

IDAHO BOARD OF ACUPUNCTURE
Division of Occupational and Professional Licenses
P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 4/7/2022

BOARD MEMBERS PRESENT: Margret J Blair - Chair
Gretchen A Huettig
Kameron Schott
Matthew Melton

BOARD MEMBERS ABSENT: John Downey

DIVISION STAFF: Anne Lawler, Bureau Chief
Kent Absec, Licensing Program Manager
Nicholas Krema, General Counsel
Christian Runnalls, Board Support Specialist

The meeting was called to order at 3:02 PM MDT by Margret J Blair.

LAWS AND RULES

Ms. Lawler restated the purpose and process of Zero-Based Regulation. The Board and Division staff reviewed a draft of the rules that incorporate the previously discussed changes to the following rules: 226.01-226.02, 302.02.b, 305.01, 305.05, 401, 402, and 575.04. Division staff presented additional amendments below that were approved by the Board unless otherwise stated.

Rule 226.01-226.02- Request for Approval of Qualifications:

The Board discussed the “required hours” listed in Rule 226.01 and the “number of hours” listed in 226.02. Ms. Lawler suggested deleting these phrases and including a reference to the hours in Rule 200.01. The Board discussed deleting Rules 226.01-226.02 as outdated but Ms. Blair stated that these rules give the Board the authority to consider the education of foreign applicants. The Board decided to add a reference to Rule 226.01 that refers to the hours in Rule 200.01.b.

Rule 302.02.b- Return to Active Status:

The Board discussed the guidelines in Rule 302.02.c and determined that they could be deleted but stated that the Board still wants some guidelines when considering a return to active status. The Board decided that the guidelines could be moved to a Board policy outlined on the website.

Rule 305- Continuing Education:

Ms. Lawler suggested adding “The content of a continuing education course must be germane to the practice of acupuncture as defined in Idaho Code § 54-4702. Ms. Lawler also suggested adding a guidance document to the Board’s website that contains the NCCAOM chart and describes how the Board interprets what is germane to the practice of acupuncture.

Rule 305.01- Continuing Education Requirements - Requirement:

The Board chair led a discussion on deleting categories for continuing education (CE) courses and adding “NCCAOM approved, or Board approved” since Idaho rules no longer align with NCCAOM. Division staff also suggested changing fifteen hours of CE within the preceding twelve months to thirty hours of CE within the preceding 24 months.

Rule 305.05- Carryover:

Division staff suggested changing the word “year” to “cycle”.

Rule 401- Records:

Division staff recommended deleting how long records must be kept on file and that a patient’s records will be made available to the patient within thirty days of request because it is already regulated by HIPAA.

Rule 403 – Employment of Unlicensed, Non-Exempt Individuals:

The Division suggested moving this to Rule 575 and updating the language for conciseness.

Ms. Lawler informed the Board that a public comment session is scheduled on April 18th, where the public can comment on the Board’s proposed changes to its administrative rules. Mr. Crema informed the Board that a negotiated rulemaking meeting is scheduled on May 19th. The Board directed Division staff to post the updated draft of its administrative rules for public comment.

ADJOURNMENT

Ms. Blair adjourned the meeting at 4:35 PM MDT.