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Loree V. Kessler, MPA
Executive Director

Conference Call
Missouri Acupuncturist Advisory Committee
March 9, 2007 – 8:00 a.m.
573/522-6044
Division of Professional Registration
3605 Missouri Boulevard - Jefferson City, Missouri

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Except to the extent disclosure is otherwise required by law, the Missouri Acupuncture Advisory Committee is authorized to close meetings, records and votes, to the extent they relate to the following: Sections 610.021(1), (3), (5), (7), (13) and (14), RSMo, and Section 620.010.14(7) RSMo.

The Committee may go into closed session at any time during the meeting. If the meeting is closed the appropriate section will be announced to the public with the motion and vote recorded in open session minutes.

Please see attached tentative agenda for this meeting.

Attachment

**Tentative Open Agenda
Missouri Acupuncturist Advisory Committee
March 9, 2007 - 8:00 a.m.
573/522-8028
Division of Professional Registration
3605 Missouri Boulevard - Jefferson City, Missouri**

Call to Order Jane Van Sant

Roll Call Loree Kessler

Approval of the Agenda

Approval of Minutes

- Conference Call of February 2, 2007

Meeting Schedule

Motion to Close

Pursuant to section 620.010 subsection (14), paragraph (7) RSMo for the purpose of discussing investigative reports and/or complaints and/or audits and/or other information pertaining to the licensee or applicant, section 610.021 subsection (1) RSMo for the purpose of discussing general legal actions, causes of action or litigation, and any confidential or privileged communication between this agency and its attorney and for the purpose of reviewing and approving closed meeting minutes of one or more previous meetings under the subsections of 610.021 which authorized this agency to go into closed session during those meetings.

Adjournment

OPEN SESSION MINUTES
Missouri Acupuncturist Advisory Committee
Conference Call
March 9, 2007 – 8:00 a.m.
Division of Professional Registration
3605 Missouri Boulevard - Jefferson City, Missouri

The Missouri Acupuncturist Advisory Committee was called to order by Jane Van Sant, Chairperson, at 8:07 a.m. at the Division of Professional Registration, 3605 Missouri Boulevard, Jefferson City, Missouri. Ms. Van Sant facilitated roll call.

Advisory Committee Members Present

Jane Van Sant, Chairperson and Public Member
Jason Hackler
Kathleen Coleton
Rick James, DC (Missouri State Board of Chiropractic Examiners)

Staff Present:

Loree Kessler, Executive Director
Jeanette Stuenkel, Executive I
Sarah Becker, Licensure Technician II
Greg Mitchell, Legal Counsel

Ms. Van Sant indicated she would be voting in open and closed session.

A motion was made by Ms. Coleton and seconded by Dr. James to approve the open session agenda with amendments adding a discussion regarding the renewal fee, and the AAAOM annual meeting. Advisory committee members voting aye: Dr. James, Mr. Hackler, Ms. Coleton and Ms. Van Sant. Motion carried unanimously.

A motion was made by Ms. Coleton and seconded by Mr. Hackler to approve the open session minutes of the February 2, 2007 conference call meeting. Advisory Committee members voting aye: Ms. Coleton, Mr. Hackler, Dr. James and Ms. Van Sant. Motion carried unanimously.

AAAOM Annual Meeting

Ms. Coleton indicated she could attend the meeting May 9-13, 2007 as Missouri's representative and attend any meetings of FAOMRA. Dr. James indicated he would check his schedule and advise office staff accordingly.

Renewal Fee

The executive director reported that the fund balance was adequate for the next two fiscal years, however, with the increase in expenditures for travel and legal counsel it was expected that a renewal fee would be needed for the 2009 cycle. To balance the fee required for 2009, the executive director recommended that the renewal fee for 2007 be \$75 with a review of the advisory committee's finances in mid-2008. A motion was made by Ms. Coleton and seconded by Mr. Hackler to approve

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Open Session
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the recommendation and forward it to Missouri State Board of Chiropractic Examiners and Division of Professional Registration. The resolution is attached to the open session minutes

The Advisory Meeting Schedule

The Advisory Committee scheduled a conference call April 27, 2007 at 8:00 a.m.

At 8:20 a.m., a motion was made by Ms. Coleton and seconded by Mr. Hackler to convene in closed session pursuant to section 620.010 subsection (14), paragraph (7) RSMO for the purpose of discussing investigative reports and/or complaints and/or audits and/or other information pertaining to the licensee or applicant, section 610.021 subsection (1) RSMO for the purpose of discussing general legal actions, causes of action or litigation, any confidential and privileged information between this agency and its attorney and for the purpose of reviewing and approving closed meeting minutes of one or more previous meetings under the subsections 610.021, which authorize this agency to go into closed session during those meetings. Advisory Committee members voting aye: Ms. Coleton, Dr. James, Mr. Hackler, and Ms. Van Sant. Motion carried unanimously.

At 8:52 a.m., a motion was made by Mr. Hackler and seconded by Ms. Coleton to convene in open session. Advisory Committee members voting aye: Ms. Coleton, Mr. Hackler, Dr. James, and Ms. Van Sant.

The advisory committee discussed vacancies on the committee and the upcoming expiration of Ms. Van Sant's term. No official action taken by the advisory committee.

At 8:57 a.m., a motion was made by Mr. Hackler and seconded by Ms. Coleton to adjourn the conference call meeting. Advisory Committee members voting aye: Ms. Coleton, Mr. Hackler, Dr. James, and Ms. Van Sant.



Loree Kessler, Executive Director

Approved by Advisory Committee on April 27, 2007

Missouri Acupuncturist Advisory Committee

RESOLUTION CONCERNING RENEWAL FEES

The Missouri Acupuncturist Advisory Committee (hereinafter Committee) , at a regular meeting on the 9th day of March 2007, took up the matter of fees to be charged for renewal of its licenses for the licensing period beginning July 1, 2007 and concluding June 30, 2009.

The Committee has the duty and the power to carry out the purposes and to enforce and administer the provisions of Chapter 324.27- 324.499 RSMo, and for that purpose is authorized by 324.481.3(6) RSMo to recommend fees for deposit into the Acupuncturist Fund. The amount of money that can be in the Fund is limited by § 324.481.7 RSMo.

The Committee, estimating its expenses and revenues, recommends its annual renewal fee for individual licensees at \$75 by regulation to be published in 20 CSR 2015-1.030. Subsequently the Committee has been able to substantially reduce its expenses by monitoring the services of its investigators, decreasing legal fees, and sharing resources with other licensure Committees and boards. As a result of these efficiencies, and having examined anticipated income and expenses, the Committee and Division of Professional Registration have determined that collection of the renewal fee in 20 CSR 2015-1.030(2)(B) will cause the Fund balance to exceed the limits allowed by § 324.481.7 RSMo.

The Committee has, therefore, determined that an immediate fee reduction is necessary. The Committee, prior to adopting this resolution, adopted a motion to amend 20 CSR 2015-1.030 to all for the reduction of the individual renewal fee for the years at issue to \$75. The Committee has been advised, however, that under the provisions of Chapter 536, RSMo, the amendment will not be effective for at least nine months. An emergency amendment of 20 CSR 2015-1.030(2)(B) is not legally authorized under these circumstances. To avoid the inequity of licensees paying different renewal fees during this period based only on the date of their renewal, the Committee requests the Missouri State Board of Chiropractic Examiners notify the Division of Professional Registration, who, in turn, will notify licensees of this resolution, collect only \$75 of the renewal fee required by § 324.481.3(6) RSMo and 20 CSR 2015-1.030(2)(B) for renewal for the licensing period beginning July 1, 2007, and concluding June 30, 2009.

IN WITNESS THEREOF the Committee has caused its Executive Director to execute this resolution and deliver it to the Missouri State Board of Chiropractic Examiners.



Loree Kessler, Executive Director