

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 October 6, 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, D.A.O.M, D.Ac., Chairperson
Joni Kroll, Member, D.Ac., Vice-Chairperson
Ellen Roos-Marr, Member
James Corcoran, Ph.D., Member
Mike Hashimoto, D.Ac., Member
- Staff Present: Carol Kramer, Executive Officer
Ronni-Ann Bumgarner, Secretary
- Excused: Rodney J. Tam, Esq., Deputy Attorney General
- Call to Order: There being a quorum established, Chairperson Tsuchiyama called the meeting to order at 1:02 p.m.
- Agenda Additions/
Revisions: None.
- Approval of
the Minutes: It was moved by Dr. Kroll, seconded by Dr. Hashimoto, and unanimously carried to approve the minutes of August 4, 2016.
- Chair’s Report: None.
- Executive Officer’s
Report: None.
- New Business: a. Acupuncture License Statistics

The Board reviewed the acupuncture licensing statistics provided by Executive Officer Kramer. It shows an increase of approximately 150 licensees in the past ten years. Dr. Tsuchiyama noted that many attend school in Hawaii and leave for the mainland to practice.

b. American Association of Collegiate Registrars and Admissions Officers ("AACRAO")

AACRAO discontinued their customer service center as of September 2016. They will no longer be accepting requests for evaluations from individuals. Alternatively, the state board will be required to request evaluations for graduates of foreign schools. World Education Services (WES) is another approved organization to conduct these evaluations.

The decision to continue with AACRAO's services under their new conditions is deferred until more questions are answered and clarification is obtained.

Applications:

a. Ratifications

It was moved by Dr. Kroll, seconded by Dr. Corcoran, and unanimously carried to ratify the following list of licensee and intern permits that have been issued:

Acupuncturists

ACU 1184 - Lori Ann Pusateri

Interns

385 Adam Rey
382 Randall E Corpuz
386 Deborah A Hirai
384 Jack D Fonderwhite

b. Exam and License

Rika Oai

Executive Session:

At 1:24 p.m., it was moved by Dr. Tsuchiyama, seconded by Dr. Kroll, and unanimously carried to move into executive session pursuant to HRS § 92-5 to consider and evaluate personal information relating to individuals applying for licensure, and to consult with the Board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities, as provided in Chapter 92-5(a)(1) and (4), HRS.

EXECUTIVE SESSION

At 1:47 p.m., it was moved by Dr. Corcoran, seconded by Dr. Kroll, and unanimously carried to move out of executive session.

After some discussion it was moved by Dr. Corcoran, seconded by Dr. Tsuchiyama and unanimously carried to deny Ms. Oai's application on the basis of HRS § 436E-5(d) as a result of not fulfilling the examination requirement.

Chapter 91, HRS,
Adjudicatory
Matters:

At 1:55 p.m., Dr. Tsuchiyama recessed the meeting to discuss the following adjudicatory matter, pursuant to Chapter 91, HRS:

In the Matter of the Application for an Acupuncture License of
MILTON NEWMAN, Petitioner, ACU-LIC-2013-002 - Board's Final
Order

The Board reviewed the above Board's Final Order. After some discussion, it was moved by Dr. Kroll, seconded by Dr. Corcoran, and unanimously carried to approve the Board's Final Order.

At 2:05 p.m., following the Board's review, deliberation, and decision on this matter pursuant to Chapter 91, HRS, Dr. Tsuchiyama announced that the Board was reconvening to its regular order of business.

Old Business:

Continuing Education Credits

The Board discussed Continuing Education Units ("CEUs") that many states require. There are 16 states that require the National Certification Commission for Acupuncture and Oriental Medicine ("NCCAOM") recertification only, while 21 states accept the NCCAOM Professional Development Activity ("PDA"). There are three states that only accept their own CEUs, six states that do not require any CEUs (including Hawaii), and four states that do not have a practice act.

There are some states that use NCCAOM recertification to track CEUs. Those that do not use NCCAOM, require regulatory staff and board members to review CEU courses.

There is a cost of \$250 every four years to recertify with NCCAOM. This will put an additional financial burden on licensees. Also mentioned was that a benefit would be that the licensee would be up to date on new advances in the industry. Adding this CEU requirement would require a change in statute. This topic will be deferred until more information is gathered.

Request from Shinji Tsukamoto

The Board had previously discussed a request from Shinji Tsukamoto, which Dr. Hashimoto wanted to revisit again. It was suggested that since Mr. Tsukamoto hasn't responded to the Board's response letter, that this matter be tabled until Mr. Tsukamoto does submit more information.

Final draft of HAR 16-72, Subchapters 1-5

After discussion, by consensus of the Board, this matter will be deferred to the next board meeting.

Proposed Rule Revisions, HAR Title 16, Chap. 72

Subchapter 6

§16-72-33 (a) Should read, "Effective _____, every applicant applying for a license to practice as an acupuncturist shall pass all four modules

Acupuncture Module with Point Location (AM)
Foundations of Oriental Medicine Module (FOMM)
Biomedicine Module (BM) and
Chinese Herbal Exam

Of the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) or its successor testing agency."

§16-72-33(c) Change the word "contractor" to "agency" and change "to provide" to "administer"

§16-72033(d) Remove this entire section. Double check if state agency is required to address people with disabilities

§16-72-34, 35 Double check statute for frequency requirement and if test is administered in other languages

§16-72-36 Delete section

Will discuss and review Subchapters 7 & 8 at the next meeting.

Open Forum: None.

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

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

