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LANSING

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**MICHIGAN BOARD OF ACUPUNCTURE  
RULES COMMITTEE WORK GROUP  
MEETING**

**MINUTES  
APRIL 23, 2020**

The Michigan Board of Acupuncture, Rules Work Group, met on April 23, 2020. The meeting was held via Zoom, pursuant to Executive Order 2020-48.

**CALL TO ORDER**

Kimmy Catlin, Board Support, called the meeting to order at 10:01 a.m.

**ATTENDANCE**

**Members Present:** Beth Converse, RAc  
Jonathan Zaidan, MD, Vice Chairperson

**Members Absent:** Elizabeth Stewart, RAc

**Staff Present:** Kimmy Catlin, Board Support, Board and Committees Section  
Dena Marks, Policy Analyst, Board and Committees Section

**Public Present:** Anne Biris  
Henry Buchtel  
Gigi Cristache

**RULES DISCUSSION - Copy of the current rules are attached to this document.**

**R 338.13001 Definitions.**

Marks advised that this portion of the rules was updated to ensure consistency.

**R 338.13003 Telehealth.**

Marks advised that this rule was added due to a statutory requirement.

Zaidan inquired if verbal consent met the requirement.

The Rules Committee would like to see potential language before adopting this rule.

Marks stated she would provide the Committee with language used in other professions.

### **R 338.13004 Adoption of standards.**

Marks stated that this information will be verified on the final draft to reflect any updated information.

### **R 338.13005 Licensure.**

Marks explained that there was a statutory provision to permit those who were previously registered to be licensed.

Marks also explained that the statute required rules to be promulgated for licensure of those qualified but not previously registered, as registration was not required. Marks explained that the provisions in subsection (1)(b) are to be reviewed and asked the Committee for its recommendations.

- (i) Patient records, with personal information redacted, demonstrating that the applicant has \_\_\_\_ years of experience and treated \_\_\_\_ patients of performing acupuncture/other appropriate practice descriptions.
- (ii) Education and training records demonstrating that the applicant has completed a minimum of \_\_\_\_ hours/years of education and training in acupuncture/other appropriate topics.
- (iii) Other verifiable evidence that the applicant has a minimum of \_\_\_\_ years of experience and \_\_\_\_ hours of education and training in acupuncture/other appropriate education, training, and practice experience.

Buchtel provided background on Senate Bill 683 and House Bill 4710. He supplied information that would satisfy this rule.

Zaidan requested that a licensee must have 3 years of treating patients.

Converse stated it was a difficult decision, but she agreed with 3 years.

Marks advised that more information is required.

Zaidan suggested 50 patients in a year for a period of 3 years.

Converse asked Buchtel how the numbers were determined when writing the Bill.

Buchtel stated that they interviewed people and reviewed other state's language on the matter. Eventually, they agreed with what Washington required.

Buchtel suggested the use of testing.

Marks stated that the statute does not address testing as a method.

Buchtel inquired about what happens once a decision is made on these requirements.

Marks explained the rule promulgation process and timeline.

Zaidan reinstated his suggestion of 50 patients in 1 year for 3 years.

Buchtel stated that education varies among people and there could be an issue with the number of hours.

Converse asked for more information on the matter.

Buchtel volunteered to provide potential language from the Bill.

Marks stated they will review language and come back to this rule at the next Committee meeting.

Marks advised that no changes were made in subsection (2)(b).

**R 338.13007 Limited License; restrictions on license.**

Marks explained the rule.

Zaidan agreed with it as written.

Converse stated that not all acupuncturists practice under a doctor.

Marks stated that this applies to those who are required to have supervision.

Buchtel suggested adding "insurer" to subsection (c).

The Committee agreed.

Marks stated she would add the word "insurer".

**R 338.13010 Application for acupuncturist by endorsement; requirements.**

Marks presented the rule.

Converse questioned what was meant by “immediately preceding”.

Marks stated that whatever timeframe the Committee chooses, can be added.

Converse expressed concern with requiring the NCCAOM certification.

Zaidan was in favor of current rule.

Biris stated that California and the NCCAOM have been working towards merging.

Zaidan stated until then, a standard is still needed.

Buchtel provided examples of different standards held by different states.

Discussion was held regarding other states.

Marks stated she will come back to this rule at the next Committee meeting to determine if another certification should be added.

### **R 338.13015 and R 338.13020 have been rescinded.**

No discussion was held.

### **R 338.13025 Application for acupuncturist relicensure; requirements.**

Marks explained that this rule has been turned into a table.

Marks explained that the endorsement rule only allows endorsement from other states however, often people who have been practicing in Canada seek relicensure in Michigan, so Canada has been added to the table for the committee to consider.

Converse stated she was unsure about Canada’s acupuncture education.

Marks stated they will have already been licensed in Michigan.

The Rules Committee agreed to include Canada in the table.

### **PART 3. LICENSE RENEWAL AND CONTINUING EDUCATION**

Marks advised that she took language from other professions but that subsection (d) required a number from the Board.

Converse suggested 5.

Zaidan stated he cannot provide comment on this matter.

Discussion was held.

Marks stated she would verify the professional development activity credits required by the NCCAOM and that subsections (c) and (d) would be reviewed at the next meeting.

Marks advised that subsection (3) was statutory.

The Rules Committee agreed with the language in subsections (3)-(5).

**R 338.13030 Rescinded.**

Buchtel presented a PowerPoint to the Committee. (See addendum #1).

**ADJOURNMENT**

The meeting adjourned at 11: 58 a.m.

Prepared by:  
Kimmy Catlin, Board Support  
Bureau of Professional Licensing

April 25, 2020