

**BOARD OF ACUPUNCTURE**  
Professional & Vocational Licensing Division  
Department of Commerce and Consumer Affairs  
State of Hawaii

MINUTES OF MEETING<sup>1</sup>

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: February 3, 2022

Time: 1:00 p.m.

Place: Virtual Videoconference Meeting – Zoom Webinar

Members Present: Joni Kroll, D.Ac., Chairperson  
Deborah McMenemy, L.Ac., D.A.O.M, Vice-Chair  
Brooke Foreman, L.Ac., D.A.C.M., Member

Excused: None

Staff Present: Risé Doi, Executive Officer (“EO”)  
Kelly Suzuka, Deputy Attorney General (“DAG”)  
Susan Reyes, Secretary

Guests: Barbara Ota, DACM, DAc  
Jeffrey A. Tice

A short video was played to explain procedures for the virtual meeting and how members of the public can participate and interact with the Board during the meeting.

1. Call to Order: A quorum was established, and Chair Kroll called the meeting to order at 1:05 p.m.

EO Doi clarified that the approval of the minutes is for the December 16, 2021 meeting.

2. Approval of Minutes: Chair Kroll opened the floor to discuss the minutes of the December 16, 2021 meeting.

Chair Kroll stated that on page 6, second paragraph, should be corrected to read as follows:

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<sup>1</sup> Comments from the public were solicited on each agenda item. If no public comments were given, the solicitation for and lack of public comment are not explicitly stated in these minutes.

“She would like to revise, “also known as ~~Traditional Chinese Medicine, East Asian Medicine and Kanpo~~ to East Asian medicine, Kanpo, and Acupuncture Medicine”.

It was moved by Vice-Chair McMenemy, seconded by Dr. Foreman, voted on and unanimously carried to approve the minutes of December 16, 2021, with the changes as noted.

3. Executive Officer's Report:

- a. HB 1679 Relating to Acupuncture. This bill makes comprehensive updates to chapter 436E, Hawaii Revised Statutes, regarding acupuncture practitioners to reflect modernized scopes of practice, titles, and licensing and renewal requirements including thirty hours of continuing education per licensing biennium.
- b. SB 2276 Relating to Acupuncture. This bill makes comprehensive updates to chapter 436E, Hawaii Revised Statutes, regarding acupuncture practitioners to reflect modernized scopes of practice, titles, and licensing and renewal requirements, including thirty hours of continuing education per licensing biennium.

EO Doi noted that the legislative session had begun and stated that these two bills have similar verbiage. On January 21, 2022, she attended the hearing for SB 2276, and provided testimony in support of this bill that modernizes the statutes to align with the current professional standards and activities provided by licensed acupuncturists. The testimony included amending the implementation dates to allow PVL ample time to provide notice to the licensees of the renewal requirements. She will keep the Board updated as the bill moves through the legislative process.

Dr. Ota, President of the Hawaii Acupuncture Association raised her hand to provide testimony. The association is very involved in the legislative process. Dr. Ota indicated support for the bill and noted that the bill includes language for reciprocity. She inquired about amending the CE implementation date to July 1, 2025 and how it will affect reciprocity and licensees in other states who want to practice in Hawaii.

Chair Kroll thanked Dr. Ota and stated that the Board is aware of this bill is also working on the Hawaii Administrative Rules (“HAR”) to ensure that the rules align with the Hawaii Revised Statutes (“HRS”).

Vice-Chair McMenemy asked if there are any conflicts with the HAR and these two bills.

DAG Suzuka answered that she does not see any conflicts, but this bill could change and have amendments that have not yet been anticipated.

4. Applications: a.

Ratifications

It was moved by Chair Kroll, seconded by Vice-Chair McMenemy, voted on and unanimously carried to ratify the following list of licenses that have been issued:

Acupuncturists

ACU 1364	Ayako Sato
ACU 1365	Alison Beard
ACU 1366	Harleigh Kidd
ACU 1367	Marilyn Huang
ACU 1368	Hong Zhou
ACU 1369	Si Yun

5. New Business: a.

Email Inquiry: Does microneedling fall under the Hawaii scope of acupuncture?

Chair Kroll stated that microneedling is often used in cosmetic acupuncture and facial acupuncture. She concluded that microneedling is a part of the Hawaii scope of practice and noted that cosmetic acupuncture is taught in schools and used widely.

Vice-Chair McMenemy and Dr. Foreman agreed.

Dr. Foreman asked if estheticians can perform microneedling.

Chair Kroll answered that our Board cannot regulate them, only their board can. They certainly cannot call it facial acupuncture because it will be calling it acupuncture.

EO Doi commented that this question will need to be directed to the Board of Barbering and Cosmetology.

Chair Kroll asked if the Board would like to send a request to the Board of Barbering and Cosmetology for an answer to this question.

Dr. Foreman answered yes.

EO Doi said that she believes that the previous determination of the Board of Barbering and Cosmetology is that if a needle pierces the skin, it is not within their scope, but she will follow up with the board's office.

Dr. Foreman asked if microneedling needed to be added to the rules.

Chair Kroll noted concerns of including every needling technique in the rules. She said that there could be a new needling technique in the future that is not yet listed in the rules. It is recommended to keep the definitions broad.

b. Hawaii Acupuncture Association Presentation – Proposed changes to Hawaii Revised Statutes (“HRS”) 436E

Dr. Ota said that the association is very pleased with the proposed scope of practice. The dates and the inclusion of certifications and what is required for new applicants is important. The association is in strong support of updating and using the broad verbiage. There was a suggestion in the Senate to remove Board of Acupuncture duties on lines 10 and 11, and make a new category of it, and for them not to be so specific. She does not know if it meant they wanted to delete it in the upcoming draft of the bill.

EO Doi clarified that the verbiage in the powers and duties of the board section listed in the bill is not typical in other boards' statutes. She noted that the recommendation is to have a separate section in the HRS and/or in the rules.

Chair Kroll responded that once the new draft of the bill is out, the Board will respond with appropriate testimony.

6. Ongoing Business:

a. Hawaii Administrative Rules (HAR”) Chapter 16-72 amendments

Chair Kroll noted that she and Vice-Chair McMenemy went through the draft again to make the changes that were discussed at the last meeting regarding the word “Oriental”. Changes were made to change the word to “herbal” or “acupuncture medicine”.

It was moved by Vice-Chair McMenemy, seconded by Dr. Foreman, voted on and unanimously carried to accept the rules with the changes as stated above.

7. Next Meeting: Thursday, April 7, 2022  
1:00 p.m.  
Examination Conference Room

8. Adjournment: Chair Kroll adjourned the meeting at 1:41 p.m.

Reviewed and Approved by:

Taken and recorded by:

/s/Risé Doi  
Risé Doi,  
Executive Officer

/s/Susan A. Reyes  
Susan A. Reyes,  
Secretary

RD:sar

04/08/22

Minutes approved as is.  
 Minutes approved with changes.