

BOARD OF ACUPUNCTURE
Professional & Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

The agenda for this meeting was filed with the Office of the Lt. Governor, as required by §92-7(b), Hawaii Revised Statutes (“HRS”).

Date: Thursday, February 4, 2016
Time: 1:00 p.m.
Place: Princess Likelike Conference Room
King Kalakaua Building, 3rd Floor
335 Merchant Street
Honolulu, Hawaii 96813

Members Present: Jayne Tsuchiyama, L.Ac., Chairperson
Joni Kroll, Member, D.Ac., Vice-Chairperson
James Corcoran, Ph.D., Member
Mike Hashimoto, D.Ac., Member

Staff Present: Carol Kramer, Executive Officer
Rodney Tam, Esq., Deputy Attorney General
Ronni-Ann Bumgarner, Secretary

Guests: Ellen J. Roos-Marr, Oahu Speech – Language Pathology

Call to Order: There being a quorum established, Chairperson Tsuchiyama called the meeting to order at 1:03 p.m.

Agenda Additions/
Revisions: None.

Approval of
the Minutes: It was moved by Dr. Corcoran, seconded by Dr. Kroll, and unanimously carried to approve the minutes of December 3, 2015 meeting with changes. The next meeting date was entered as April 4, 2016; it should have read April 7, 2016. Dr. Hashimoto also suggested to change Drs. Corcoran’s and Joni Kroll’s names to James Corcoran, Ph.D., and Joni Kroll, D.Ac.

Chair’s Report: Chair Tsuchiyama thanked everyone for working on rule revisions and getting it done in a timely manner.

Executive Officer’s
Report: Executive Officer Kramer introduced the 2016 legislative bills affecting acupuncture, and also asked for a volunteer to be the legislative delegate representing the Board should testimony be required to be presented. Chair Tsuchiyama volunteered and Dr. Kroll will be the backup as long as she can still testify as an individual as well as on behalf of the Board.

DAG Tam says as long as she specifies to the Legislature that she may be testifying for the Board as well as an individual.

Bills that were introduced to the Board:

1. H.B. 1062 – General Excise Tax; Medical Services
Exempts medical services from the general excise tax.
2. H.B. No. 419 – General Excise Tax; Food and Medical Services
Provides a general excise tax exemption for food after December 31, 2019, and for medical services after December 31, 2017.
3. H.B. No. 1922 – General Excise Tax; Food and Medical Services;
Housing
Provides a general excise tax exemption for food after December 31, 2020, for medical services after December 31, 2018, and rental subsidy payments for section 8, Housing First, and other related low-income housing programs after December 31, 2018.
4. S.B. No. 3041 - Health Care Professionals; Continuing Medical Education
Requires health care professionals to take a continuing medical education course in health issues unique to Hawaii. Requires the DOH to develop the course, in consultation with the Hawaii Medical Board.

The hearing for this bill was set for Friday February 5, 2016 at 9:00 a.m.

Comments on S.B. No. 3041

Dr. Corcoran stated that acupuncture renewals don't require continuing education like other areas and doesn't think bill is overly burdensome. Dr. Kroll stated the Board is bound by its rules.

Chairperson Tsuchiyama said, as a practitioner, she is an advocate for CEUs, to keep up with current events.

Questions that were brought up:

1. How many and/or which states require NCCAOM certification?
2. How many states are thinking about it?

The Board agrees that it supports the intent of the bill, but is unable to implement. So, will defer to DCCA.

Dr. Kroll mentioned 2 bills affecting acupuncture practitioners, but not the licensing law: S.B. No. 1178 which increases the authorized benefit for acupuncture treatments allowed under

personal injury protection benefits provided through motor vehicle insurance, and S.B. 1034 which increases the authorized benefit for naturopathic, chiropractic, and acupuncture treatments allowed under personal injury protection benefits provided through motor vehicle insurance.

Applications:

Ratifications

Board members reviewed the list of licenses and intern permits. It was moved by Dr. Corcoran, seconded by Dr. Kroll, and unanimously carried to ratify the applications of the individuals as listed for respective approvals sought.

ACUPUNCTURISTS

ACU 1164 TONY S <WILLCOX<
ACU 1165 LING <KU<
ACU 1166 MAILE L <GREEN<
ACU 1167 ANELA <BIRD<
ACU 1168 MARYNA I <SMOLNIKAVA<
ACU 1169 LANCE C <PURSLEY<
ACU 1170 RABAB <AL-AMIN<
ACU 1171 HIRAM K A <PUKAHI<
ACU 1172 DANIEL D <WITTE<

ACUPUNCTURE INTERNS

370 LIY <LIU<
371 NOHEA P <MARLOW<
372 DANELLE H <GALLO<

Applications:

Exam and License

None.

Old Business:

Proposed Rule Revisions, HAR Title 16, Chap. 72

Edits for Subchapter 2 - Definitions

- Paragraph 1 – no edits
- Accredited acupuncture program – add this definition
- Accreditation Commission on Acupuncture and Oriental Medicine or ACAOM – add this definition
- Acupuncture needle – defines what a needle is and its use
- Acupuncture practitioner – no edits
- Acupuncture school – add this definition to include #1 and #2 from Post-secondary school definition
- Acupuncture student – add this definition
- Approved post-secondary school – delete definition
- Approved post-secondary school in case of a foreign school – no edits

- Approved school – delete definition
- Board – no edits
- Contact hour – no edits
- Director – no edits
- Functional disorder – discussion on meaning of functional and organic
- Office – no edits
- Direct supervision – add this definition
- Traditional Oriental Medicine – add “...but is not restricted to the practice of acupuncture and herbal medicine”. Is this too vague?
- To add definitions for Herbal medicine, Traditional oriental diet and Laser acupuncture.

Chair Tsuchiyama proposed that the Board members review Subchapter 3 and do edits on their own and will discuss at the next meeting.

Open Forum: DAG Rod Tam indicated he assigned to this board until a replacement is named.

Executive Officer Kramer announced that we have a contested hearing that will be coming up.

Next Meeting: Thursday, April 7, 2016
1:00 p.m.
Princess Likelike Conference Room
King Kalakaua Building, 3rd Floor
Honolulu, Hawaii 96813

Adjournment: Chairperson Tsuchiyama adjourned the meeting at 3:01 p.m.

Taken and recorded by:

/s/ Ronni-Ann Bumgarner

Ronni-Ann Bumgarner, Secretary

Reviewed and approved by:

/s/ Carol Kramer

Carol Kramer, Executive Officer

CK:rb
03/1/16

[X] Minutes approved as is.
[] Minutes approved with changes. See Minutes of _____.