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Calif. Licensing Exam Scores Finally Released

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Hopeful would-be California acupuncture licensees got a shock on Saturday, Sept. 8, 2007, when they opened letters from the California Acupuncture Board just over a month after they'd taken the grueling California acupuncture licensing exam. Instead of indicating whether they had passed the exam, the California Acupuncture Board told them they would not be receiving their scores anytime soon because of a suspected security breach.

"I had a bottle of champagne in the refrigerator ready to go," said Acupuncture & Integrative Medicine College (AIMC) Berkeley student Julia Carpenter. "It was doubly frustrating [to read the letter] because it was Saturday, and there was nobody to call."



Left to right: AIMC Berkeley President Bruce Robinson with newly licensed acupuncturists and AIMC Berkeley alumni Julia Carpenter and Roselle McNeilly.

The following Monday, the California Acupuncture Board's Web site was updated to inform interested parties that it might take two to four months to resolve the issue. Candidates would be notified at a later date if the scores were invalidated and they needed to retake the test. "It was so open-ended," said Carpenter. "It made your head spin with possibilities."

The day after he received his letter, 2007 American College of Traditional Chinese Medicine (ACTCM) graduate Michael Aanavi created a Yahoo group to allow examinees to discuss their options, both political and legal. In less than a week, about 120 examinees representing all the acupuncture schools in the state were communicating on the Yahoo group, which was moderated by AIMC Berkeley graduate Ken Berry, ACTCM graduate Tim Kang, and Yo San graduates Edsel Tan and Carolin Bennett.

"Now I'm connected with acupuncturists I had never met before," said Carpenter. "We developed a real camaraderie, working toward something together. That's the blessing in all of this."

The examinees wrote their senators and urged others to write letters on their behalf. "We weren't fighting against the investigation; we were fighting against the open-endedness of it and the possibility of having to retake the exam," said Aanavi.

The students consulted an attorney, who wanted a large retainer in case the issue ended up in court. "But we didn't want to go to court," said Carpenter. "We just wanted to get our licenses and get on with our life."

While most school administrators initially towed the line that the California Acupuncture Board was doing its due diligence to protect the public from unqualified practitioners, when AIMC

Berkeley President Bruce Robinson heard about what was happening, he felt it was extremely unfair to the students. He put a call in to the school's legal counsel, attorney Robert Cheasty, to ask what could be done.

A few days later, AIMC Berkeley graduate Roselle McNeilly met up with Cheasty at a going-away party for former AIMC Berkeley president Skye Sturgeon. "Robert knew right away what could be done to resolve the situation," said McNeilly. Cheasty, who has had many years of experience dealing with the acupuncture bureaucracy in Sacramento, began an investigation that was non-confrontational, connecting with various board and political contacts related to the exam imbroglio. AIMC Berkeley covered the cost of the initial investigation, while Carpenter and McNeilly, along with with AIMC Berkeley graduate Jens Maassen and ACTCM graduate Peter Shark, pulled together contributions for a retainer via a PayPal account. "We knew that nothing was going to happen unless we did something," said Carpenter.

"AIMC Berkeley was the only school I know of that provided any kind of financial support to the examinees, and that meant a lot to me as an alumni," said Berry.

When the examinee group got wind of a special meeting of the California Acupuncture Board on Oct. 10, 2007, they drove to Sacramento. People speaking to the board at that meeting to request a speedy resolution included nine Bay Area examinees, California State Oriental Medicine Association (CSOMA) Executive Director Bill Mosca, ACTCM President Lixin Huang, Sturgeon and Cheasty. Mosca presented a letter to the board, signed by several school presidents, requesting a speedy resolution.

"More examinees wanted to attend, but the meeting was announced at the last minute, and many people were unable to rearrange their schedules," said McNeilly. "We were all allowed to speak. The board then retired to a private session to discuss the results of the investigation, which had just been completed. When we were on our way home, Robert Cheasty got a call from state Senator Leland Yee saying that the board had decided to release the scores immediately. After hearing about the situation from Robert Cheasty, Senator Yee had set up a meeting with the board for the following day to discuss the situation, so the board called Yee to notify him of their decision."

In an Oct. 3 letter to the August examinees, California Acupuncture Board executive officer Janelle Wedge thanked the test-takers for their patience and cooperation, and explained that the delay in releasing the results was due to a complaint the Board received just before the results were to be mailed that the Aug. 7, 2007, examination may have been compromised. She reported that the investigation was completed and the findings had been inconclusive regarding whether a security breach had occurred. "I want to assure the profession that the board will continue its vigilance in preserving the integrity of its licensing examination," wrote Wedge.

"I hesitate to say absolutely that it was our action that caused the immediate release of the scores," said McNeilly. "It is possible that it was coincidental. However, we do feel that our action helped to speed up the process. At the very least, it felt good to be doing something, and it was great to connect with other examinees in the same situation."

"Looking to the future, there's still work to be done," said Carpenter. "We want to make sure this never happens again and that there are clear protocols in place in the case of security breaches."

"I was impressed by the way the examinees pulled together to advocate for themselves," said Robinson. "I was also deeply gratified when I heard the board was releasing the results."

"We wanted an outcome that didn't penalize the innocent students," said Sturgeon. "They didn't

have to listen to us, and they chose to, and the outcome was very commendable."

"I think ultimately the board did a good job," said Carpenter. "They resolved it faster than their original time frame. And I have nothing but wonderful things to say about the Acupuncture Board staff. They were gracious and helpful and did an outstanding job [considering] the stickiness of the situation."

"CSOMA was happy that we could support students through this difficult time," said Mosca, who has taken a large number of calls from worried examinees. "The matter is not closed for us at this point. We fully intend to explore all relevant dimensions and facts with the objective of identifying exactly what happened and how to minimize the possibility of it ever happening again."

"I'm impressed by the way in which my colleagues came together to advocate for themselves in the face of an adverse situation," said Aanavi. "I'm grateful to all those who supported us, especially AIMC Berkeley, but more than anything else, I'm grateful to all of my colleagues for the way they pulled together."

"It feels like a huge barrier to progressing and planning my life has been removed," added Carpenter. "I'm so happy to have it out of the way."

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