

**VTAA Annual Meeting 11/10/18**  
**Hosted by Open Door in White River Junction**

**Attendees:** Elise Bennett, Deirdre Kelley, April Brumson, Robert Davis, Britton Mann, Josh Singer – Interim President, Cicely Conway, Cindy Reilly, Dalite Sancic, Beth Bloomfield, Suzanna Bliss, Carol Price, Jeanette Moy, Scott Moylan, Brendan Kelly, Liz Geran, Lindsay Kintop, Alison Jacob, Samantha Cook, Maria Leon, Lucy Manning, Christina Ducharme, LiMing Tseng, Glynn Pellagrino, Stewart Cohen, Baylen Slote - Treasurer, Diana Vachon – Interim Secretary

**Online Attendees:** Moly Fleming, Dianne Barclay, Nieve Shere, Julie Suarez-Cormier, Nyssa Bryant

Called to order at 9:06 am.

**President's Opening Remarks:**

Josh Singer – Welcome and thank you all for coming. A big thank you to our host Britton Mann and Open Door Wellness. The VTAA has done a lot of outreach in the past year. And our CEU class this afternoon is about nourishing the yin and each other.

We went around the room to introduce ourselves stating our name, where we practice, if we are a board member, and/or if you want to serve on the board

**Events in 2018 that the VTAA attended:**

Chinese New Year Card Room at State House.  
Integrative Pain Management Conference  
Women's Health and Cancer Conference  
Dragonboat Festival

**“Green Mountain Rollercoaster: The Animated Short Format”**

Robert Davis, MS, L.Ac – is an Ambassador for our profession to Blue Cross Blue Shield (BCBS), Medicaid (DHVA), and Vermont Legislature.

Robert gave a brief presentation of “Green Mountain Rollercoaster: The Animated Short Format”, making the analogy of Acupuncture politics in the Legislature to riding a rollercoaster with all it's ups and downs, twists and turns.

In 2015, the “Opioid Crisis” was identified in Vermont. Act 173 Opioid Bill was passed and the Legislature allocated \$200,000 for a pilot program to study how acupuncture may be used to manage pain. New rules were adopted to prescribe acupuncture, NSAIDs, acetaminophen etc. before opioids are prescribed. Robert headed up the pilot study. There were 156 patients, 1,274 treatments in six months. He saw improvements; and the feedback from patients was heartwarming. The BCBS report was not well written and did not support Acupuncture. Robert

responded with facts and sent it to BCBS. The Director of BCBS responded with you make good points and they started working together.

Robert feels like we are moving forward. There is a new pain program at UVMMC CPP on Tilley Drive in South Burlington, VT. And the Medicaid front is promising. Medicare – published a notice of intent to do a pragmatic trial study for seniors and low back pain, maybe 2 years down the road.

Baylen gave Treasurer Report. See Attached. The bottom lines for 2018 are:

Total Funds on Hand:	\$29,686.61
Commitments:	
Annual Operating Costs	\$ 3,950.00
Reserve	\$10,000.00
Necreason (3 more payments)	<u>\$ 6,249.99</u>
<b>Available Funds:</b>	<b>\$ 9,486.62</b>

Brendan Kelly stated that many organizations get their money from within the organization via dues. His thought is to adjust our current tier system to the following:

Small/New Practice	- \$50-\$100
Medium Practice	\$150 - \$250
Busy Practice	\$300- \$500

Discussed doing more outreach to other non-member acupuncturists in our state. Encourage a more diverse view by expanding what our organization is and what we are doing. And maybe more will be willing to join. Most state organizations charge more than the VTAA does. Small states charge \$125 and some are as much as \$350. Maybe set up a lifetime membership to increase cash flow.

The VTAA is a 501(c) 6 so there is no tax break since most of our money goes to lobbying. We could market the donate button on our website. Update our membership form to list the tier choices and not just the base \$100 dues fee.

**MOTION:** by Susanna Bliss to move the VTAA's money out of the TD Bank and go to more socially responsible bank. Deirdre Kelley seconds the motion. Discussion TD Bank supported the pipeline. We need to find our Articles of Incorporation. That is what is holding up the switch. The Board will transfer the money to socially responsible bank with in the year. Dianne Barclay recommends Peoples United. Motion passed unanimously.

**Secretary Report:** Membership is at an all time high of 69 members in 2017-2018, which is about 38% of the Licensed Acupuncturists in the State. We took a moment to acknowledge and thank Josh Singer for stepping into the role of President mid-year. He has done an excellent job leading the organization. A signup sheet for committees was sent around the room. And the following members signed up for the following committees:

Legislative Committee: LiMing Tseng, Baylen Slote, Josh Singer, Liz Geran, and Diana Vachon, and the VTAA President

Dry Needling Committee: Deirdre Kelley, Beth Bloomfield, Josh Singer, Lindsay Kintop, Baylen Slote, and the VTAA President

Integrative/Education Committee: Elisa Bennett, Suzanna Bliss, Christina Ducharme, Glynn Pellagrino, Baylen Slote, and the VTAA President.

Fundraising Committee: Cindy Reilly, Dalite Sancic, Suzanna Bliss, Jeanette Moy, LiMing Tseng, and the VTAA President

Website/Membership Committee: Scott Moylan, Liz Geran, Deirdre Kelley, Christina Ducharme, and the VTAA President

Events Committee: Deirdre Kelley, Dalite Sancic, Christina Ducharme, LiMing Tseng, Baylen Slote, Julie Suarez-Cormier, Diana Vachon, and the VTAA President. Julie Suarez-Cormier has volunteered to be the Chair of the Events committee.

**Board Manual Summary:** Due to the amount of turnover in Board members in the recent years and a need for more clear procedures, the Board Manual was created. It follows the layout of the ASA Board Manual. It's about 40 pages long. It contains our mission, vision, by-laws, forms, institutional memory, members, etc. It's meant to be a living document that can change and grow with the organization.

**Jessica Oski – Necrason Update:**

We discussed the outcome of the November 2018 Elections and what that means for the next session. She gave a brief summary of the Acupuncture Scope of Practice progress in the last legislative session. OPR added the word “human” to the proposed acupuncture scope of practice. The words East Asian were a concern by VTAA membership. OPR added language that excludes medical diagnosis. Members were upset that OPR repealed the ADT Program.

Jessica explained that the Director of OPR shepherds the OPR bill through the Legislature. The OPR lawyer works on the wording to protect the state and keep the public safe.

When the OPR bill hit the legislature several VTAA members and other Licensed Acupuncturists came out about ADT repeal. House passed the bill. The Senate had concerns and roadblocks. BCBS saw the bill and raised concerns. They were worried that if evaluation and management is in the scope this would require them to cover more services than they want to cover. But it was determined, that they can decide what procedures to cover and what procedures not to cover, even if acupuncture becomes mandated coverage. After many hearings, the acupuncture section of the

bill was pulled and NO changes to the acupuncture scope were passed. We are back at square one.

The VTAA champion retired from the VT Legislature. And we will need to find other champions.

On the topic of insurance coverage, with the passage of the Affordable Care Act (ACA) – once the essential benefit package was adopted any new mandated services are the State's responsibility to cover. So now to get acupuncture mandated is more complicated and much harder. One way is through Medicaid and private insurances because they can decide what services they want to cover. The All Payer model, One Care Vermont, is trying to help providers serve patients in a cost effective way. There are some opportunities to advocate through One Care. In the meantime, VTAA needs to get a bill introduced to keep the pressure on.

In this past Tuesday Elections – Phil Scott was re-elected Governor. Democrats gained more seats in the House and Senate, which may mean more tension between the Administration and the Legislature. There will be a new chair on the Senate Health and Welfare Committee.

Issues: In health care, there will be more work on opiates; mental health crisis. Continuing oversight of payment reform and initiatives. Legislature and the Governor are talking about making health care more affordable. Reduce cost of premiums and other ways. VTAA needs to make decisions about your priorities. Scope language is still out there and being discussed. OPR collaboration will be with a new Director and Attorney Gabe Gilman.

The Legislature looks at what it will cost tomorrow. Even if a service will save money in 10 years, they look at next year's bottom line first.

ADT – OPR wants to take the ADT section out of the acupuncture scope of practice. Attorney Gilman does not believe the state should be expending resources to regulate it because there are so few participating in the program. He is going to acknowledge people becoming NADA certified and then practicing under a L.Ac. The L.Ac. will be responsible and liable for the NADA practitioner. The State will not affirmatively recognize them nor will they be state certified ADT's. The purpose of OPR is to protect public from risk and danger. In Attorney Gilman's mind, there is no risk or danger in needling the ear. Risk and danger comes into play if State regulates ADT's in a certain way and that is not followed, then the State is liable.

### **Acupuncture Scope of Practice**

We acknowledge and thank Stewart Cohen's work the past couple of months! Josh handed out a list of 3 proposed scope options, (attached). We discussed priorities such as remaining direct entry providers and having the authority to bill ICD and CPT codes without a referral. For some members diagnosis, assessment, and differentiation all mean the same thing.

Adding the word “human” is a firm point with OPR – we are covered to do animals in the veterinarian section of the statute, which is not in scope. It’s actually in the veterinarian rules.

Janet Sinclair pleaded a case to needle animals with OPR. – we do not need to be supervised per that rule. We have super-ceded the rule. The case was won at great distress and expense, which the VTAA helped support. We need to negotiate with OPR, but more important is the fact that the Legislature regulates and supervises us. Their job is to protect the public. What we do now sets precedence. We need to pick our battles and how we want to spend our money. Attorney Gilman’s understanding is not necessarily accurate. We need to attempt to expand his understanding.

It would be beneficial to authorize a certain number or group of VTAA members to negotiate with OPR. The Membership would like an email sent out with updates and asks the Board for a comment period.

Robert Davis, let the record show that the board has done a great job gathering ideas regarding our scope. Everyone or anyone who wanted to be a part of the conversation had multiple opportunities to participate. Today was to give some formal feedback. The Board may need to use its judgment to move forward and Organization will support them. The Board has only to ask membership for support, money or whatever they need to move forward.

**MOTION** by Robert Davis: The membership present today empowers the VTAA Board of Directors or legislative committee that will be negotiating with OPR and the Legislature to proceed with the language that we approve and at every opportunity solicit feedback. Liz Geran seconded. Motion passed.

RESULTS FOR RANK CHOICE VOTE for  
SCOPE OF PRACTICE:

rank of choice	OPTION 1	OPTION 2	OPTION 3	
first	3	5	<b>19</b>	27
second	8	11	6	25
third	14	9	2	25
	25	25	27	

one abstain because the word human is in all 3  
scope options  
one voted for option #2 without the word human  
2 members only voted for option #3  
– no ranked options.

## **Board Elections for the following Positions:**

President – to finish 2 years of a 3-year term

Vice President – 3-year term

Secretary – to finish 2 years of a 3-year term

Director – 3-year term

Director – to finish 1 year of a 3-year term

Treasurer – Baylen Slote will continue to finish 1 more year of a 3-year term

There is a Governance Committee designed to support and guide the Board. It is comprised of the following members: LiMing Tseng, Glynn Pellagrino, Josh Singer, and Diana Vachon.

Josh Singer nominated Scott Moylan for President. Scott accepted and feels it is important for him to be here. LiMing Tseng seconded the nomination. All are in favor of Scott Moylan serving as VTAA President for the next 2 years. Passes unanimously.

Diana Vachon nominated Deirdre Kelley for Vice President, because she is good at communications and is inspired to start up regional group meetings. Deirdre accepted the nomination. She shared that she has experience on her Library Board. Stewart Cohen seconded the nomination. All are in favor of Deirdre Kelley serving as VTAA Vice President for the next 3 years. Passes unanimously.

Secretary position – will be appointed by Board at a future date.

LiMing Tseng nominated Suzanna Bliss for a 3 year Board Director position. Glynn Pellagrino seconded. Suzanna accepted the nomination. She stated that she is still a new member and feels it's really important to be on the Board. She is excited about regional gatherings of VTAA members. All are in favor of Suzanna Bliss serving as VTAA Board Director for the next 3 years. Passes unanimously.

Christina Ducharme– wants to be more active and involved and learn institutional knowledge. She has experience getting laws changed as social worker. All are in favor of Christina Ducharme serving as VTAA Board Director for the next 1 year of a 3-year term. Passes unanimously.

**Allocating Funds for a Lobbyist in 2019 Session.** Necreason submitted a renewal contract for the modernization of scope and monitoring of matters of specific interests. Cost is \$15,000 for the year.

The VTAA Bottom line is about \$10,000 in available funds. Discussed the various ways to raise more money and the importance of being a responsible organization.

Through the ASA membership, we have the ability to use Bill Track 50 which monitors legislation both nationally and statewide via a key words search such as:

Opiate, Acupuncture, etc. to alert us to conversations we should be at the table to discuss.

Discussed the benefits of hiring lobbyists in the past: good eyes and ears, open doors for us to testify in committee, and build relationships with the right people at the right time, helped us get the pilot study. VTAA invested \$30,000 we got \$100,000 in paid fees and the impact of the study. Lobbyists put pressure on BCBS to treat us with respect.

Some members feel like we need a better process and agenda. And think we are putting the cart before the horse.

The VTAA goals were set six to eight years ago and are the same today: stay as direct entry providers and get insurance coverage for our services.

Now, we need to protect our Scope and making advancements towards insurance reimbursement. OPR is moving forward whether or not we are at the table. We need to keep talking to friends and get them to join the VTAA or make a financial contribution. Another idea is buy someone a membership and get them into the online conversations and become involved.

**MOTION** by Robert Davis to authorize the VTAA Board to use the available cash in full and future monies raised up to \$15,000 for lobbying efforts in the 2019 legislative session. Liz Geran and Stewart Cohen seconded the motion.

Amendment to Motion: Suzanna Bliss amends we spend up to 75 % of our available cash plus whatever we make with fundraising. Scott Moylan seconded the amendment. Discussed serious fundraising, being financially responsible and realistic.

Vote called on Suzanna amendment on Robert's motion: 8 yes votes. 13 no votes. Motion does not pass.

Vote called on Robert's motion - 20 yes votes. 2 no votes. Motion passes. Dianne Barclay will commit to donating \$1000. Brendan Kelly and Liz Geran will commit to donating \$1000.00 each. Thank you so much!

April Brumson requests that the Board to reach out to the membership to donate money when we are running low.

**Society Acupuncture Research (SAR):**

Robert Davis gave a report on the upcoming SAR conference. Save the dates June 27 – 29<sup>th</sup> 2019 at the UVM Davis Center campus. It will be a great conference. The big sponsors are UVM, OCIM, BCBS, ASA and AAMA. The VTAA will host a fundraising dinner on Thursday night. Please come and support us. People will be coming from all over the world to discuss acupuncture research, health care policy, and

community health. The attendees will be staying in honor student's dorms. They are really nice and inexpensive. Please consider staying there if you are traveling from a distance.

**American Society of Acupuncturists Report:**

Dianne Barclay is the VTAA representative and LiMing Tseng is the Secretary of ASA. CPT code work is coming out next year. ASA conference is in June 2019 in Washington DC. ASA is being invited to Capital Hill to talk to the lobbyists there. One of the ASA board members is a national lobbyist and will be giving a workshop on what to say to legislators. Benefits of the VTAA being a member of the ASA are the subscription to the Meridians Journal and a 10% discount in malpractice insurance through CM&F. LiMing is going to a Paris Conference next week to represent VT. Nationally we are doing really great. It's important to promote our profession locally, nationally, and internationally.

Andrew Weil is promoting integrative medicine to just be medicine.

Motion by Diana Vachon to adjourn at 1:50pm Glynn Pellagrino seconded. Passed unanimously.

Respectfully submitted by Diana Vachon Interim Secretary