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**New Mexico Regulation and Licensing Department**  
BOARDS AND COMMISSIONS DIVISION  
**Board of Acupuncture and Oriental Medicine**  
Toney Anaya Building ▪ 2550 Cerrillos Road ▪ Santa Fe, New Mexico 87505  
(505) 476-4630 ▪ Fax (505) 476-4615 ▪ www.rld.state.nm.us/acupuncture

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**MINUTES - REGULAR BOARD MEETING - JULY 2, 2009**

Regulation and Licensing, 2550 Cerrillos Road, Santa Fe, New Mexico

**MEMBERS PRESENT:** John A. Pieper, Pharm.D., Public Member, Chair  
Caroline Colonna, DOM, Professional Member, Vice Chair  
Alix Bjorklund, DOM, Professional Member  
Angelique Cook-Lowry, DOM, Professional Member  
Barbara Maddoux, RN, DOM, Professional Member  
Deborah, Armstrong, Public Member

**MEMBERS ABSENT:** Cynthia Archuleta, Public Member

**BOARD STAFF:** Martha L. Gallegos, Board Administrator  
Adrian Terry, Assistant Attorney General  
Linda Trujillo, Acting Boards & Commissions Division Director  
Kelly O'Donnell, Superintendent, Regulation and Licensing

**I. CALL TO ORDER AND ROLL CALL**

Chair Pieper called the meeting to order at 9:25 a.m. Roll call was taken and it was determined that a quorum was present.

**II. INTRODUCTION OF NEW BOARD MEMBER AND RECOGNITION OF RETIRING BOARD MEMBER**

Chair Pieper introduced the new board member Deborah Armstrong as a public member and welcomed her to the Board. Chair Pieper recognized Anna Hansen for the many years of hard work and dedication she gave to the profession as a public board member. He read a letter that will be presented with a plaque to Ms. Hansen from the Board.

**III. APPROVAL OF AGENDA**

Dr. Colonna **MOTIONED** to approve the agenda with the amendment to include a public comment session before executive session. Dr. Bjorklund **SECONDED** the motion. Motion **PASSED** by unanimous decision.

**IV. APPROVAL OF MEETING MINUTES**

**A. April 17, 2009 Regular Board Meeting Minutes** – Dr. Colonna **MOTIONED** to approve the minutes of April 17, 2009. Dr. Bjorklund **SECONDED** the motion. Motion **PASSED** by unanimous decision.

**V. OLD BUSINESS**

**A. Rx Committee Report** – Dr. Maddoux gave a brief update about individual issues pertaining to the review and approval of continuing education programs for expanded practice. She mentioned the formulary that had been approved by the Board for House Bill 492, was referred to the Board of Pharmacy for their review.

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**B. Rules Committee Report** - Dr. Maddoux presented the draft proposed rules and **MOTIONED** to schedule a rules hearing. Dr. Bjorklund **SECONDED** the motion. Discussion. Motion **PASSED** by unanimous decision. A tentative date was set for August 21, 2009. The following proposed rules were discussed: 16.2.1 NMAC – General Provisions; 16.2.2 NMAC – Scope of Practice; 16.2.3 NMAC – Application For Licensure; 16.2.6 NMAC – Reciprocal Licensing; 16.2.8 NMAC – License Renewal; 16.2.9 NMAC – Continuing Education; 16.2.10 NMAC – Fees; 16.2.11 – Licensee Business Offices and Administrative Requirements; 16.2.12 NMAC – Grounds for Denial; 16.2.17 NMAC – Licensure By Endorsement; 16.2.20 – Expanded Practice Formulary (NEW).

Chair Pieper called a 10 minute break at 10:27 a.m.

**VI. NEW BUSINESS**

**A. Approval/Denial of DOM Licenses Issued** – Ms. Gallegos presented the following names for approval of new DOM licensure:

|                    |                    |
|--------------------|--------------------|
| JoAnn B. Galbraith | Mary V. Hooke      |
| Nicolle M. Chamney | Eric R. Buckley    |
| Amy E. Joy         | John Brien Sherdon |
| Shellie L. Rosen   | Rachel G. Weaver   |
| Robyn DeBonet      | Sandra L. Wilkes   |
| Margie J. Wesley   | Rebekah L. Kanter  |
| Leah M. Collins    |                    |

Dr. Bjorklund **MOTIONED** to approve all candidates for DOM licensure. Dr. Maddoux **SECONDED** the motion. Motion **PASSED** by unanimous decision.

**B. Approval/Denial of CADS Certificates Issued** – Ms. Gallegos presented the following names for approval of new CADS certification:

|                              |                   |
|------------------------------|-------------------|
| Carole A. Kirby              | Ellyn F. Thompson |
| Carilene H. Washburne-Chavez | Antonio J. Pino   |
| Dianne S. Meda               |                   |

Dr. Colonna **MOTIONED** to approve all candidates for CADS certification. Dr. Bjorklund **SECONDED** the motion. Motion **PASSED** by unanimous decision.

**C. Juelyn Butler Request** – Ms. Butler is requesting an extension of her initial Application for licensure to allow more time to take her national herbal exam. The next national exam is not available until the fall. Dr. Bjorklund **MOTIONED** to accept the request for extension for one more year from the date Ms. Butler’s initial application expired. Dr. Maddoux **SECONDED** the motion. Motion **PASSED** by unanimous decision.

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**VII. PUBLIC COMMENT** – Chair Pieper opened up the floor for public comment. Toni Andrikopoulus commented on the difficult process of the educational program approval for new licensure and the approval process for licensure by endorsement. She also requested consideration that there not be a requirement to take the state exam for application of licensure by endorsement.

Selah Chamberlain commented on the language of specific areas of the proposed rule changes.

Dr. Wilcox also commented on the language of specific areas of the proposed rule changes.

**VIII. EXECUTIVE SESSION** – Dr. Colonna **MOTIONED** that the Board of Acupuncture and Oriental go into closed session pursuant to § 10-15-1 to discuss complaints, licensing matters and issuance of notices of contemplated action, to deliberate in connection with administrative disciplinary hearings, to discuss pending or threatened litigation or updates on pending cases. Dr. Bjorklund **SECONDED** the motion. A roll call vote was conducted and the results were as follows: John Pieper-Yes, Alix Bjorklund-Yes, Barbara Maddoux-Yes, Caroline Colonna-Yes, Angelique Cook-Lowry-Yes, Deborah Armstrong-Yes **MOTION CARRIED**. The Board entered into executive session at 11:35 a.m.

- A. Letter from Diane C. McCarty**
- B. Educational Program Approval Request**
- C. AOM 08-01**
- D. AOM 08-02**
- E. AOM 09-01A**
- F. AOM 09-01B**
- G. AOM 09-02**
- H. AOM 09-03**
- I. AOM 09-04**
- J. AOM 09-05**
- K. AOM 09-06**

The Board came out of executive session at 1:15 p.m. Dr. Pieper stated that during executive session the board reviewed and discussed only matters related as specified in the motion.

**IX. DECISION ON MATTERS DISCUSSED IN EXECUTIVE SESSION**

- A. Letter from Diane C. McCarty** – Dr. Bjorklund **MOTIONED** to deny Ms. McCarty's request. Dr. Colonna **SECONDED** the motion. Motion **PASSED** by unanimous decision.
- B. Educational Program Approval Request** – There was no motion of the Board. The Board recommends the applicant apply through licensure by endorsement.
- C. AOM 08-01** – Dr. Bjorklund **MOTIONED** to dismiss and close the case. Dr. Colonna **SECONDED** the motion. The motion **PASSED** by unanimous decision.
- D. AOM 08-02** – Dr. Bjorklund **MOTIONED** to dismiss and close the case. Dr.

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- Colonna **SECONDED** the motion. The motion **PASSED** by unanimous decision.
- E. AOM 09-01A** – Dr. Bjorklund **MOTIONED** to dismiss and close the case. Dr. Colonna **SECONDED** the motion. The motion **PASSED** by unanimous decision.
- F. AOM 09-01B** - Dr. Bjorklund **MOTIONED** to dismiss and close the case. Dr. Colonna **SECONDED** the motion. The motion **PASSED** by unanimous decision.
- G. AOM 09-02** – Dr. Bjorklund **MOTIONED** to issue a Notice of Contemplated Action. Dr. Colonna **SECONDED** the motion. Motion **PASSED** by unanimous decision.
- H. AOM 09-03** – Dr. Bjorklund **MOTIONED** to dismiss and send an informational letter to the respondent. Dr. Colonna **SECONDED** the motion. The motion **PASSED** by unanimous decision.
- I. AOM 09-04** - Dr. Bjorklund **MOTIONED** to dismiss and send an informational letter to the respondent. Dr. Colonna **SECONDED** the motion. The motion **PASSED** by unanimous decision.
- J. AOM 09-05** – Dr. Bjorklund **MOTIONED** to dismiss and close. Dr. Colonna **SECONDED** the motion. Motion **PASSED** by unanimous decision.
- K. AOM 09-06** – Dr. Bjorklund **MOTIONED** to dismiss and close the case. Dr. Maddoux **SECONDED** the motion. The motion **PASSED** by unanimous decision.
- X. PUBLIC COMMENT** – Chair Pieper opened up the floor for public comment a second time.
- XI. ADMINISTRATOR’S REPORT** – Ms. Gallegos commented that the online renewals have been going much smoother. The percentages are much higher this year for online renewals.
- XII. TIME, DATE & LOCATION OF NEXT MEETING** – A tentative date was set for a rule hearing on August 21, 2009.
- XIII. ADJOURN** – Chair Pieper adjourned the meeting at 1:28 p.m.

**RESPECTFULLY SUBMITTED:** \_\_\_\_\_  
**Martha L. Gallegos, Board Administrator**

**ACCEPTED BY:** \_\_\_\_\_  
**Dr. John Pieper, Board Chairman**