

Mississippi Council of Advisors in Acupuncture

Minutes for Meeting on July 27, 2012

Members Present: Chair-Debbie Moore DC, LAc, Vice Chair – J. Blake Mitchell MD, Secretary/Treasurer – Jerusha D. Stephens, LAc

Attendees: Lela Brent, Clare Mallory LAc, John Dennery, Megan O’Nan, Whit Harrington Columnist with “The Real Story”, Dennis Holmes LAc, Rhonda Freeman (MSBML)

OLD BUSINESS

- Approval of minutes from August 12, 2012 (Inaugural Meeting)
 - None Opposed, **SEE ATTACHMENT 1**

NEW BUSINESS

- Approval of Annual Report for Submission to the Legislature
 - None Opposed, **SEE ATTACHMENT 2**
- Nominations and Elections for 2012-2013
 - Chair- Debbie Moore DC, LAc. None Opposed.
 - Vice Chair – J. Blake Mitchell MD. None Opposed.
 - Secretary Treasurer – Jerusha D. Stephens, LAc. None Opposed.
- Update from Physical Therapy Board by Jerusha
 - There was a Public Hearing held on July 24, 2012 at the Physical Therapy Board Office. A proposal to change the scope of Physical Therapists to include “Dry Needling” with a minimum 50 hours of training or seminar. Resident and non-Resident Public comments were heard from Acupuncturists, Dry Needling Instructors and Physical Therapists. The board held a closed session to discuss the matter and then reconvened to announce the verdict. The Scope of Practice was APPROVED as submitted to the Board and that Physical

Therapists will be able to practice Dry Needling EFFECTIVE September 10, 2012.

- The Council agreed that insertion of a needle through the skin is defined as acupuncture. Physical Therapists are not medical doctors or licensed acupuncturists. Any Physical Therapist performing “Dry Needling” is performing acupuncture and is in violation of Chapter 17 section 73-71-15 and Chapter 17 section 73-71-37.
- **A MOTION** was made to recommend to the Medical Board to immediately pursue action with the Attorney General and possibly a formal injunction against Physical Therapists to immediately discontinue “Dry Needling”. None Opposed.

PROPOSED 2013 LEGISLATION CHANGES

- There was discussion on proposing Criminal Background Checks and Finger printing at the next legislative session. Jerusha mentioned that this was common practice for Acupuncturists in other states and Rhonda mentioned that this was common with the Medical Board Applicants. The Council agreed that this was a good idea. **A MOTION** was made to submit the Proposed Legislation Change to the Board. None Opposed.

PUBLIC COMMENTS

- Clare Mallory wanted to discuss referrals. This was a general discussion with all acupuncturists at the meeting. It was mentioned that many patients are having trouble getting referrals. Also **SEE ATTACHMENT 3** from two separate acupuncturists.
 - It can sometimes take 3 or more months to get a referral.
 - Some patients that do not see doctors regularly or do not have a doctor (due to no insurance) must spend additional dollars reserved for acupuncture care on trying to find a doctor that MAY OR MAY NOT give them a referral (many times this takes multiple doctor’s visits and great financial cost to patients).
 - Acupuncturists attempt to work with multiple doctors that the patient has seen for the various conditions.
 - When acupuncturists gets referrals from doctors, they read “We do not refer for Acupuncture”, “This referral is made at the patients request and I assume no liability”, “I don’t think this will help”, “refer patient to PCP for a referral”, etc.
 - Patients have been changing doctors because they get a referral to see the health care provider of their choice. Their PCP will not refer. Clare

did not want to be put in a position to tell patients what MD or DO to see for an acupuncture referral. Acupuncturists agreed that they have been forced to compile a list of doctors that have referred for acupuncture.

- Extremely limited treatment sessions were given. There was even a case reported that the referral was for only 1 treatment of acupuncture.
- Some doctors thought the referral was needed ONLY for insurance reimbursement.
- General consensus was that doctors are denying the referral based on the doctor's opinion and not on the patients right to choose a medical practitioner after the doctor's evaluation.
- General consensus was that this referral is the same as a referral to any specialist and for some reason doctors are placing personal opinions on the referral forms and prescription forms.
- General consensus was that education was needed for the MD/DO community. Focusing on the facts that:
 - Acupuncturists are licensed by the Medical Board.
 - The referral is required by Mississippi State Law before treatment can begin.
 - Refer to www.acupuncture.com for more general information about acupuncture or call your nearest Licensed Acupuncturist.
- **A MOTION** was made to develop a short email for the Board to distribute on behalf of the Council to give clarification on the Law as it applies to Referrals. None Opposed.

EXECUTIVE SESSION

- There was no need for executive session.

ADJOURN

- **A MOTION** was made to adjourn. None Opposed.

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Acupuncture Annual Report

July 1, 2012 through June 30, 2013

1 License was issued.

No Examinations were given.

No investigations were conducted.

8 License renewals

2 Non-renewals

Source: Mississippi State Board of Medical Licensure
Approved unanimously and without modifications by the Mississippi Council of
Advisors in Acupuncture on July 24, 2013.