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Division of Consumer Affairs
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Acupuncture Examining Board
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ACUPUNCTURE EXAMINING BOARD PUBLIC SESSION MINUTES JANUARY 18, 2012

I ROLL CALL

PRESENT

Henry McCann, Mimi Vassilev-Baker, Roger Rossi, Nita Raval, Edith Lee, Shoshanna Katzman

ABSENT

Barbara Montana, Karen Wei-Ru Lin

ALSO PRESENT

Barbara Lopez, DAG
Renee P. Clark, Executive Director
Tanya Gollett, Staff

CALL TO ORDER

The regular monthly meeting of the Acupuncture Examining Board was called to order at 124 Halsey Street at 9:30 a.m., all members having been notified of the time, date and, place and materials pertinent hereto having been provided.

SUNSHINE LAW

In compliance with Chapter 231 the Public Law of 1975, notice of this was sent to the Courier-Post and the Record.

II. MINUTES

A motion was made by Henry McCann and seconded by Edith Lee to approve the November 16, 2011 Public Session Minutes with amendments. The motion carried by unanimous vote.

III. OLD BUSINESS

Zelene Quiles- Board to review Ms. Quiles updated Montclair College University transcripts. **The Acupuncture Examining Board determined that Ms. Quiles has fulfilled the Bachelors educational requirements to become licensed in New Jersey. The Board requires that Ms. Quiles also continue with the licensure process by completing the following:**

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- **Pass the ASJ examination.**

- **Update background check information.**
- **Pay all required fees.**

A motion was made by Henry McCann and seconded by Edith Lee . The motion carried by unanimous vote.

IV. NEW BUSINESS

GENERAL CORRESPONDENCE

a. Nancy Provenzano-

Sent correspondence asking the board what are the limits of liability that an acupuncturist is required to maintain in order to practice in New Jersey.

The Acupuncture Examining Board reviewed correspondence sent by Ms. Provenzaon. The Board is anticipating that the limits of liability will be 1 million - 3 million as the standard coverage in New Jersey once the statutes and regulations are approved. A motion was made by Edith Lee and seconded by Mimi Vassilev-Baker. The motion carried by unanimous vote.

b. Lisa Abramson-

- Sent correspondence asking the board when seeing a patient who has insurance benefits that she plans on billing, does the patients diagnosis for the condition need to come from a DC, DO or MD or does her license as an Acupuncturist enable her to self diagnosis a patient specifically for the purpose of insurance billing. If so what diagnosis codes are within her scope of practice?

The Board determined that Ms Abramson must refer to the Statutes and Regulations that govern her license and use her best professional judgement and her training in choosing billing codes .

Ms. Abramson also asked When Billing for an E/M code under her acupuncture license, what specific CPT codes is she permitted to use. Once again this is for billing an insurance carrier such as Blue Shield and Personal Injury.

The Board determined that it is not the Board's purview to handle billing practices. You can bill E/M codes when you provide this service. A motion was made by Henry McCann and seconded by Roger Rossi. The motion carried by unanimous vote.

c. Andrea Gurciullo-

Sent correspondence asking for clarification of fee -splitting between chiropractors and acupuncturist in the state of New Jersey.

The Acupuncture Examining Board reviewed

correspondence sent by Ms. Gurciullo. The Board determined that if Ms. Gurciullo is employed by a Chiropractor it is a contractual agreement that she will be paid by her employer for services she provides. In New Jersey it is permissible for a Chiropractor to hire an Acupuncturist and for an Acupuncturist to work for a Chiropractor. Fee-splitting is a kick-back very different from Ms. Gurciullo's definition. A motion was made by Henry McCann and seconded by Edith Lee. The motion carried by unanimous vote.

V. CREDENTIAL REVIEW

- a. **Kristina L. Petrocco-Napuli**- Director of the Bachelor of Professional Studies Program Department from New York Chiropractic College. **The Acupuncture Examining Board reviewed credentials sent to the Board by Ms. Petrocco-Napuli and determined that it needs more information before a decision is made. The Board requests that a representative come and answer questions directly from the Board about New York Chiropractic College's Bachelor of Professional Studies Program.** A motion was made by Henry McCann and seconded by Roger Rossi. The motion carried by unanimous vote.

- b. Sylvia Y. Chang- Pacific College Of Oriental Medicine. **Pursuant to NJSA 45:2C-9 Ms. Chang must have a bachelors degree separate form her oriental medicine training. Her education must also be evaluated by an approved credential evaluation agency. Her transcripts must also be translated as per regulation. Her acupuncture training must comply with regulation standards.** A motion was made by Henry McCann and seconded by Roger Rossi. The motion carried by unanimous vote.

VI. GUEST ACUPUNCTURIST

DR. ANNE JEFFRES - Request Board approval to perform guest acupuncturist services for Eastern School of Acupuncture. The Acupuncture Examining Board reviewed request from Dr. Jeffres to be a guest acupuncturist at Eastern School of Acupuncture. Chair Directs to board send Dr. Jeffres a letter confirming that she will be allowed to be a guest acupuncturist for Eastern School of Acupuncture on the requested dates after signing Board certification of services for requested dates.

VII. CONTINUING EDUCATION

The Board determined that a committee of the Board will divide and

review Continuing Education units. This Committee will consist of Roger Rossi, Mimi Vassilev-Baker and Edith Lee. A motion was made by Mimi Vassilev-Baker and seconded by Edith Lee. The motion carried by unanimous vote.

Nita Raval made a motion to proceed to Executive Session, seconded by Mimi Vassilev-Baker, to consider and review advertisement, consumer complaints and other information received pursuant to the Board's investigative authority in order to determine whether violations of law, including Board regulations, have occurred. The results of these deliberations will be made known when, and if, the Board chooses to take public action, the action will be taken in Public Session immediately after the Executive Session.

Respectfully submitted
ACUPUNCTURE EXAMINING BOARD

Renee P. Clark, Executive Director