

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, June 7, 2018

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  
James Corcoran, Ph.D., Member

Staff Present: Carol Kramer, Executive Officer  
Krishna Jayaram, Esq., Deputy Attorney General ("DAG")  
Jessica Mullin, Secretary

Excused: Ellen Roos-Marr, Member

Guest: Dr. Wai Low, President of the Institute for Clinical Acupuncture and Oriental Medicine

Call to Order: There being a quorum established, Dr. Tsuchiyama called the meeting to order at 1:03 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 April 12, 2018 with changes.

Dr. Kroll asked that the following change be made under §16-72-20 (a)(1):

The application fee as provided in rules adopted by the director in accordance with chapter 91, HRS: ~~[and payable in the form of a] personal check, [a] cashier's check, or [a] postal money order;~~

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 1235 BRENT SWIFT  
ACU 1236 KRISTINE M WILLIAMS

Interns

422 DAVID LANGFELDER  
420 HEATHER E MCCARTHY  
421 MELISSA PULICICCHIO

Executive Officer's Report: a. As per the Hawaii State Ethics Commission (HSEC), Board members must file their respective financial and gift disclosures via the Electronic Filing System (E-Filing System) that rolled out in January 2018. Officer Kramer reminded the Acupuncture Board members to complete their E-Filing.

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

The Board discussed and revised Subchapters below (crossed-out material is to be deleted; underlined material is to be added):

Subchapter 2 Definitions

§16-72-3 Definitions. ~~The definition of terms as appearing in chapter 436E, HRS, shall be adopted by reference. In addition, as used in this chapter, the following definitions shall be included: As used in this chapter or in chapter 436E:~~

"Acupuncture needle" means ~~a straight, slender rod~~ an FDA approved Class II medical device; a sterile needle of various lengths and gauges diameter, tapered to a sharp point at one end for piercing or non-invasive stimulation of the skin, with one end for manipulation or maintaining the needle in place, ~~and inserted by an acupuncture practitioner into acupuncture points on the human body. A staple is not an acupuncture needle.~~

"Herbal Medicine" means the use of a formula or single herbal remedy to promote, maintain and restore health. It includes the use of naturally occurring substances of botanical, animal or mineral origin in accord accordance with classical pharmacopeia and good manufacturing practice (GMP) guidance. It does not include controlled substances.

~~"Traditional Oriental Diet" means based on a traditional classical "Food as Medicine" theory, a concept that emphasizes the importance of the analysis of a food's character with balanced food consumption, which reflects and restores one's health and differs from Western~~

aspect.

“Laser Acupuncture” means utilizing Class II Low Level FDA approved cold laser or biostimulation laser to promote biological function, regenerate tissue, reduce inflammation and alleviate pain.

“Lifestyle and Dietary Consult” incorporates Oriental Medicine traditional nutritional therapy concepts of food as medicine, a concept that emphasizes the importance of a food's character with balanced food consumption. Also includes herbal and nutritional supplements, as well as environmental factors, meditation, and movement and exercise.

~~“Acupuncture Medicine or Medical Acupuncture” means the therapeutic medical techniques within the integrated acupuncture and Oriental medicine under the scope of acupuncture to treat and prevent ailments, disability rehabilitation, pain relief, stress reduction and restore health.~~

“Moxibustion” means the process of heating moxa on meridians or points on the body with the intent to produce analgesia, support the immune system and modulate bodily systems.

#### Subchapter 4 Education and Training Requirements

##### §16-72-14 Formal education and training requirements.

~~(c) An applicant applying on or after September 1, 2000, shall submit satisfactory proof of graduation from an approved acupuncture school and with satisfactory proof of completing a course of study of formal education and clinical training that is consisting of at least two thousand one hundred seventy five hours. equal or higher than the current ACAOM requirements.~~

- ~~(1) To satisfy the formal educational requirements, the applicant shall complete an acupuncture and traditional Oriental herbal medicine course of study that is consisting of not less than one thousand five hundred fifteen hours. equal or higher than the current ACAOM requirements. The course of study shall cover, but not be limited to, the subjects listed in paragraph (a)(2).~~

#### Subchapter 6 Examinations

§16-72-33 Examination. (a) Effective \_\_\_\_\_ 2020 Every applicant applying for a license to practice as an acupuncturist shall pass three out of all four modules -

Point Location

Foundations of Oriental Medicine

Biomedicine

Chinese Herbology

of the National Certification Commission for Acupuncture and Oriental Medicine's (NCCAOM) or its successor testing agency, including the Clean Needle Technique.

~~(b) Effective \_\_\_\_\_, Every applicant applying for a license to practice as an acupuncturist shall pass all four modules -~~

~~Point Location.~~

Foundations of Oriental Medicine,  
Biomedicine  
Chinese Herbology

~~of the National Certification Commission for Acupuncture and Oriental Medicine's (NCCAOM) or its successor testing agency, including the Clean Needle Technique, written comprehensive examination or such other written examination as the board may determine.~~

#### Subchapter 8 Public Health and Sanitation

§16-72-53 Sanitation practices. Required practices shall include:

- (7) Prior to its usage on a patient, a reusable instrument such as cups used in cupping or a non-piercing acupuncture needle shall be sterilized in an autoclave, according to manufacturers' specifications, or by a disinfectant agent; or at a minimum temperature of 250°F (or 121°C) for not less than thirty minutes at fifteen pounds of pressure per square inch;

#### Subchapter 9 Advertisement

§16-72-57 Use of titles.

(d) A licensee who has been awarded a "Ph.D." in acupuncture or traditional Oriental medicine, or other research subjects shall be considered a non-practitioner academic title and shall be permitted to use the designation of "Ph.D." without append the prefix "Dr." for engaging in acupuncture practice, attach with emphasis of the doctoral studies be disclosed that approved by the Board and shall append "L.Ac." in accordance with subsection 436E-13(b), HRS. [Eff and comp 10/26/00] (Auth: HRS §436E-7) (Imp: HRS §436E-13)

(e) A licensee who has a non-practitioners doctorate includes including honorary degree or titles in a field shall not use the title "Dr." or "doctor" in advertisements or other materials visible to the public pertaining to the acupuncture practice.

(f) ~~A licensee who holds a current and valid certification by the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) may use designations provided with the title "L.Ac.", authorized and approved by the Board.~~

Next Meeting: Thursday, August 2, 2018  
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 3:04 p.m.

Taken and recorded by:

/s/Jessica T. Mullin

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Jessica T. Mullin, Secretary

Reviewed and approved by:

/s/Carol Kramer

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Carol Kramer, Executive Officer

CK:jtm  
07/25/18

- Minutes approved as is.
- Minutes approved with changes. See Minutes of October 18, 2018.