



State of Arizona Acupuncture Board of Examiners

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REGULAR MEETING

June 27, 2012

OPEN SESSION MINUTES

Members of the Arizona Acupuncture Board of Examiners met at 1:00 p.m. on Wednesday, June 27, 2012, at 1400 West Washington, Conference Room B-1, Phoenix, Arizona.

Board Members Present:

Ross Adelman, Consumer Member, Chairman (via telephone)

Toni Bennalley, L.AC., Secretary

Maureen Bronson, Consumer Member

Woohyung Cho, L.AC., Professional Member

Christopher M. Clair, Consumer Member

Robert L. Gear, NMD, DC, Professional Member

Patricia E. Martin, L.AC., Professional Member

Board Members Absent:

Dianne Darcy, L.AC., Professional Member

Alan H. Scott, DO, Professional Member

Administrative Staff:

Pete Gonzalez, Executive Director

Attorney General Representative:

Seth Hargraves, Assistant Attorney General

Call to Order

Chairman Adelman called the meeting to order at 1:03 p.m.

Moment of Silence: Marilyn Brewer, L.AC.

The Board recognized the passing of Marilyn Brewer with a moment of silence.

The following order of business was then considered:

Declaration of Conflicts of Interest

Board Member Bernalley declared a conflict of interest on Agenda Item 5 (B) License Application for Sook J. Lee. Board Members Adelman and Bernalley declared a conflict of interest on Agenda Item 6 (A) Auricular Certificate application for Zahra Namazifard.

Discussion and Approval of Minutes

Board Member Martin moved the adoption of the minutes for the April 25, 2012 regular board meeting with Board Member Bernalley providing a second. The motion carried by unanimous vote: 7-0.

Adelman	Bernalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
X	X	X	X	X		X	X		Aye
									Nay
									Recused
									Abstained
					X			X	Absent

Board Member Bronson moved the adoption of the minutes for the May 23, 2012 regular board meeting with Board Member Clair providing a second. The motion carried by unanimous vote: 7-0.

Adelman	Bernalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
X	X	X	X	X		X	X		Aye
									Nay
									Recused
									Abstained
					X			X	Absent

Complaints/Investigations

Complaint #2012-11 Qingsong Xiao, L.AC.

The Board reviewed the anonymous complaint and Board Member Martin moved to dismiss this complaint with Board Member Bronson providing a second. The motion carried by unanimous vote: 7-0.

Adelman	Bennalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
X	X	X	X	X		X	X		Aye
									Nay
									Recused
									Abstained
					X			X	Absent

Applications for Licensure (without self disclosures)

The Board reviewed the license applicant chart and Board Member Bronson moved for the approval of the applicant for licensure listed below with Board Member Cho providing a second. The motion carried by unanimous vote: 7-0.

Kari-Ann Hubbard

Adelman	Bennalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
X	X	X	X	X		X	X		Aye
									Nay
									Recused
									Abstained
					X			X	Absent

The Board reviewed the license applicant chart and Board Member Bronson moved for the approval of the applicant for licensure listed below with Board Member Cho providing a second. The motion carried by unanimous vote: 6-0.

Sook J. Lee

Adelman	Bennalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
X		X	X	X		X	X		Aye
									Nay
	X								Recused
									Abstained
					X			X	Absent

Applications for Auricular Certificate (without self disclosures)

Board Member Bronson assumed the Chairmanship due to conflicts of interest by Ross Adelman and Toni Bennalley.

The Board reviewed the license applicant chart and Board Member Martin moved for the approval of the applicant for certification listed below with Board Member Gear providing a second. The motion carried by unanimous vote: 5-0.

Adelman	Bennalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
		X	X	X		X	X		Aye
									Nay
X	X								Recused
									Abstained
					X			X	Absent

Other Applications/ Requests - Continuing Education

“Mindfulness Based Stress Reduction and Relaxation” provided by the Scottsdale Institute for Health and Medicine: Paul Sugar, Director, for 30 hours in Scottsdale at various times throughout the year.

The Board reviewed the application and Board Member Gear moved to not approve of the application with Board Member Martin providing a second. The motion failed by a vote: 3-4.

Adelman	Bennalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
X						X	X		Aye
	X	X	X	X					Nay
									Recused
									Abstained
					X			X	Absent

The Board reviewed the application and Board Member Bennalley moved for the approval of the application with Board Member Bronson providing a second. The motion carried by majority vote: 4-3.

Adelman	Bennalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
	X	X	X	X					Aye
X						X	X		Nay
									Recused
									Abstained
					X			X	Absent

“Mindfulness Based Stress Reduction for Medical Practitioners” provided by Susan Patrick, Psy.D. and Steven Patrick, Ph.D. for 16 hours on July 5, 12, 19, 26, August 2, 4, 9 in Flagstaff, Arizona.

The Board reviewed the application and Board Member Bronson moved for the approval of the application with Board Member Bennalley providing a second. The motion carried by majority vote: 4-3.

Adelman	Bennalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
	X	X	X	X					Aye
X						X	X		Nay
									Recused
									Abstained
					X			X	Absent

“24-Posture Yang Family Tai Chi” provided by Keith Brewer for 16 hours at various times in the Phoenix area.

The Board reviewed the application and Board Member Bennalley moved for the approval of the application with Board Member Bronson providing a second. The motion carried by unanimous vote: 7-0.

Adelman	Bennalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
X	X	X	X	X		X	X		Aye
									Nay
									Recused
									Abstained
					X			X	Absent

Professional Business

Report from the Legislative Advisory Committee

Committee Chair Patricia Martin provided the Board with a review of the legislative advisory committee’s scope of work to include review of current statutes. In addition, the committee will review the recommendations of the continuing education and ethics advisory committee in order to determine if any legislation is required to address these recommendations.

The committee voted to forward the following proposals for board review and consideration.

- 1) Include compensation of board members to include all nine board members.
- 2) Remove preceptorship language
- 3) Display of license
- 4) Establish fee for license verifications
- 5) Establish in-active license status
- 6) Establish fee schedule for continuing education applications
- 7) Change to application so applicants must identify other licenses held when applying for acupuncture license

A number of other proposals will be addressed and considered at the next committee meeting scheduled for July 11, 2012.

Review and Discussion on Arizona’s Sunrise and Sunset Process

Executive Director Gonzalez provided the Board a copy of the Legislature’s Handbook on Arizona’s Sunset and Sunrise Review process. The Board had the opportunity to examine the difference between these two processes and how each is used for different purposes.

Update on State Board of Physical Therapy action regarding dry needling complaints

A copy of the meeting minutes from Arizona State Board of Physical Therapy board meeting of May 22, 2012 were shared with the Board. The focus of this agenda item was for the Board to review the outcome of the complaints filed by the Arizona Society of Oriental Medicine and Acupuncture against licensed physical therapists that are practicing dry needling.

Board Members expressed an interest on the reason for dismissal since no reason(s) were provided in the Arizona State Board of Physical Therapy May 22, 2012 board meeting minutes.

Chairman Adelman moved to enter executive session to receive legal advice at 2:06 p.m. with Board Member Bernalley providing a second. The motion carried by unanimous vote: 7-0.

Adelman	Bernalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
X	X	X	X	X		X	X		Aye
									Nay
									Recused
									Abstained
					X			X	Absent

The Board returned to regular session at 2:28 p.m. No action was taken by the Board on this agenda item.

Executive Director’s Report

License and Certificate Status Report:

Active Licensed Acupuncturists: 529
Expired Licenses: 4
Active Certified Auricular Acupuncturists: 42

Board Office Information/Activities:

- Pursuant to Arizona Revised Statutes §32-3925 (B), license and certificate renewal notices for August 2012 licensees were prepared and sent. In addition, expired license and certificate letters for the month of May 2012 were sent.

- Completed and submitted survey from the American Specialty Health Networks, Inc. (ASH Networks). This organization provides acupuncture services to members of major health plans.
- Prepared materials for the Board’s legislative advisory committee.

Future Meeting Dates

July 25, 2012
 August 22, 2012

Call to the Public

Jonathan Lindsey, representing the Phoenix Institute of Herbal Medicine and Acupuncture, provided the Board with an update on the acu-detox program.

Discussion of Items to be place on a future meeting agenda

Complaints on dry needling
 Web site posting of dry needling

Adjournment

Board Member Bernalley moved for adjournment and Board Member Gear provided a second. The motion carried by unanimous vote: 7-0. The Board adjourned at 3:09 p.m.

Adelman	Bernalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
X	X	X	X	X		X	X		Aye
									Nay
									Recused
									Abstained
					X			X	Absent

Respectfully Submitted,



Pete Gonzalez
 Executive Director

Approved by the Board: August 22, 2012