

Minutes
-of-
SC Board of Medical Examiners
Acupuncture Advisory Committee

Committee Meeting of November 18, 2014
Via Telephone Conference

Synergy Business Park, Kingstree Building
110 Centerview Drive, Columbia, South Carolina 29210

CALL TO ORDER

Gary Nestler, Chair of the Committee, called the regular meeting of the Acupuncture Advisory Committee to order at 12:00 P.M. on Tuesday, November 18, 2014, 110 Centerview Drive, Columbia, South Carolina, with a quorum present. Alex Imgrund, Advice Counsel announced that the meeting was being held in accordance with the Freedom of Information Act by notice mailed to *The State* Newspaper, Associated Press, and all other requesting persons, organizations, or news media. In addition, notice was posted on the bulletin boards located at both main entrances of the Kingstree Building where the Board office is located.

The Committee members present were as follows: Gary Nestler, Chair, of Isle of Palms; Mr. Martin Herbkersman of Columbia; Mrs. Audrey Temelini, of Mt. Pleasant; Dr. Nancey Tsai, MD of Charleston; and Dr. Jim Chow, MD of Columbia.

Members of the staff participating in this meeting included: Sheridon Spoon, Board Administrator; Alex Imgrund, Advice Counsel; April Koon, Program Coordinator; and Laura McDaniels, Administrative Assistant.

ADOPTION OF AGENDA

The agenda for the meeting was reviewed and accepted.

APPROVAL OF MINUTES

Dr. Tsai made a motion to approve the minutes with corrections from the July 15, 2014 meeting. Mrs. Temelini seconded the motion. Motion carries.

AGENDA TOPIC: DRY NEEDLING UPDATE

There was a discussion regarding a rule previously proposed by the committee to the board defining the practice of Acupuncture. The Acupuncture Advisory Committee previously recommended to the board approval of a rule that defines the practice of Acupuncture. The Committee had recommended a proposed rule that reads, "It is determined that the use of thin, solid, metallic, needles for the promotion, maintenance, and restoration of health and the prevention of disease is the practice of Acupuncture." This proposed rule was not adopted by the Medical Board at their August 2014 meeting. The Office of Advice Counsel advised that the statute would have to be changed in order to change the definition of the practice of Acupuncture. There was a brief discussion concerning statutes versus advisory opinions. Mr.

Herbkersman stated that the Acupuncture Advisory Committee would like to have clear definition of the Practice of Acupuncture in order to educate and protect the public. Mr. Herbkersman also stated that many states are using the same definition as proposed by the Acupuncture Advisory Committee. There was discussion regarding the Physical Therapy Board's opinion that dry needling is within the scope of physical therapy as well as an Attorney General's opinion on the subject.

COMMITTEE VACANCIES

The Acupuncture Advisory Committee is currently seeking two licensed acupuncturists to fill vacancies. Dr. Gary Nestler, Committee Chair recommended Mr. William Hendry and Mrs. Leslie Jafarace. Mrs. Temelini made a motion to accept the recommendations of Mr. William Hendry, L.Ac. and Mrs. Leslie Jafarace, L.Ac. Mr. Herbkersman seconded the motion. Dr. Tsai, MD recommended Mr. William Skelton, L.Ac. There was a brief discussion concerning Mr. William Skelton, L.Ac. as being grandfathered as a Licensed Acupuncturist according to Section 40-47-725 (B). Dr. Tsai, MD made a motion to recommend Mr. William Skelton, L.Ac. There was no seconded motion for Mr. William Skelton, L.Ac. Dr. Tsai, MD abstained from the vote. Motion carried for the recommendation of Mr. William Hendry and Mrs. Leslie Jafarace.

ADJOURNMENT

There being no additional business, Dr. Tsai moved to adjourn the meeting and Mrs. Temelini seconded the motion. The meeting was adjourned at 1:15 P.M.

Respectfully submitted,

Laura McDaniels
Administrative Assistant