

**State of New Hampshire**  
**OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION**  
**DIVISION OF LICENSING AND BOARD ADMINISTRATION**

New Hampshire Board of Acupuncture  
7 Eagle Square, Concord, NH 03301-2412

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LINDSEY B. COURTNEY  
Executive Director

JOSEPH G. SHOEMAKER  
Director



**PUBLIC MEETING MINUTES**

**March 18, 2022**

The March 18, 2022, meeting of the Board of Acupuncture Licensing (the "Board") convened at 10:00AM at the Office of Professional Licensing and Certification, 7 Eagle Square, Concord, New Hampshire, 03301.

**Members Present:** Cindy Theroux-Jette, Jody Bell, Diane Chase, Vicki Irwin

**Members Absent:** Amy Goldstein

**Others Present:**

Jenna Wilson and Jessica Whelehan, Board Administrators

Lindsey Courtney, OPLC Executive Director

Tina Kelley, OPLC Rules Staff

**CALL TO ORDER**

Chairperson Cindy Theroux-Jette called the meeting to order at 10:01AM.

1. **REVIEW OF PUBLIC MINUTES:** On motion of Jody Bell and second by Diane Chase, the Board voted unanimously\* to approve the public minutes of December 10, 2021, as written.
2. **LICENSING & APPLICATIONS**
  - a. **Marcela Fernandez:** On motion of Jody Bell and second by Cindy Theroux-Jette, the Board voted unanimously to accept Ms. Fernandez's application pending satisfactory completion of an Education Waiver request form. The applicant was present at the meeting and completed the required document while the meeting continued.
  - b. **Christopher Jones** – On motion of Jody Bell and second by Cindy Theroux-Jette, the Board voted unanimously to accept Mr. Jones's reinstatement application after expiration because the applicant had previously been licensed by the Board via reciprocity with proof of certification in the State of Rhode Island.
    - i. The Board would like to review the OPLC website to confirm which states meet reciprocity requirements. RI requirements were of specific interest to the Board.
  - c. Pursuant to the Board's standing order dated December 10, 2021, **Emily Tavanese**, PSY.D. was granted an Acupuncture Detoxification Specialist license by OPLC on February 10, 2022.

\*all votes are unanimous unless indicated otherwise.

### 3. NEW BUSINESS

- a. **Standing Order on insufficient fund fees:** On motion of Cindy Theroux-Jette and second by Jody Bell, the Board voted to accept and endorse the standing order proposed by OPLC Licensing regarding the process to collect fees for failed or canceled payments.
- b. **Executive Lindsey Courtney** stopped by the meeting to discuss the pending legislation affecting the Board. House ED&A committee has been suggesting that Board add alternate members to assist with quorum issues. She is not in favor of it because it sometimes results in members becoming disengaged or personality conflicts on the Board may drive members away; also, adding members also doesn't always fix a quorum problem. The Board discussed that meeting quorum has not been a problem for them in the past and they are not interested in pursuing adding alternates to the Board. On motion of Cindy Theroux-Jette and second by Jody Bell, the Board voted to oppose changing the composition of the Board with the option to compromise and allow for prior Board members to participate in Hearings or other proceedings when a quorum can't be met due to recusals.

### ADMINISTRATIVE RULES

2. **The Board worked with Tina Kelley, OPLC Rules staff on initial proposals of** Acp 300 – Acp 600.
  - a. Tina Kelley suggested removing the embedded **education wavier form** from the application form so that it can be used and referenced independently. The Board concurred and would like to review revised draft rules and forms to reflect that change.
  - b. Tina Kelley advised that she will re-work Acp 304.02 and provide a revised draft to the Board.
  - c. On motion of Cindy Theroux-Jette and second by Jody Bell, the Board voted to add 2 additional Board meetings to work primarily on Administrative rules, but will hear other matters if necessary. The 2 additional meeting dates are 4/22/22 and 5/13/22.

**RECESS:** At 12:21PM Cindy Theroux-Jette announced that the Board was in recess for 30 minutes. The Board resumed public session at 12:50PM.

### 3. OLD BUSINESS:

- a. **SB282 & HB1192** (duplicate) statuses were discussed.
- b. **SB290** related to Auriculotherapy: On motion of Cindy Theroux-Jette and second by Dianne Chase, the Board voted to allow Cindy Theroux-Jette to send written testimony representing the position of the Board to the Senate ED&A committee. A copy will also be sent to Lindsey Courtney.

### 4. CORRESPONDENCE:

- a. Molly Cooke – inquiry about education requirements: The Board indicated that it cannot make a licensure decision without a complete application for licensure to review. Ms. Cooke will be contacted to notify her that the Board will review her transcripts for licensure requirements when she submits a completed application.
- b. Kathryn Twombly – inquiry about Good Faith Estimates and Administrator response: Informational only. No Board action required.

### **NON-PUBLIC SESSION**

At 1:07PM pursuant to RSA 91-A:3, and upon motion by Cindy Theroux-Jette and second by Vicki Irwin, the Board voted by roll call to go out of public session and into non-public session because public disclosure may render a proposed action ineffective or adversely affect the reputation of a person other than a Board member.

### **RETURN TO PUBLIC SESSION**

At 1:19 p.m., Cindy Theroux-Jette moved to seal the non-public minutes. Dianne Chase seconded the motion. The Board voted unanimously by roll call vote to maintain the privacy of the items discussed in non-public session pursuant to RSA 91-A:3, on the grounds that public disclosure may adversely affect the reputation of a person other than a Board member or render the proposed action ineffective.

#### **5. ADMINISTRATIVE RULES CON'T.**

- a. The Board continued to work with Tina Kelley on initial proposals of Acp 300 – Acp 600. There was discussion of adding annual CE audit rule but the Board decided not to pursue it during this round of rulemaking so as not to delay necessary changes.
- b. On motion of Cindy Theroux-Jette and second by Jody Bell, the Board voted to proceed with the Acp 500 Initial Proposal to formal rulemaking.
- c. The Board developed 4 definitions to add to the rules. Jenna will send them to Tina Kelley.

### **ADJOURNMENT**

Upon motion of Jody Bell and second by Vicki Irwin, members of the Board voted to adjourn the meeting. Ms. Theroux-Jette adjourned the meeting at 3:06PM.