

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: August 23, 2023

Time: 9:00 a.m.

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

Virtual: Virtual Videoconference Meeting – Zoom Webinar
<https://dcca-hawaii-gov.zoom.us/j/88221154080>

Members Present: Deborah McMenemy, L.Ac., D.A.O.M, Vice Chair
Brooke Foreman, L.Ac., D.A.C.M., Member
Marta Rebella, Public Member
Steven Rosenblatt, Public Member

Excused: None.

Staff Present: Risé Doi, Executive Officer (“EO”)
Christopher Leong, Deputy Attorney General (“DAG”)
Kawehi Mau, Secretary
Marc Yoshimura, Secretary
Mia Hoang, Tech Support
Johnny Li, Tech Support

Guest(s): Donna Corley
Mike M. Hashimoto
Siriporn J. Jang
Bryan Mick
Meladie Roberts, L.Ac., O.M.
Charley Somsanguansit
Dr. Wai Low, D.Ac., ICAOM

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 Vice Chair McMenemy called the meeting to order at 9:07 a.m. Dr. McMenemy, Dr. Foreman, and Dr. Rosenblatt confirmed that they were present and alone.

2. Election of Officers: Vice Chair McMenemy opened the floor for nominations for the position of Board Chair. Vice Chair McMenemy volunteered for the position. It was moved by Vice Chair McMenemy, seconded by Dr. Foreman, voted on and unanimously carried to elect Deborah McMenemy as the Board's Chair.

Chair McMenemy opened the floor for nominations for the position of Board Vice Chair. Chair McMenemy nominated Dr. Foreman.

It was moved by Ms. Rebella, seconded by Dr. Foreman, voted on and unanimously carried to elect Brooke Foreman as the Board's Vice Chair.

Marta Rebella entered the meeting at 9:12 a.m.

3. Approval of Minutes: Chair McMenemy opened the floor to discuss the minutes of the June 15, 2023 meeting.

It was moved by Ms. Rebella, seconded by Dr. Foreman, and carried by a majority, with the exception of Dr. Rosenblatt, who abstained from voting on this matter, to approve the minutes of June 15, 2023, as circulated.

A roll call vote was taken and Dr. McMenemy, Dr. Foreman, and Ms. Rebella voted in favor of approving the minutes as circulated.

4. Executive Officer's Report: a. Update on Hawaii Administrative Rules ("HAR") 16-72
EO Doi asked clarifying questions regarding term used in the acupuncturist profession and if terms in the definitions need to be capitalized.

EO Doi asked if there is a difference between an acupuncture student and an intern.

Dr. Rosenblatt asked at what point in schooling does a student become an intern.

Dr. Wai Low stated that at the beginning of the second year of schooling, the student applies for an acupuncture intern permit.

Chair McMenemy clarified that the acupuncture student intern language in the Board's draft of the rules should remain the same.

EO Doi noted that she will make the non-substantive changes and will submit the draft to the Administrative Services Office.

4. Applications: a. Ratifications

It was moved by Ms. Rebella, seconded by Dr. Foreman, and carried by majority, with the exception of Dr. Rosenblatt, who abstained from voting on this matter, to ratify the following list of licenses that have been issued:

Acupuncturists

ACU-1412 KYOUNGYI PYO
ACU-1413 CARA E SPINELLI
ACU-1414 GIULIANA ELIZABETH GASPARIN QUERO
ACU-1415 BRITTANY R C FREITAS
ACU-1416 JENNIFER GOODMAN
ACU-1417 YOUNG JIN GI

Interns

R-23720001 BENIGNA R TAYLOR
R-23720002 SAM SIL Y CANNON
R-23720003 SUZANNE M SAVIANO
R-23721001 GABRIELLE H FILTER
R-23726002 ALEXIS A M EINOLGHOZATI
R-23726003 RHIANNON M HSU
R-23726004 MEI XUE
R-23731001 KENTO KIHARA
R-23807002 RENEE C HANEL

A roll call vote was taken and Dr. McMenemy, Dr. Foreman, and Ms. Rebella voted in favor of approving the ratification list.

At 9:28 a.m. the King Kalakaua Building lost internet connection but the zoom meeting was still active.

At 9:35 a.m. the King Kalakaua Building regained internet connection and the Board meeting continued with meeting business.

b. Applications

Chair McMenemy asked if there was any testimony on Siriporn Jang's application. The Board hear testimony from Dr. Wai Low. Dr. Low expressed concern about the Board requiring new applicants to take the NCCAOM Biomedicine exam when it is not listed on the current application that is posted to the Boards website.

Dr. Wai Low asked the Board to consider giving a timeframe for those wishing to apply for licensure before requiring the Biomedicine exam. Meladie Roberts and Ms. Jang agreed.

It was moved by Chair McMenemy, seconded by Ms. Rebella., and unanimously carried to enter executive session at 9:40 a.m., in accordance with HRS §92-5(a)(1), to consider and evaluate personal information relating to individuals applying for professional licenses cited in HRS §26-9 and, pursuant to HRS §92-5(a)(4), to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities and liabilities. (Note: Board members and staff entered into Microsoft Teams.)

It was moved by Dr. Foreman, seconded by Mr. Rosenblatt, and unanimously carried to return to the open session meeting at 10:16 a.m. Board members and staff returned to the Zoom meeting. All Board members confirmed that they were present and alone.

It was moved by Vice Chair McMenemy, seconded by Ms. Rebella, voted on and unanimously carried to approve the following application:

Acupuncturists

1. Siriporn Jang

6. New Business:

None

7. Unfinished Business:

a. Discussion on revising the Acupuncture License application which will include clarification that the NCCAOM Foundations of Oriental Medicine, Acupuncture with Point

Location, and Biomedicine exam modules are required for licensure

Chair McMenemy asked if there was any testimony on this item.

Dr. Low expressed concern about the Board's decision to make the NCCAOM Biomedicine exam a requirement on such short notice. Dr. Low asked the Board to consider moving the Biomedicine requirement out one year so students may study for the exam. Dr. Low said that the Board's current rules do not state that the Biomedicine exam is required.

EO Doi explained that pursuant to Hawaii Administrative Rules 16-72-33, every applicant applying for a license to practice as an acupuncturist shall pass the National Certification Commission for Acupuncture and Oriental Medicine's (NCCAOM) written comprehensive examination. NCCAOM has stated that the comprehensive written exam is equivalent to the following modules: Foundations of Oriental Medicine, Acupuncture with Point Location, and Biomedicine.

Dr. Low stated that New York only requires Foundations of Oriental Medicine and Acupuncture with Point Location. Chair McMenemy explained that the requirements may be different in New York, but Hawaii requires the equivalency of the NCCAOM comprehensive written examination. Chair McMenemy noted that Mina Larson from NCCAOM has stated that the three modules constitute the equivalency of the comprehensive written examination and that historically, the exam was broken into separate modules.

Chair McMenemy recognized Charley Somsanguansit. Ms. Somsanguansit stated that she is a current applicant awaiting the Board's final decision on the Biomedicine requirement for current pending acupuncture applicants. Ms. Somsanguansit stated the Board should uphold the exam requirements that are currently listed on the online application and plans to take the Biomedicine exam in the future. Ms. Somsanguansit noted that the information on the website and application should be updated and consistent.

Dr. Rosenblatt commented that he has concerns regarding no reciprocity. Chair McMenemy explained that the current law does not allow for reciprocity.

It was moved by Dr. Foreman, seconded by Ms. Rebella, and carried by majority, with the exception of Dr. Rosenblatt, who

abstained from voting on this matter, to approve the updated acupuncture license application which clarifies that the NCCAOM Foundations of Oriental Medicine, Acupuncture with Point Location, and Biomedicine exam modules are required for licensure for those applying after today's date.

A roll call vote was taken and Dr. McMenemy, Dr. Foreman, and Ms. Rebella voted in favor of approving the updated acupuncture license application.

8. Next Meeting: Thursday, October 5, 2023
1:00 p.m.
Queen Liliuokalani Conference Room

9. Adjournment: Chair McMenemy adjourned the meeting at 10:35 a.m.

Taken and recorded by:

Reviewed and Approved by:

/s/Kawehi Mau

/s/Risé Doi

Kawehi Mau
Secretary

Risé Doi
Executive Officer

RD:km

10/05/23

[X] Minutes approved as is.

[] Minutes approved with changes.