

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

MINUTES OF MEETING¹

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: April 7, 2022

Time: 1:05 p.m.

In-Person Meeting Location: Queen Liliuokalani Conference Room
HRH King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii 96813

Virtual Participation: Virtual Videoconference Meeting – Zoom Webinar
<https://dcca-hawaii-gov.zoom.us/j/93952550770>

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
Marta Rebella, Public Member

Excused: None

Staff Present: Risé Doi, Executive Officer (“EO”)
Lee Ann Teshima, EO
John Cole, Deputy Attorney General (“DAG”)
Kawehi Mau, Secretary

Guests: None.

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. Chair Kroll introduced new Board member Marta Rebella.
2. Approval of Minutes: Chair Kroll opened the floor to discuss the minutes of the February 3, 2022, meeting.

¹ 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.

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

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

It was moved by Vice Chair McMenemy, seconded by Chair Kroll, voted on and unanimously carried to approve the minutes of February 3, 2022, as amended.

3. Executive Officer's Report:

- a. Update on SB2276 SD2 HD2 - Makes comprehensive updates to chapter 436E, Hawaii Revised regarding acupuncture practitioners to reflect modernized scopes of practice, titles, and licensing and renewal requirements. Beginning with the renewal for the licensing biennium commencing 7/1/2025, requires licensees to obtain thirty hours of continuing education per licensing biennium. Allows the board of acupuncture to issue licenses by reciprocity. Effective 7/1/2060. (HD2)

EO Doi stated on April 6, 2022, the bill passed through the House Finance Committee. The next step in the legislative process is that the bill is scheduled for a conference hearing.

- b. Microneedling response from Board of Barbering and Cosmetology

EO Doi followed up with the Board of Barbering and Cosmetology on the Board's behalf and received a response that “microneedling, regardless of needle size, does not fall within the scope of practice for beauty operator, cosmetologist or esthetician in Hawaii.”

EO Doi asked if there were any questions from the Board. There were none.

- c. Department of Health (DOH) letter update regarding lab testing

EO Doi reported the Board received a response from DOH. DOH is anticipating revising the administrative rules on the licensing of laboratories. DOH commented that they will need to revisit the Board's inquiry regarding authorization of acupuncturists to order, receive, and interpret lab results, when the rules are addressed.

- d. SCR 134 & SR 118 - REQUESTING THAT THE UNITED STATES CONGRESS SUPPORT THE PASSAGE OF H.R. 4803, THE ACUPUNCTURE FOR OUR SENIORS ACT OF 2021, WHICH WOULD AMEND TITLE XVIII OF THE SOCIAL SECURITY ACT

PROVIDE COVERAGE FOR ACUPUNCTURIST SERVICES
UNDER THE MEDICARE PROGRAM.

EO Doi stated that these resolutions were recently brought to her attention and testimony was not submitted on the Board's behalf. She noted that these resolutions were deferred. Chair Kroll stated she submitted late testimony as an individual and explained that bipartisan sponsors are backing bills related to this topic in Congress.

After discussion, upon a motion by Chair Kroll, seconded by Vice-Chair McMenemy, it was voted on and unanimously carried to support the resolutions if similar ones are introduced in the future.

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 1370	DANIELLE BENSON
ACU 1371	MICHIKO USUI
ACU 1372	ASHLEY MARIE AMAS
ACU 1373	GRACE SUH COSCIA
ACU 1374	GREG ANDREW LIVINGSTON
ACU 1375	KELLY LYNN BAUCUM

5. New Business: a. Continuing education rules and definitions in the rules of practice of advanced acupuncture medicine

EO Doi explained to work on this topic outside of a Board meeting, the Board may form a permitted interaction group ("PIG"). Forming a PIG allows for two board members to research and discuss the topic outside of the Board meeting, and the PIG may include members of the public into the group. The PIG would report their findings to the Board at the next meeting, however, the Board will not be able to take action until a subsequent meeting. Another option is to form a subcommittee, which allows for two Board members to discuss the topic outside of the Board meeting, but public input is not involved until a Board meeting.

b. Formation of permitted interaction group: Drafting continuing education rules and definitions in the rules of practice of advanced acupuncture medicine

Chair Kroll asked if instead of forming a PIG, the Board could have two subcommittees, one for working on continuing education rules and a second to focus on advanced acupuncture medicine and any other definitions or revisions in the statutes.

EO Doi responded in the affirmative.

Vice-Chair McMenemy and Dr. Foreman volunteered to participate in the subcommittee for drafting rules on continuing education.

It was moved by Chair Kroll, seconded by Ms. Rebella, voted on and unanimously carried to form a subcommittee allowing Vice-Chair McMenemy and Dr. Foreman to work on drafting continuing education rules.

Dr. Foreman and Chair Kroll volunteered to participate in the subcommittee for drafting definitions and revisions in the rules of practice of advanced acupuncture medicine.

It was moved by Chair Kroll, seconded by Ms. Rebella, voted on and unanimously carried to form a subcommittee allowing Dr. Foreman and Chair Kroll to draft definitions in the rules of practice of advanced acupuncture medicine and any other definitions and revisions in the statutes.

6. On-going Business: None.
7. Next Meeting: Thursday, June 2, 2022
1:00 p.m.
Examination Conference Room
8. Adjournment: Chair Kroll adjourned the meeting at 1:35 p.m.

Reviewed and Approved by:

Taken and recorded by:

/s/Risé Doi

/s/Kawehi Mau

Risé Doi
Executive Officer

Kawehi Mau
Secretary

RD:km

06/07/22

- [X] Minutes approved as is.
[] Minutes approved with changes.