

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, April 3, 2014  
Time: 1:00 p.m.  
Place: Princess Likelike Conference Room  
King Kalakaua Building, 3<sup>rd</sup> Floor  
335 Merchant Street  
Honolulu, Hawaii 96813

Members Present: Michael Howden, L.Ac., Chairperson  
Jayne Tsuchiyama, L.Ac., Member, Vice-Chairperson  
Mike Hashimoto, D.Ac., Member

Absent: Dr. James Corcoran, Member

Staff Present: Christine Rutkowski, Executive Officer  
Steven H. Levins, Deputy Attorney General  
Alice Worthy, Secretary

Guests: Jana Wells, Self

Call to Order: There being a quorum established, Chair Howden called the meeting to order at 1:02 p.m.

Agenda Additions or Revisions: None.

Minutes of Previous Meeting: Minutes of the February 6, 2014 Meeting  
It was moved by Ms. Tsuchiyama, seconded by Dr. Hashimoto, and unanimously carried to approve the minutes of the February 6, 2014 meeting as circulated.

Chair's Report: The Chair reported that he had attended a seminar at the Hawaii College of Oriental Medicine ("HICOM") in Hilo. He further stated that some acupuncturists, who also attended the seminar, had expressed some concerns which the Chair asked to be put on today's agenda for discussion under New Business.

Executive Officer's Report: None.

Applications:                    Exam and License – None.

Ratifications

Board members reviewed the list of licenses and intern permits. It was moved by Ms. Tsuchiyama, seconded by Dr. Hashimoto, and unanimously carried to ratify the applications of the individuals as listed for respective approvals sought (attached).

New Business:                    2014 Legislative Session – House Concurrent Resolution 31 – Requesting the Auditor to Conduct a Sunrise Review of the Licensure and Regulation of Herbal Therapists

The Executive Officer reported that this Resolution requests the Auditor to conduct a study on the feasibility of licensing and regulating herbal therapists. There is nothing for the Board to do. The Executive Officer will monitor this Resolution and keep the Board apprised of its progression.

Discussion Regarding What Does it Mean for an Acupuncturist to Diagnose Under Scope of Practice?

The Chair stated that he was asked this question while he was attending a seminar at HICOM. Ms. Tsuchiyama stated that the Board discussed this matter at its June 2013 meeting. She recommended that persons be referred to the minutes of that meeting. Dr. Hashimoto agreed. Board members agreed by consensus that this inquiry has been answered and interested parties should refer to the June 2013 meeting minutes.

Discussion Regarding Physicians Practicing Acupuncture Without Being Licensed as an Acupuncturist?

The Executive Officer informed the Members that this matter has been discussed numerous times in the past. She stated that §436E-3.5, HRS, is clear. She added that in 2003, the Attorney General issued its opinion stating that physicians cannot practice acupuncture without being licensed as an acupuncturist.

The Chair asked what should people do if they know a physician is practicing acupuncture without a license. The Executive Officer replied that if anyone believes a physician is practicing acupuncture without being licensed as an acupuncturist, they need to file a complaint with the Regulated Industries Complaints Office ("RICO").

Open Forum:                    None.

Next  
Meeting: Thursday, June 5, 2014  
1:00 p.m.  
Princess Likelike Conference Room  
King Kalakaua Building, 3<sup>rd</sup> Floor  
Honolulu, Hawaii 96813

Adjournment: Chairperson Howden adjourned the meeting at 1:27 p.m.

Taken and recorded by:

/s/ Alice Worthy

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Alice Worthy, Secretary

Reviewed and approved by:

/s/ Christine Rutkowski

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Christine Rutkowski, Executive Officer

CR:aw  
5/2/14

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

BOARD OF ACUPUNCTURE  
APRIL 3, 2014

RATIFICATION LIST

ACU	1087	MICAH J <BREWER<
ACU	1088	NAIKE <SWAI<
ACU	1089	DAWN N <FECHTIG<
ACU	1090	JEAN-MICHAEL <WALKER<
ACU	1091	MATTHEW R <STUCKEY<