

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, 2012
Time: 1:00 p.m.
Place: King Kalakaua Conference Room
King Kalakaua Building, 1st Floor
335 Merchant Street
Honolulu, Hawaii 96813

Members Present: Michael Howden, L.Ac., Chairperson
Randall M. Hashimoto, Member, Vice-Chairperson
Dr. James Corcoran, Member
Mike Hashimoto, D.Ac., Member
Jayne Tsuchiyama, L.Ac., Member

Staff Present: Christine Rutkowski, Executive Officer
Steven H. Levins, Deputy Attorney General
Alice Worthy, Secretary

Guests: Christina Kapothanasis, HOMAA

Call to Order: There being a quorum established, Chair Howden called the meeting to order at 1:05 p.m.

Agenda Additions
or Revisions: None.

Minutes of
Previous Meeting: **Minutes of the April 5, 2012 Meeting**
It was moved by Dr. Hashimoto, seconded by Mr. Hashimoto, and unanimously carried to approve the minutes of the April 5, 2012 meeting as circulated.

Chapter 91, HRS
Adjudicatory Matters: None.

Applications:

Examination and License

At 1:08 p.m., it was moved by Mr. Hashimoto, seconded by Dr. Hashimoto, and unanimously carried to enter into Executive Session to consider and evaluate personal information relating to the individual applying for licensure in accordance with Chapter 92-5(a) (1), and to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities in accordance with Chapter 92-5(a) (4), Hawaii Revised Statutes.

Executive Session

Linda Ann Wertheimer
Yoko Hoge

At 1:28 p.m., it was moved by Mr. Hashimoto, seconded by Ms. Tsuchiyama, and unanimously carried to return to the Board's order of business.

The Chair welcomed new Board member, Dr. James Corcoran. Dr. Corcoran fills the vacant public position.

The Chair then called for a short recess.

At 1:42 p.m., the Chair resumed the Board's regular order of business.

Linda Ann Wertheimer

Board members reviewed the application and documents submitted.

After discussion, it was moved by Ms. Tsuchiyama, seconded by Mr. Hashimoto, and carried by a majority vote (Dr. Corcoran abstained) to deny the examination and license application of Linda Ann Wertheimer on the basis of §436E-5(d), HRS, and §16-72-14(c), HAR, in that applicant has not furnished satisfactory proof to the Board that she meets the required academic hours.

Yoko Hoge

Board members reviewed the application and documents submitted, including the AACRAO evaluation of International Educational Credentials report.

After discussion, it was moved by Mr. Hashimoto, seconded by Dr. Hashimoto, and carried by a majority vote (Dr. Corcoran abstained) to deny the examination and license application of Yoko Hoge on the basis of §436E-5(d), HRS, in that the AACRAO evaluation of applicant's transcripts and curriculum failed to demonstrate that applicant's formal acupuncture program of study is at least equivalent to that of the United States accredited acupuncture program.

Ratifications

Board members reviewed the lists of licenses and intern permits. It was moved by Mr. Hashimoto, seconded by Ms. Tsuchiyama, and unanimously carried to ratify the applications of the individuals as listed for respective approvals sought (attached).

Chair's Report:

The Chair presented Mr. Hashimoto with a Certificate of Appreciation and thanked Mr. Hashimoto for his time and contributions during his term as a member. Chair Howden, on behalf of the Board and staff, wished Mr. Hashimoto the best of luck in his future endeavors. Today is Mr. Hashimoto's last meeting as his term expires on June 30, 2012.

Executive Officer's Report:

Office of Information Practices - None
Hawaii State Ethics Commission ("Ethics Commission") – None.
Others – None.

New Business:

None.

Unfinished Business:

Report of the Rules Investigative Committee

Dr. Hashimoto reported that the ad hoc committee is still working on researching and gathering information, and will be able to make a report at the next meeting.

Dr. Corcoran inquired as to why the ad hoc committee was formed and its purpose. The Executive Officer explained that the committee was formed to review the rules and to formulate ideas that the Board should address for possible revision.

Deputy Attorney General Levins explained that the ad hoc committee is an investigative committee only that the Board authorized under the State's Sunshine law, and that it does not take the place of the authority of the Board.

2012 Legislative Session

The Executive Officer reported that the Governor has not yet signed the two military bills. The Board will be requested to discuss these matters after they become law.

Mandatory Continuing Education – PVL Guidelines-Checklist

Copies of the guidelines checklist for continuing education were given to members for their information and discussion at today's meeting.

The Executive Officer reported that back in 2003, the previous board had convened a committee to look into developing continuing education. The committee met every month for about one year, but was unable to develop answers to the check list. The Executive Officer stated that the Board cannot move forward until the members have answered all questions on the check list. The Executive Officer further stated that the imposition of continuing education increases the scope of regulation and is appropriately handled by the trade associations. HOMAA could bring forth their proposal to the Board regarding continuing education.

The Chair stated that he believes having continuing education is worthwhile. He reported that currently there are 15 states that require continuing education for acupuncture and 20 states that require the medical professionals to obtain continuing education.

Dr. Hashimoto agreed with the Chair that obtaining continuing education is worthwhile, and that in keeping up with the continuing education will ultimately affect the consumer in a good way.

Ms. Tsuchiyama stated that because Hawaii is pretty remote, apart from the Mainland there is not much interaction, so having continuing education is a good thing; there is a competitive market out there; keeping up with continuing education makes one a better professional. Acupuncture is a viable profession. If the Board does implement continuing education, who would pay for the costs? Should the Board require licensees to obtain and maintain NCCAOM certification?

The Executive Officer stated that as to who pays for licensees to get the continuing education courses and the availability of the continuing education courses to the licensees are issues raised in the checklist.

Regarding NCCAOM certification, the Board has previously reviewed and discussed the matter. As a result, the Board concluded that it will not consider the certification as a pathway for Hawaii licensure because NCCAOM accepts apprenticeship training, which Hawaii no longer accepts.

Use of Titles, Possible Amendments to §436E-13(c), HRS

The Executive Officer explained that in 2010 the Board tried to get the law changed, but was unsuccessful. The bill was not heard and therefore did not progress through that session.

The purpose of the proposed revision was to clear up the confusion regarding the application for use of the doctor title and that applicants would be required to complete an ACCOAM accredited program of doctoral standards.

There was discussion on whether the board should request that the bill be included as part of the administration package for 2013. It was not certain whether the bill could be part of the package. Any bill submitted must meet the governor's new day criteria requirement.

Deputy Attorney General Levins explained that the board must meet the administration deadlines when submitting bills for consideration.

Ms. Tsuchiyama asked whether those with the doctor titles can be grandfathered in if there is a law change.

Ms. Tsuchiyama stated that the Rules Investigative Committee has no report to present to the Board. The committee is still gathering the information and will have a report for the Board at the next meeting.

Members agreed that it is time to move forward on this matter. With a motion by Dr. Hashimoto, seconded by Mr. Hashimoto, it was unanimously carried to defer this matter until the next meeting for further discussion.

Correspondence: None.

HOMAA and Other Organizations: Christina Kapothanasis apologized for not having a report to present to the Board. She stated that HOMAA supports a proposed law change. She thanked the Board for allowing her to participate on the Rules Investigative Committee.

Reports or Announcements: None.

Next Meeting: Thursday, August 2, 2012
1:00 p.m.
King Kalakaua Conference Room
King Kalakaua Building, 1st Floor
Honolulu, Hawaii 96813

Adjournment: Chairperson Howden adjourned the meeting at 2:27 p.m.

Taken and recorded by:

/s/ Alice Worthy

Alice Worthy, Secretary

Reviewed and approved by:

/s/ Christine Rutkowski

Christine Rutkowski, Executive Officer

CR:aw
7/9/12

- Minutes approved as is.
 Minutes approved with changes. See Minutes of _____.

ACUPUNCTURE RATIFICATION JUNE 2012

NAME	TYPE	APPROVED
Heather D Banks	intern	4/11/12
Lea H Siebert	license	4/20/12
Pierina R Colombatto	license	4/20/12
Randall Johnson	license	5/22/12
Whitney S Horstman	license	5/22/12
Melanie I H Biddle	license	5/22/12