

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 17, 2017

Time: 1:00 p.m.

Place: Queen Liliuokalani Conference Room  
King Kalakaua Building, 1<sup>st</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  
James Corcoran, Ph.D., Member

Staff Present: Carol Kramer, Executive Officer  
Ronni-Ann Bumgarner, Secretary  
Shari J. Wong, Esq., Deputy Attorney General (“DAG”)

Excused: Mike Hashimoto, D.Ac., Member  
Ellen Roos-Marr, Member

Guests: Jesse Cohen – Applicant  
Jonah H. Chin  
Jung Kim  
Tyler Stattin

Call to Order: There being a quorum established, Dr. Tsuchiyama called the meeting to order at 1:07 p.m.

Approval of the Minutes: It was moved by Dr. Kroll, seconded by Dr. Tsuchiyama, and unanimously carried to approve the Board meeting minutes of June 8, 2017 with changes.

Dr. Kroll asked that the following changes be made under 2017 Legislative Session, on page two, fourth sentence of the first paragraph should read: “Fee reimbursement for acupuncturists should increase from \$73.88 to approximately \$150.00 per hour.”

On page three under Park, Jae H, the last line of the second paragraph should read: “U.S. college or university, but still doesn’t satisfy our education requirements.”

Executive Officer Kramer asked that the following change be on page three under Meisel, Laura C. C.: “After some discussion it was moved by Dr. Kroll, seconded by Dr. Hashimoto, and unanimously carried that pursuant to § 436E-5(d), HRS, and §16-72-14(c), Hawaii Administrative Rules that the Board deny the application for exam and license because she didn’t meet the academic hours’ requirements. Ms. Meisel did not complete a formal acupuncture program at Bastyr University that resulted in an award of a certificate or diploma.”

Dr. Corcoran asked that the following changes be made on the first page under Members Present: to move James Corcoran, Ph.D, Member to Excused., and on page two under Applications: a. Ratifications to remove Dr. Corcoran and replace with Dr. Kroll in the first sentence.

Correspondence: a. Inquiry from Jack Adam Weber regarding lab tests

Executive Officer Kramer reported that she’s been receiving inquiries whether acupuncturists can order lab tests, so she requested an informal interpretation from the Board.

The Board discussed and determined that in reference to the scope of provisions in the statute, it neither allows nor prohibits the ordering of lab tests. Other issues discussed were concerns that patients would have to pay for the lab tests out of pocket and what liability does this put on acupuncturists.

DAG Wong suggested to refer the requestor to the scope provisions in § 436E-2, HRS. The Board will also be considering this issue when revising its rules.

This is an informal interpretation for information and explanatory purposes only and is not an official opinion or decision and therefore is not to be viewed as binding on the Board.

Applications: a. Ratifications

It was moved by Dr. Tsuchiyama, seconded by Dr. Kroll, and unanimously carried to ratify the following list of licensees that have been issued:

**Acupuncturists**

ACU 1209 BRIESKE, STEVEN G  
ACU 1207 HASTANAN, AMY L  
ACU 1208 LAER, ELENA  
ACU 1210 PRICE, DIANE E  
ACU 1206 TOMPKINS, CHELSEA D  
ACU 1205 VAN DINE, ANNA L

b. Application for Exam and License

Executive Session: At 1:26 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 2:32 p.m., it was moved by Dr. Kroll, seconded by Dr. Corcoran, and unanimously carried to move out of executive session.

Acupuncturists

Cohen, Jesse Michael

Dr. Tsuchiyama explained to Mr. Cohen that the Board is requesting more time to gather more information in regards to the World Education Services ("WES") report. Dr. Tsuchiyama stated the Board will proceed with DAG Wong's guidance and contact Mr. Cohen if any additional information is needed. Mr. Cohen thanked the Board for allowing him to present his information to the Board. Mr. Cohen asked if a decision will be made by the next Board meeting, to which Dr. Tsuchiyama stated she hopes the Board will have a determination by the next Board meeting.

Mr. Chin and his wife Ms. Kim were present at the meeting because their applications for acupuncture license were also denied based upon the evaluation from WES. Mr. Chin and Ms. Kim wanted to know if they should submit a request for re-consideration if Mr. Cohen's application gets approved. DAG Wong stated that the Board will note Mr. Chin and Ms. Kim's request for re-consideration pending further information from WES.

After some discussion, it was moved by Dr. Kroll, seconded by Dr. Tsuchiyama, and unanimously carried that pursuant to § 436E 5(d), HRS, that the Board defer the above application for exam and license based upon the report from WES, and to request additional information from WES.

Dr. Tsuchiyama asked Executive Officer Kramer to research Academic Credentials Evaluation Institute, Inc. The Board may want to consider other evaluation services.

**Intern**

Hung, Nguyen

Executive Officer Kramer announced that at the last Board meeting Mr. Nguyen was approved for an extension of his intern permit from April 20, 2017 to April 19, 2018. Subsequently, Executive Officer Kramer learned that the school Mr. Nguyen listed where he'll be training has been closed since 2014. Correspondence was sent to Mr. Nguyen, dated June 21, 2017, asking him to confirm the name of the approved school through which the extension of his clinical training is being obtained. He has yet to respond and has been advised that he shouldn't be practicing without a permit.

Old Business: a. Proposed Rule Revisions, HAR Title 16, Chap. 72 Subchapters 1-11

Dr. Tsuchiyama stated for the next meeting the Board should be refining the definitions as tightly as possible.

Dr. Tsuchiyama agreed with what Dr. Hashimoto stated at the last meeting to add veterinary acupuncture, cupping, moxibustion and auricular acupuncture, and also consider malpractice insurance.

Next Meeting:

Thursday, October 12, 2017  
1:00 p.m.  
Princess Likelike Conference Room  
King Kalakaua Building, 3<sup>rd</sup> Floor  
Honolulu, Hawaii 96813

Adjournment: Dr. Tsuchiyama adjourned the meeting at 2:55 p.m.

Taken and recorded by:

/s/ Ronni-Ann Bumgarner

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Ronni-Ann Bumgarner, Secretary

Reviewed and approved by:

/s/ Carol Kramer

\_\_\_\_\_  
Carol Kramer, Executive Officer

CK:rb  
09/11/17

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