

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 August 4, 2016  
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: Jayne Tsuchiyama, D.A.O.M, D.Ac., Chairperson  
Joni Kroll, Member, D.Ac., Vice-Chairperson  
Mike Hashimoto, D.Ac., Member  
Ellen Roos-Mar, Member

Members Excused: James Corcoran, Ph.D., Member

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

Guests: None.

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

DAG Tam arrived at 1:06 p.m.

Approval of the Minutes: It was moved by Dr. Kroll, seconded by Dr. Tsuchiyama, and unanimously carried to approve the minutes of June 9, 2016.

Chair's Report: The Bureau of Labor Statistics added a unique occupational code 29-1291 which may help with Medicare. It was an eight year application process.

Dr. Tsuchiyama reported that a dry mouth study has been approved in conjunction with Wake Forest, MD Anderson, Queen's Medical Center and UH.

Executive Officer's Report: Boards and Commissions Orientation on August 30, 2016 at the Capitol.

Call for any admin bills for next legislative session

Dr. Hashimoto asked about RICO Advisory Committee list updates. No changes to existing list and RICO would ask Board to approve any additional members.

Agenda Additions/  
Revisions:

None.

New Business:

a. Board Meeting Schedule

Executive Officer Kramer circulated the dates for the 2017 Board meeting schedule and asked if everyone agreed on the dates. Request to move June 1, 2017 meeting to June 8, 2017. All agreed.

2017 Board Meeting Schedule

Thursday February 2  
Thursday April 6  
Thursday June 8  
Thursday August 3  
Thursday October 5  
Thursday December 7

b. Continuing Education Credits

Dr. Tsuchiyama spoke with Mina Larson of NCCAOM. Many states are now including CEUs and NCCAOM will review. It is recommended that 60 CEUs be taken over three years. These CEUs are required for an active diplomat status and the diplomat status is renewable every four years. This issue will be deferred to the next meeting for more discussion.

c. Dermapen

The Board determined that an acupuncture license is required to use a Dermapen, because it falls within the practice of acupuncture as stated in HRS §436E-2. However, this device is not for exclusive use by acupuncturists and may require other licenses.

Applications:

a. Ratifications

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

**Acupuncturists**

ACU 1180 Sarah E Brooks  
ACU 1181 Amber L F Trout  
ACU 1182 Maire K Cahoon  
ACU 1183 Grady W Reaves

**Interns**

374 Christy Taylor  
379 Alex Kim  
380 William R Tobin  
378 Jaylene K Hamilton  
375 Chelsea C Miyashiro  
376 Sook Kim  
377 Joel M Harding

**Applications:**

b. **Exam and License**

Reconsideration of Irving Marcus' application.

Executive Officer Kramer stated that Mr. Marcus appealed the Board's decision to deny his application, and requested a contested case hearing. Mr. Marcus sent in additional information to be considered during the hearing; however, the Hearings Officer noted that the Board should be given the opportunity to review the information first. The Board agreed to review Mr. Marcus' additional documents.

After careful consideration, the Board determined that Mr. Marcus did not submit any new, substantive information. Thus, he is still unable to demonstrate that he graduated from an approved school. It was moved by Dr. Kroll, seconded by Dr. Hashimoto and unanimously carried to affirm the Board's prior decision to deny Mr. Marcus' application for failure to satisfy the Board's licensing requirements.

DAG Tam left at 1:54 pm.

**Old Business:**

a. **Federation of Acupuncture & Oriental Medicine Regulatory Agency**

Executive Officer Kramer stated that the FAOMRA last communication found online was July 2002.

b. **Proposed Rule Revisions, HAR Title 16, Chap. 72**

Subchapter 5

§16-72-20(a) Should read, "Every person seeking a license to practice acupuncture or wishing to use any acupuncture and/or Oriental Medicine title in this State...

§16-72-20.1(a) An application for permit to work as an intern for two not four years and add "Hawaii" - "... under the direct supervision of a Hawaii licensed ..."

§16-72-20.1 (b)(3) Delete after "practitioner".

§16-72-20.1(c) add "only one time" after "not to exceed one year,"

§16-72-23(a)(1),( 2) Delete

§16-72-23(b) Delete "For applicants applying on or after September 1, 2000"

§16-72-23(b)(1) Delete "photostatic"

§16-72-23(b)(3) Add "educational" before "governmental authority"

§16-72-25 Add "and any other expenses" after "Translation of any document"

§16-72-27 Repeal

Dr. Tsuchiyama instructed the Board members to review Subchapters 6 - 7 for the next meeting.

Open Forum:

Dr. Hashimoto asked for the number of current acupuncturists in Hawaii and a breakdown per island. He also inquired about the increase within the last ten years or so. EO Kramer will research and provide this information at the next meeting.

Next Meeting:

Thursday, October 6, 2016  
1:00 p.m.  
Princess Likelike Conference Room  
King Kalakaua Building, 3<sup>rd</sup> Floor  
Honolulu, Hawaii 96813

Adjournment:

Chairperson Tsuchiyama adjourned the meeting at 2:47 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  
08/15/16

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