

**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 – October 24, 2018 OPEN SESSION MINUTES**

Members of the Arizona Acupuncture Board of Examiners met at :

**Wednesday, October 24, 2018, at 1:00 p.m.**  
**1515 N Campbell Ave,**  
**Levy Cancer Center, Room 2920**  
**Tucson, AZ 85724**

**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 1:16 p.m.

#### **2. RECOGNITION OF BOARD MEMBERS**

##### **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

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

NONE

#### **4. PRESENTATION FROM “THE HAVEN” ON BEHALF OF THE NATIONAL ACUPUNCTURE DETOXIFICATION ASSOCIATION (NADA) - "THE HAVEN'S INTEGRATED APPROACH TO SUBSTANCE USE DISORDER TREATMENT FEATURING ACUDETOX"**

Cynthia Miller-Potter presented to the Board on some of the successes they are seeing at The Haven using their new integrated model for rehabilitation. While the results of the current policy rollout are still pending they are finding that the use of Auricular Acupuncture is resulting in a more motivated, positive and engaged patient body. She presented on some of their research findings including that addiction or chemical dependency may have a physical cause which may have originated during childhood or pregnancy and which can be treated in part by auricular acupuncture.

The Board thanked her for her presentation and had several questions about the programs challenges and successes.

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

**A. August 29, 2018 Regular Session Board Meeting Minutes**

Board Member Zimmerman moved for the adoption of the August 29, 2018 Regular Board Meeting minutes with Board Secretary Hayden providing a second. 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 LICENSURE**

**A. See, Caylie**

Executive Director Geriminsky provided a summary of licensure eligibility. The Board reviewed the license applicant chart and packet. Board Member Fitzgerald moved to grant licensure to Applicant See. 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. LaPick, Kimberly**

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 LaPick. 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

Ratification of Licenses Issued by the Executive Director pursuant to the Boards Motion of August 29, 2018

**C. Choi, Jung**

**D. Kay, Gregory**

- E. Cotter, Carleen**
- F. Brittenham, Jennifer**
- G. Erickson, Avery**

Executive Director Geriminsky provided a summary of licensure eligibility stating that each applicant had been reviewed and met the minimum qualifications for licensure. Each applicant had been approved for licensure between the August and October Board Meetings. Board Member Jolley moved to ratify the issuance of licensure to Applicants listed under items 6(C, D, E, F, & G). Board Member Zimmerman seconded. The motion passed.

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

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

- A. Gonzales, Brenna**
- B. Dillon, Misty**
- C. Tham, Sue**

Executive Director Geriminsky provided a summary of certification eligibility. The Board reviewed the license applicant chart and packet. Board Member Williams moved to grant certification to Applicants listed under item 7(A, B, & C) with the statement that they each needed to be sure their supervising acupuncturist was registered with the Board. Board Secretary Hayden seconded. The motion passed.

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

Ratification of Licenses Issued by the Executive Director pursuant to the Boards Motion of August 29, 2018

- D. Condello, Liana**

Executive Director Geriminsky provided a summary of certification eligibility stating that the application had been reviewed and met the minimum qualifications for certification. This applicant had been approved for certification between the August and October Board Meetings.

Board Member Jolley moved to ratify the issuance of licensure to Applicant Condello. 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

**8. 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.)*

- |                    |                  |                      |
|--------------------|------------------|----------------------|
| Amy Wheeler        | Yangming Chen    | Jeanne Huang         |
| Raymond Yau        | Amey Aubry       | Nancy A Brem         |
| Douglas Johnson    | Jungin Yee       | Emilie Wilson        |
| Candice M Thomas   | Joan E Spencer   | Jennifer Sandoval    |
| Linda M Lofaro     | Allen E Sherman  | Sonja White          |
| Dorothy P Kay      | XinXin Wang      | Scott C Anderson     |
| Talena DeBaun      | Alexander Tan    | Gary Talkington      |
| Nancy Barton       | Theresa Emrie    | Stuart Rodes         |
| Christa A Sullivan | Lin Yan          | Elizabeth Hachenberg |
| Chiu-An Chang      | Nancy D Gilliam  | Kathy L Fisher       |
| Marcelle Hanish    | Tony L Kwan      | Dao Huynh            |
| April L Radbill    | Andrea Geiger    | Herbert V Black      |
| Sara Asadoorian    | Guohua Ye Massey | Jean Carr            |
| Ahna Bridenbaugh   | Rebecca Burrous  | Christine Oagley     |
| Jean E Rose        | David Epley      | Jessica Jordan       |

Jong Geun Han	James Burnis	JoAnn Murray
Leslie McGee	Damon A Sage	Darin Zimmerman
Annie Meigs	Dana L Price	Keri A Costello
Yinan Wang	Saja Lynn	Michele I Smith
Eamon Spearman	Quan Liang	Julie Peterson
Barbara E Dorf	Karl Stertzbach	Luzivone Damaceno
Sharon Viernes	Jessica Mann	Seva Simran Khalsa
Sarah C Mowdy	Ronald Baddorf	Andrea Bowman
Tutsie Silapalikitporn	Jane M Burgess	Donna Jackson
Suzanne Gaynor	Barbara Laughlin	Quanzhi Liu
Andrew Wen	Yuan Zhang	Claudia Carrillo
Michelle C Thomas	Jennifer Roseman	Jennifer Providence
Nicole Myers-Koenig	Janet Althen	Crystal Maylone
Theresa Alvillar	Steven Cooner	David Murdoch
Donald Lightner	Susanti Cai	Allen Jackson
Jeremy Breach	Stephanie Selman	Qing Liu
Cathlena Guadagnino	Reginald Stout	Gui Qing Liang
Kathleen Burke	Kristi Harter	Beverly Fisher
Dana Keaton	Paul Kerzner	Erica Lyons
Ellen Sudak	Mary Rodriguez	Lili Liu
Marie Veverka	Matthew Woolsey	Susan Wagner
Yongzhi Pan	Dana Poverman	Roy Johnston
Mona Darwich	109	

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

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

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

A. Spohn, Mary                      Unlicensed

The Executive Director provided an overview of the case including that Ms. Spohn was currently unlicensed but has been practicing as an Acupuncturist since her license expired. Ms. Spohn was present telephonically and confirmed the allegations. The Board reviewed her prior licensure history and her current eligibility for licensure and encouraged her to re-apply for licensure after meeting the minimum training requirements.

After further discussion, Board Member Jolley moved to dismiss this case without prejudice as Ms. Spohn does not have a license with this Board and to allow her the opportunity to become eligible and to apply for licensure prior to applying to the Superior Court for an injunction restraining Ms. Spohn from further practice as an acupuncturist. If she does not apply in a reasonable time frame and stay in contact with the Board office then this item is to be re-agendized. 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

**10. Review, Discussion and Possible Action Regarding Board Approval of Chemical Dependency Programs**

The Executive Director provided a general overview of the CDP approval program. The Board held an open discussion with the members of the public in attendance on this issue.

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

**11. Review, Discussion and Possible Action Regarding Recent Statutory and Proposed Rule Changes**

The Executive Director provided a general overview of recent statutory and proposed rule changes answering several questions.

**12. Review, Discussion and Possible Action on Changes to the Statutes/Practice Act and/Or Proposed Rule changes to Title 4 - Chapter 8 of the Arizona Administrative Code**

A. Comment Received on Proposed Rules

The Board reviewed comment received by email on proposed rules including a request that an additional provider be listed as automatically approved for Continuing Education without Board review. After discussion the Board felt that it would be best at this time not to add any additional providers to the list of those automatically approved in rule.

Board Member Fitzgerald moved to remove the AHA from this list of automatically approved providers in the proposed rules making no change to that section of the code and directed the Executive Director to make the changes necessary. Board Member Jolley seconded. The Motion Passed.

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

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

A. Round Table Discussion

B. Approval of Inter-Agency Service Agreement

C. Review, Discussion and Possible Action Regarding Executive Director

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 directed the Executive Director to draft an ISA to effect the above changes at its last Board Meeting and was provided with that document for review at this meeting. After review Board Member Jolley moved to approve the ISA and authorize the Chairman to sign it on behalf of the Board. 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

Board Chairman Fontes moved to enter executive Session at 2:59 p.m. for personnel matters. 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

Board member Williams moved to provide a salary increase to Executive Director Geriminsky in the amount discussed in Executive Session. This amount to be reimbursed by the Board of Homeopathy for Executive Director Services provided to that Board. 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

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

The Board took no action at this time however the consensus of the Board was to place this issue on the next agenda.

**15. 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. Audit 24 month follow up
- C. Summary of Current Events
- D. Survey Results
- E. CLEAR Conference attendance/training
- F. Strategic Issues



- G. Update on Rules
- H. Board Office Highlights

The Board was provided an update on pending complaints and on the above items.

The Board took no action at this time.

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

- November 28, 2018
- December 19, 2018 - Cancelled unless called by the Chairman
- January 23, 2019
- February 27, 2019 - Teleconference
- March 27, 2019
- April 24, 2019
- May 22, 2019 - Teleconference
- June 26, 2019

The Board discussed these meeting dates and discussed the necessity of having a November or December meeting. The consensus of the Board was to cancel the December meeting.

**17. CALL TO THE PUBLIC**

Judge Charles Pyle made a brief statement to the Board in support of the changes to the approval process for Chemical Dependency Programs for Auricular Acupuncturists. He indicated his support for the broad use of Auricular Acupuncture and the need for alternative treatments for chemical dependency and that perhaps statutory changes may need to be made to include anxiety, trauma and PTSD in the list of illnesses Auricular Acupuncturists can treat. The Board requested that he be present to speak to the Board at a future date on this topic.

Jeanne Denaro spoke indicating that she had a pending application for licensure and that she desired to be approved quickly. The Board directed her to the Executive Director.

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

None

**19. ADJOURNMENT.** Board Member Williams moved for adjournment and Board Secretary Hayden provided a second. The motion passed. The Board adjourned at 3:08 p.m.

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

Respectfully Submitted,

David Geriminsky  
Executive Director