

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, February 7, 2013  
Time: 1:00 p.m.  
Place: King Kalakaua Conference Room  
King Kalakaua Building, 1<sup>st</sup> Floor  
335 Merchant Street  
Honolulu, Hawaii 96813

Members Present: Michael Howden, L.Ac., Chairperson  
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

Excused: Dr. James Corcoran, Member

Guests: Yoshiharu Ikeda, Applicant  
Heijiro Ikeda  
Wai Hoa Low, ICAOM  
Christina Kapothanasis, HOMAA

Call to Order: There being a quorum established, Chair Howden called the meeting to order at 1:00 p.m.

Agenda Additions or Revisions: Additional distribution of documents relating to S.B. 1076, proposed rule revisions, and December 13, 2012 minutes.

Dr. Hashimoto moved to add to the agenda the topic of Election of Officers. There was discussion that at the October 2012 meeting, Board members agreed to table the issue until all members are present. There was no second to the motion. The motion died.

Minutes of Previous Meeting: Minutes of the December 13, 2012 Meeting

It was moved by Dr. Hashimoto, seconded by Ms. Tsuchiyama, and unanimously carried to approve the minutes of the December 13, 2012 meeting as circulated.

Chair's Report: None.  
Executive Officer's

Report: None.

Chapter 91,  
HRS, Adjudicatory  
Matters:

Chair Howden called for a recess from the meeting at 1:07 p.m., in order to deliberate on the following adjudicatory matter, pursuant to Chapter 91, HRS.

In the Matter of the Application for an Acupuncture License of LINDA WERTHEIMER, Petitioner; ACU-LIC-2012-001 – Errata to Hearings Officer’s Findings of Fact, Conclusions of Law, and Recommended Order, and Board of Acupuncture’s Final Order.

After a brief discussion, it was moved by Ms. Tsuchiyama, seconded by Dr. Hashimoto, and unanimously carried to accept the Errata and adopt the Hearings Officer’s Findings of Fact, Conclusions of Law, and Recommended Order. The Board issued the Board’s Final Order.

Applications: Exam and License

Yoshiharu Ikeda

Mr. Ikeda appeared before the Board. He stated that he has submitted all the information requested. He said that AACRAO did two evaluations on his education, which cost him money. He related that the first report was not accepted by the Board. Then he realized that the report did not include his studies at Kyoto University. The current report has both Kyoto University and Shikoku Medical School. Mr. Ikeda also stated that the Board needs to consider the report from the Iryo Roppo because it shows the requirements applicants had to meet to take the Japan national exam, while he was in school; that he could not have been licensed in Japan without those clinical requirements. Board members noted that the clinical hours are not recorded on the current AACRAO report. Mr. Ikeda questioned why AACRAO left it out on its report.

Mr. Ikeda also asked the Board to consider the fact that he was a teacher and clinical supervisor at Oregon College of Oriental Medicine (“OCCOM”) and that Oregon granted him limited licensure.

At 1:21 p.m., it was moved by Ms. Tsuchiyama, 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  
Yoshiharu Ikeda

At 1:43 p.m., it was moved by Dr. Hashimoto, seconded by Ms. Tsuchiyama, and unanimously carried to return to the Board's order of business.

After discussion, it was moved by Ms. Tsuchiyama, seconded by Dr. Hashimoto, and unanimously carried to deny the application for exam and license for Yoshiharu Ikeda on the basis of §436E-5(d), HRS, in that according to the information submitted by the applicant, the applicant's transcript and curriculum are not at least equivalent to that of the United States accredited program, in that according to the ACCRAO reports, the applicant's coursework is comparable to three years of undergraduate study and the applicant has not submitted satisfactory proof of meeting the required academic and clinical hours of training as provided in §436E-5(d), HRS.

#### Ratifications

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

#### New Business:

##### 2013 Legislature

The Executive Officer reported that H.B. 845 and S.B. 1076, Relating to the Use of the Doctor of Acupuncture Title, were introduced to the 2013 Legislature as Administration bills. H.B. 845 was heard in House Health Committee and passed out as is. H.B. 845 has been referred to CPC for hearing. No hearing date has been scheduled yet. S.B. 1076 was heard earlier in the day at 9:00 a.m. by Senate Committee on Commerce and Consumer Protection. The Committee deferred the measure until February 12, 2013. The Executive Officer reported that Dr. Low testified with concerns about the use of the DAOM title. Chair Baker requested the Board to discuss the DAOM title.

Board members engaged in considerable discussion with Dr. Low about the bill, the title D.Ac. and his proposal to amend the bill to insert the "DAOM" title.

After discussion, Board members agreed by consensus that because the intent of the bill is to ensure that applicants for the use of the Doctor of Acupuncture title complete an accredited doctoral program or a foreign program that is equivalent, the bill should remain as is. Board members also concurred that future discussion regarding the title, itself, may be held in the future.

Acupuncture Today, August 2012, Vol. 13, Issue 08 – “Is There Still a Need for the NCCAOM Foreign Language Exams?”

Due to time constraints, this matter was deferred till the next meeting.

Unfinished Business: Report of the Rules Investigative Committee Regarding §§16-72-3, 4, 5, 11, 14, 17, 20.1, 23, 33 and 57

Due to time constraints, this matter was deferred till the next meeting.

Open Forum: None.

Next Meeting: Thursday, April 4, 2013  
1:00 p.m.  
King Kalakaua Conference Room  
King Kalakaua Building, 1<sup>st</sup> Floor  
Honolulu, Hawaii 96813

Adjournment: Chairperson Howden adjourned the meeting at 3:17 p.m.

Taken and recorded by:

/s/ Alice Worthy

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Alice Worthy, Secretary

Reviewed and approved by:

/s/ Christine Rutkowski

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Christine Rutkowski, Executive Officer

CR:aw  
3/8/13

[ X ] Minutes approved as is.  
[ ] Minutes approved with changes. See Minutes of \_\_\_\_\_.

LTYPE LIC NUM BP NAME PART 1

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ACU 1052 STEPHANIE <SAVASTA<  
ACU 1053 RENEE M <SCHUETTER<  
ACU 1054 RUTH <MOSS<

ACUPUNCTURE INTERNS

MARGARET <RAINS<  
JONG G <HAN<  
ELZBIETA B <HODARA<  
RYOKO <ITO<  
CELESTE M <MANDERVILLE<  
LISA M <LA COVA-BHAT<