

**Douglas A. Ducey**  
Governor

**Mario Fontes, L.Ac.**  
Chairman

**Mindy Hayden, L.Ac.**  
Secretary



## Acupuncture Board of Examiners

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**David Geriminsky**  
Executive Director  
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### REGULAR MEETING – August 29, 2018 OPEN SESSION MINUTES

Members of the Arizona Acupuncture Board of Examiners met at :

**Wednesday, August 29, 2018, at 1:00 p.m.**  
**2225 North Gemini Dr – Excellerator Conference Room**  
**Flagstaff, Arizona 86001**

#### Board Members Present:

Mario Fontes, L.AC., Chairman  
Mindy Hayden, L.AC., Secretary  
Jamie Fitzgerald, L.AC.  
B. Jeffrey Jolley, D.C.  
Rosemary Zimmerman, D.C.  
Susan Williams

**Board Staff:** David Geriminsky, Executive Director

**Attorney General Representative:** Frankie Shinn-Eckberg, Assistant Attorney General

1. **CALL TO ORDER.** Chairman Fontes called the meeting to order at 1:28 p.m.

2. **RECOGNITION OF BOARD MEMBERS**

3. **DECLARATION OF CONFLICTS OF INTEREST – A.R.S. §38-503**

None

4. **REVIEW, DISCUSSION AND APPROVAL OF BOARD MEETING MINUTES**

#### A. July 25, 2018 Regular Session Board Meeting Minutes

Board Member Jolley moved for the adoption of the July 25, 2018 Regular Board Meeting minutes with Board Member Williams providing a second. The Motion Passed.

Fontes	Hayden	Williams	Jolley	Fitzgerald	Zimmerman	Vote
X	X	X	X	X	X	Aye
						Nay
						Recused
						Abstained
						Absent

5. **REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING APPLICATIONS FOR LICENSURE**

**A. Ashford, Shelley**

Executive Director Geriminsky provided a summary of licensure eligibility. The Board reviewed the license applicant chart and packet. Board Member Jolley moved to grant licensure to Applicant Shelley. Board Member Williams seconded. The motion passed.

Fontes	Hayden	Williams	Jolley	Fitzgerald	Zimmerman	Vote
X	X	X	X	X	X	Aye
						Nay
						Recused
						Abstained
						Absent

**B. Le, Hop**

Executive Director Geriminsky provided a summary of licensure eligibility. The Board reviewed the license applicant chart and packet. Board Member Jolley moved to grant licensure to Applicant Le. Board Member Zimmerman seconded. The motion passed.

Fontes	Hayden	Williams	Jolley	Fitzgerald	Zimmerman	Vote
X	X	X	X	X	X	Aye
						Nay
						Recused
						Abstained
						Absent

**C. Ramirez, Christine**

Executive Director Geriminsky provided a summary of licensure eligibility. The Board reviewed the license applicant chart and packet. Board Member Zimmerman moved to grant licensure to Applicant Ramirez. Board Member Williams seconded. The motion passed.

Fontes	Hayden	Williams	Jolley	Fitzgerald	Zimmerman	Vote
X	X	X	X	X	X	Aye
						Nay
						Recused
						Abstained
						Absent

**D. Sandlin, Susan**

Executive Director Geriminsky provided a summary of licensure eligibility. The Board reviewed the license applicant chart and packet. Board Member Fitzgerald moved to deny licensure to Applicant Sandlin based on not meeting minimum clinical hours training requirements. Board Member Zimmerman seconded.

After Discussion, Board Members Fitzgerald and Zimmerman withdrew their motion; Board Member Fitzgerald moved to grant licensure to Applicant Sandlin if she could provide the additional hours in the next 30 days and if not deny licensure based on not meeting the clinical hours requirements. The motion passed.

Fontes	Hayden	Williams	Jolley	Fitzgerald	Zimmerman	Vote
X	X	X	X	X	X	Aye
						Nay
						Recused
						Abstained
						Absent

**E. Sexton, Audra**

Executive Director Geriminsky provided a summary of licensure eligibility. The Board reviewed the license applicant chart and packet. Board Member Williams moved to grant licensure to Applicant Sexton. Board Member Zimmerman seconded. The motion passed.

Fontes	Hayden	Williams	Jolley	Fitzgerald	Zimmerman	Vote
X	X	X	X	X	X	Aye
						Nay
						Recused
						Abstained
						Absent

**6. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING APPLICATIONS FOR AURICULAR ACUPUNCTURE CERTIFICATION**

**None**

**7. CONSENT AGENDA FOR REVIEW, DISCUSSION, AND POSSIBLE ACTION BY THE BOARD ON RATIFICATION OF RENEWAL OF LICENSES/CERTIFICATES ISSUED BY THE EXECUTIVE DIRECTOR TO INDIVIDUALS WHO MET REQUIREMENTS FOR RENEWAL**

*(All items listed under the Consent Agenda are considered to be routine or have been previously reviewed by the Board or the Board’s Designee and may be considered for approval as a single action, unless a Board Member or any other interested party wishes to remove an item for independent review, discussion, and possible action.)*

- |                   |                   |                      |                           |
|-------------------|-------------------|----------------------|---------------------------|
| Babak M Nayeri    | Jessica L. Myrick | Shelley O'Dell-Brock | Charmaine A Marck         |
| Tani J Simpson    | Jill S Frey       | Peng Sun             | Catherine A Paddack       |
| Qingsong Xiao     | Ranee C Flinn     | Nicole A Berrios     | Marie McKinnon<br>Vincent |
| Pamela J Wallach  | Yasunao Aoi       | Jade T Whitney       | Linda L Kelley            |
| Tess Richardson   | Stephen Torowicz  | Cheryl L Schultz     | Chao C Chen               |
| Leah M Chischilly | Stanley G Posey   | Wendy M Becker       | Linda L Scott             |
| Kari-Ann Hubbard  | Pei J Kuo         | Christine A Cline    | Dagmar Bauer-Prigatano    |

Pearl B Chen

Linda J Scott

Lisa M Anderson

Terry L Rudd ND,

Blake J. Blowers

Khailitha R Fae

Raymond R Botte

The Executive Director provided an overview of licenses renewed stating each had been reviewed, found eligible, and license was renewed Board Member Jolley moved to ratify and approve all applicants for license renewal listed above with Board Member Zimmerman providing a second. The motion passed.

Fontes	Hayden	Williams	Jolley	Fitzgerald	Zimmerman	Vote
X	X	X	X	X	X	Aye
						Nay
						Recused
						Abstained
						Absent

**8. Review, Discussion and Possible Action Regarding Allegations of Unprofessional Conduct or Unlicensed Activity**

A. Ojeniyi, Henry Case Number 2018-ACU-0006

The Board reviewed new documentation and interviews of Mr. Ojeniyi. After discussion that they now had evidence confirming the allegations Board Member Zimmerman moved to refer this matter to the Attorney Generals office for an injunction as Mr. Ojeniyi is unlicensed. Board Secretary Hayden Seconded. The Motion Passed.

Fontes	Hayden	Williams	Jolley	Fitzgerald	Zimmerman	Vote
X	X	X	X	X	X	Aye
						Nay
						Recused
						Abstained
						Absent

B. Piao, Guan Case Number C001000-18-0329

The Board reviewed the complaint including a new witness statement. After discussion Board Member Jolley moved to table this matter to a later meeting where LAC Piao could be present and requested additional records. Board member Williams Seconded. The Motion Passed.

Fontes	Hayden	Williams	Jolley	Fitzgerald	Zimmerman	Vote
X	X	X	X	X	X	Aye
						Nay
						Recused
						Abstained

						Absent
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**9. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING CORRESPONDENCE TO THE BOARD**

A. Modern Acupuncture

The Board reviewed the letter and additional documentation submitted by Modern Acupuncture including a general description of duties of an “acupuncture assistant”. Board member Jolley moved to send a letter to Modern Acupuncture reinforcing and informing that removing Acupuncture Needles is a manipulation of the acupuncture needle and falls under the definition of Acupuncture. That being the case a person must be licensed in order to insert or remove acupuncture needles. Further to start working on a substantive policy statement to make this issue more clear to future employers. Board Member Fitzgerald seconded. The Motion Passed.

Fontes	Hayden	Williams	Jolley	Fitzgerald	Zimmerman	Vote
X	X	X	X	X	X	Aye
						Nay
						Recused
						Abstained
						Absent

**10. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING BOARD APPROVAL OF CHEMICAL DEPENDENCY PROGRAMS**

A. Chemical Dependency Program (CDP) Application

The Executive Director provided an overview of the changes made to this application. After discussion Board Member Jolley moved to approve the CDP application. Board Member Zimmerman seconded. The Motion Passed.

Fontes	Hayden	Williams	Jolley	Fitzgerald	Zimmerman	Vote
X	X	X	X	X	X	Aye
						Nay
						Recused
						Abstained
						Absent

B. Round Table Discussion

The Board held an open discussion with the members of the public in attendance on this issue. Several individuals spoke including Stephanie Selman, Robert Abrahamson, Teresa Buechel, Ahna Bridenbaugh, and Jonathan Lindsay. Comments included:

- Questions about the setting that these programs would be held in and interest in becoming a CDP to host Auricular Acupuncturists.
- Questions about the number of total Auricular Acupuncturists now certified.
- Questions about the need for this statement

- What Education Auricular Acupuncturists have
- Statements of support for this measure.

The Board thanked those present for their comments and answered questions as possible.

## **11. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING EXECUTIVE DIRECTOR REPORT**

The Executive Director provided an update on the functions of the Board Office including:

- A. Budget/Strategic Plan
- B. E-Licensing Solution
- C. Audit 24 month follow up
- D. Executive Order Compliance
- E. Summary of Current Events
- F. Survey Results
- G. CLEAR Conference attendance/training
- H. Mission Statement
- I. Vision
- J. Strategic Issues
- K. Complaints Update

The Board reviewed the current budget as well as projections for FY 19 and were provided an update on pending complaints.

The Board took no action at this time.

## **12. Review, Discussion and Possible Action Regarding Cooperation of Administrative Functions with Arizona Board of Homeopathic and Integrated Medicine Examiners**

Executive Director Geriminsky explained that the Arizona Board of Homeopathic and Integrated Medicine Examiners (HEA) had approached him requesting that he serve on an interim basis as their Executive Director as well as the Director of the Acupuncture Board and to research possibilities of extending a relationship into the future. After research, it was found that by combining only the administrative functions of the two agencies both could save money and both would receive increased service for members of the licensing bodies.

This proposal would include an additional staff member which would serve both Agencies and the Executive Director of the Acupuncture Board serving simultaneously as the Director of HEA. Both Boards would remain completely independent in decision making powers for their professions. Homeopaths would not be making decisions that effect Acupuncturists and vice versa. Only staffing and administrative functions would be cooperated or combined.

The Board discussed what the logistical requirements of this endeavor would be and asked questions regarding retaining autonomy, and whether this would be feasible for the Director to serve in both capacities. After discussion Board Member Jolley moved to approve Executive Director Geriminsky to write an ISA which would split shared staffing and overhead expenses on an 80/20 split to include the following:

- Acupuncture Board will provide Executive Director Services to HEA.
- Acupuncture Board bring on an additional staff member and share services of that staff support position. The shared arrangement will provide HEA 20% of that staff position’s time to support HEA.
- HEA will pay 20% of shared overhead expenditures.
- HEA will pay 20% of shared staffing expenditures.

Fontes	Hayden	Williams	Jolley	Fitzgerald	Zimmerman	Vote
X	X	X	X	X	X	Aye
						Nay
						Recused
						Abstained
						Absent

**13. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING FUTURE REGULAR MEETING DATES**

- August 29, 2018 -To be held in Flagstaff
- September 26, 2018 - Cancelled unless called by the Chairman
- October 24, 2018 - To be held in Tucson
- November 28, 2018
- December 19, 2018 - 3<sup>rd</sup> Wednesday (teleconference meeting)

The Board discussed these meeting dates and discussed the necessity of having a November or December meeting. The Board moved by consensus to discuss this issue at the next meeting to see if those meetings would be necessary or if only one would be held.

**14. CALL TO THE PUBLIC**

Richelle Speilman spoke to the Board concerning having Acupuncture Assistants and requesting that the Board look into that possibility in the future. Further, she likes the availability of online services but requested that something be done to increase the speed of the system.

Alex Tan spoke, suggesting that a rule might be made which would require newly licensed acupuncturists to attend one Board Meeting during the first year. He further indicated that he represented a community of Acupuncturists in the Flagstaff/Sedona area and hoped that Board would continue meetings in Flagstaff. He stated that a newsletter from the Board may be helpful.

Teresa Buechel spoke thanking the Board for coming to Flagstaff and expressing her desire that this become an annual meeting.

**15. DISCUSSION OF ITEMS TO BE PLACE ON A FUTURE MEETING AGENDA –**

None

**16. ADJOURNMENT.** Board Member Jolley moved for adjournment and Board Member Williams provided a second. The motion passed. The Board adjourned at 3:37 p.m.

Fontes	Hayden	Williams	Jolley	Fitzgerald	Zimmerman	<b>Vote</b>
X	X	X	X	X	X	Aye
						Nay
						Recused
						Abstained
						Absent

Respectfully Submitted,

David Geriminsky  
Executive Director