.
Ruben Osorio

Item 1 – Call to Order, Roll Call, and Establishment of Quorum

Meeting commenced at 9:38 a.m.

Roll call taken. Member John Harabedian was absent from the meeting. All other board members were present. Quorum established.

Item 2 – President’s Remarks

President Yong Ping Chen (President Chen) welcomed members, staff, and the public to the meeting.

Item 3 – Review and Possible Approval of Board Meeting Minutes for August 8, 2024

Members reviewed the minutes from the August 8, 2024, meeting.

MOTION

Member Amy Matecki motioned to approve the August 8, 2024, meeting minutes.

Member Ruben Osorio seconded.

Yes: Chen, Kim, Leung, Li, Matecki, Osorio

6-0

Motion Passes

Item 4 – Executive Management Report

(A) Budget Update

Debbie Shaw (Shaw) from the DCA Budget Office presented the Board's expenditure and revenue projections as well as the fund condition statement. Ms. Shaw noted one of the main factors driving expenditure increases for the ensuing years is personal service adjustments which include general salary increases, employee compensation, and retirement rate adjustments. The Budget Office will continue to monitor the Board's revenues and expenditures then report back to the Board with expenditure projections as they continue to close fiscal months in the current fiscal year.

(B) Licensing Report Q1 FY 2024-25

Licensing Manager Jay Herdt (Herdt) reported the data for Licensing, Continuing Education (CE), Tutorial, Training Programs, and Exam Results.

Member Gregory Leung (Leung) noted the discrepancy between the active acupuncture licenses and active wall licenses. Mr. Herdt explained due to the pandemic, numerous licensees suspended their practice. As the pandemic waned, licensees have slowly started reopening their practices. Board Member Leung then asked if practicing acupuncturists are required to post their wall licenses. Mr. Herdt answered in the affirmative. Nevertheless, there are still practicing acupuncturists not in compliance. Because of this, the Board is continuously informing and promoting the wall license requirement to licensees.

Vice-President Kim (VP Kim) followed up by asking about the high number of inactive licensees. Mr. Herdt replied some licensees move out of state after being licensed.

President Chen discussed how the pandemic significantly affected acupuncturists. President Chen thereafter sought clarification on the timeframe when acupuncturists are required to post their wall license in their place of practice. Mr. Herdt clarified acupuncturists are required to register and post a wall license within thirty days from the establishment of their new place of practice.

(C) Business Modernization Update

Mr. Herdt reported the Board continued its business modernization efforts through a modern licensing and enforcement online digital system. The Board also continues to improve its existing licensing and CE functions. Lastly, the Board recently completed a new functionality for the CE audit process. The functionality will make it more efficient for staff to conduct audits.

(D) Enforcement Report Q1 FY 2024-25

E.O. Bodea reviewed the complaints/convictions, investigations, and disciplinary data for Quarter One of 2024-25 Fiscal Year (July 1 – September 30, 2024).

Member Leung inquired how can a non-English-speaking person file a complaint. E.O. Bodea responded the public can go to the Board's website and file an online complaint using Google Translate. Another option is to file a complaint written in their preferred language. The Board would then have the complaint translated through a vendor.

President Chen stated with the implementation of the new CE Law and Ethics requirement, she hopes the number of complaints will go down.

Public Comment

The first public commenter asked if the use of lasers is considered unprofessional conduct.

The second public commenter questioned if mere completion of the curriculum required by the Board will allow an applicant to take the California Acupuncture Licensing Examination.

The third public commenter supported the first speaker's sentiment.

The fourth public commenter inquired if bleeding is considered unprofessional conduct.

The fifth commenter expressed concern on how the Board oversees the increasing number of tutorial programs.

Item 5 - Legislative Report

Policy Coordinator Kristine Brothers (Brothers) reported the Bills of Interest to the Board from the 2024 legislative session.

- AB 796 (Weber) Athletic trainers.
- AB 1991 (Bonta) Licensee and registrant renewal: National Provider Identifier
- AB 2269 (Flora) Board membership qualifications: public members
- AB 2862 (Gipson) Department of Consumer Affairs: African American applicants
- SB 1067 (Smallwood-Cuevas) Healing arts: expedited licensure process: medically underserved area or population

Item 6 – Regulatory Report

Ms. Brothers summarized the status of each Board's active regulatory packages.

VP Kim inquired what is the next step for the regulatory item Align Curriculum Standards and Approval Related Regulations with Statute. VP Kim also inquired how many staff are working on the item. Ms. Brothers responded the Board is in the drafting stage where required updates are being reviewed. Ms. Brothers added there were changes that went through from the original amendments. Finally, she indicated two other staff are working with her.

Public Comment

A public comment was made encouraging the reissuance of the Acupuncture Curriculum Survey to obtain improved responses to better align the curriculum standards.

Item 7 – Establish 2025 Board Meeting Calendar

E.O. Bodea proposed board meeting dates that align with the legislative calendar. The Board agreed to hold the first 2025 board meeting on March 6-7. The Board decided to determine the rest of the 2025 board meeting dates at the next meeting.

Item 8 – Pursuant to Government Code, section 11126, subd. (a), the Board Will Meet in Closed Session for Discussion, Deliberation, and Possible Action on Evaluating the Executive Officer’s Performance

President Chen tabled this item for the March 2025 meeting.

Item 9 – Public Comments for Items Not on the Agenda

The first commenter recommended a change in the admission of acupuncture trainees. The commenter expressed concern that completion of a high school course is not enough education for an acupuncture trainee.

The second commenter echoed the sentiment of the first speaker. The commenter enumerated apprehensions on the tutorial program.

The third commenter voiced opposition against the tutorial program. The speaker suggested raising the minimum qualification from a high school course to a doctorate program.

The fourth commenter gave a brief report on the California Acupuncture Day. The speaker encouraged stakeholders to attend the next California Acupuncture Day.

The fifth commenter asserted the minimum requirement of doctorate degree for acupuncturists.

The sixth commenter gave a brief historical background of the required 3,000 hours of theoretical and clinical training. The speaker also spoke about Asian Massage, Manual Therapy, Dry Needling, and Consumer Guide to Acupuncture.

The seventh commenter reiterated the fallacy of the term Asian Massage. The speaker also encouraged the use of the term Tui na. Lastly, the speaker asserted that use of needles equates to acupuncture.

The eighth commenter supported the two prior speakers. The speaker stated Asian Massage is unprofessional term and encouraged the transition to Tui na. The speaker added dry needling should be scrutinized for public safety.

The ninth commenter emphasized higher education is vital to the profession. The speaker also indicated California acupuncturists are well respected.

The tenth commenter advocated the integration of eastern and western medicine.

The eleventh commenter is alarmed acupuncture students could be graduating from non-accredited programs.

The twelfth commenter raised concern on licensees' home addresses being accessible from the board's website. The accessibility could create a potential security issue.

The thirteenth commenter was also perturbed that students could be graduating from non-accredited programs.

The fourteenth commenter expressed support to the sentiment of the eleventh and thirteenth speaker.

Item 10 – Future Agenda Items

E.O. Bodea enumerated future agenda items proposed by the public in the previous agenda item, namely: bachelor's requirement for applying for acupuncture school; terminating the tutorial program; education requirements; doctoral program; terminology issues between Asian massage, Tui na, and manual therapy; lasers; bleeding; dry needling; reissuing consumer guide; and acupuncturists' home addresses.

Member Amy Matecki sought to discuss professional titles associated to acupuncturists.

Member Ruben Osorio wishes to take a closer look at the Consumer Guide to Acupuncture.

Public Comment

The commenter aims to address curriculum competency issues.

Item 11 – Adjournment

President Chen adjourned the meeting at or around 12:02 p.m.