

MINUTES

**UTAH
ACUPUNCTURE
LICENSING BOARD
MEETING**

February 11, 2014

**Room 402 – 4th Floor – 12:00 P.M.
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 12:07 A.M.

ADJOURNED: 12:24 P.M.

Bureau Manager:
Board Secretary:

Noël Taxin
Tammy Baker

Board Members Present:

Regan J. Archibald, LAc, Chairperson
Natalie Clausen, LAc
Tiffany Garofalo, LAc
Lynn A. Gershan, MD
Tyehao M. Lu, Lac

Board Members Absent:

Michele Zabriskie, Public Member

Guests:

Chris Rogers
Matt Jertic

DOPL Staff Present:

Mark B. Steinagel, DOPL Director

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

MINUTES:

The minutes from the January 21, 2014 Board meeting were read.

Dr. Gershan made a motion to approve the minutes as read. Ms. Garofalo seconded the motion. Ms. Clausen abstained as she did not read them. The Board vote was unanimous.

DISCUSSION ITEMS:

Patient Safety Advisory for Dry Needling

Ms. Garofalo stated she emailed all Board members a suggested final draft for the Patient Safety Advisory

for Dry Needling. She stated after she emailed a copy, she made a few revisions that she would like to point out to the Board.

Ms. Taxin stated that maybe they should go over the letter from the beginning and asked the Board members if everyone received a copy of the advisory statement.

The Board confirmed they had all received a copy of the advisory statement.

Ms. Garofalo asked if anyone had any comments, suggestions, or concerns.

Mr. Archibald stated that he was impressed with the statement. He stated that he felt that it did a good job drawing a contrast between acupuncture training and other professions.

Ms. Garofalo stated that the primary purpose for the advisory is patient safety and if anyone feels that it steps over that boundary, to please point it out.

Mr. Steinagel stated that he was concerned with the statement in footnote 4 that stated "An acupuncturist who is not licensed may still legally practice acupuncture in Utah..." Mr. Steinagel stated that this statement is not true; you must be licensed in the State of Utah in order to practice acupuncture.

Ms. Garofalo stated that her understanding was that chiropractors are allowed to practice acupuncture even though they are not licensed acupuncturists.

Mr. Steinagel stated that it is in their scope of practice for a licensed chiropractor to perform acupuncture, but it is not in the scope of practice for a physical therapist to perform acupuncture. He stated under no circumstance can an unlicensed individual practice acupuncture.

Mr. Steinagel and Ms. Clausen clarified that different professions can perform acupuncture if it is within their scope of practice, but they may not call themselves acupuncturists if they are not licensed

acupuncturists.

Mr. Steinagel stated that there are a limited number of professions that are allowed to practice acupuncture because it states in their practice act that they can do acupuncture.

Ms. Garofalo stated that maybe the advisory included too much information. She asked the Board if they thought she should remove some of the content from the advisory.

Ms. Clausen stated that the message needs to be clearer. She stated that instead of saying, an acupuncturist that is not licensed, she may want to say other professions that practice acupuncture within their scope of practice that are not licensed acupuncturists.

Ms. Taxin stated that the first version of the letter may be more accurate. She read the second paragraph out loud to the Board.

Ms. Taxin stated that it is her understanding that when quoting a reference you cannot add your personal opinion in that quote.

Mr. Steinagel stated that the Board can do what they want as long as it is accurate.

Ms. Garofalo asked Ms. Taxin to read paragraph two again.

Ms. Taxin read paragraph two to the Board.

Dr. Gershan rewrote number four and read it to the Board as follows: other licensed professionals, such as D.C. and M.D.'s, may practice acupuncture although their training may differ from that of a licensed acupuncturist, L.Ac. in both hours of training and clinical supervision".

Ms. Taxin reminded Ms. Garofalo to also include Osteopathic Physician's (D.O's).

Mr. Steinagel stated that the "such as" is all inclusive and Ms. Garofalo does not need to include D.O.'s, that

the Board can decide whether they want to include D.O.'s.

Ms. Garofalo and the Board stated that they like the wording that Dr. Gershan wrote and would like that implemented into paragraph two. The Board agreed to eliminate footnote number four.

Ms. Clausen made a motion to approve the Patient Safety Advisory for Dry Needling as discussed and corrected. Mr. Lu seconded the motion. The Board vote was unanimous.

NEXT MEETING SCHEDULED FOR: July 15, 2014

ADJOURN: The time is 12:24 pm and the Board meeting is adjourned.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

7-14-14
Date Approved



Chairperson, Utah Acupuncture Licensing Board

2/20/14
Date Approved



Bureau Manager, Division of Occupational & Professional Licensing