



## **State of Arizona Acupuncture Board of Examiners**

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### **REGULAR MEETING**

**April 27, 2011**

### **OPEN SESSION MINUTES**

Members of the Arizona Acupuncture Board of Examiners met at 1:00 p.m. on Wednesday, April 27, 2011, at the University of Arizona, University Medical Center, Kiewit Auditorium, 1501 N. Campbell Avenue, Tucson, Arizona.

#### **Board Members Present:**

Toni Bennalley, L.Ac., Chairperson  
Rebecca Wilks, MD, Professional Member, Secretary  
Ross Adelman, Consumer Member  
Maureen Bronson, Consumer Member  
Woohyung Cho, L.Ac., Professional Member  
Christopher M. Clair, Consumer Member  
Dianne Darcy, L.Ac., Professional Member  
Patricia E. Martin, L.Ac., Professional Member

#### **Board Members Absent:**

Robert L. Gear, NMD, DC, Professional Member

#### **Administrative Staff:**

Pete Gonzalez, Executive Director

#### **Attorney General Representative:**

Monty Lee, Assistant Attorney General (available by telephone)

**Call to Order**

Chairperson Bernalley called the meeting to order at 1:02 p.m.

The following order of business was then considered:

**Introduction of New Board Members:**

Christopher M. Clair (Consumer Member) and Patricia E. Martin (Professional Member) introduced themselves to the audience.

**Recognition of Reappointments to the Board**

Woohyung Cho (Professional Member) and Ross Adelman (Consumer Member) were introduced to the audience.

The remaining Board Members were introduced: Rebecca Wilks (Professional Member), Dianne Darcy (Professional Member), Maureen Bronson (Consumer Member).

The Board acknowledged the attendance of former Board Members: Della Estrada, L.Ac., Deborah Malone, L.Ac., Joe Balensi, L.Ac., Marcey Rosin, L.Ac.

**Declaration of Conflicts of Interest**

Board Member Bernalley declared a conflict of interest on Agenda Item 7 (B), license applicant April D. McCollough.

**Discussion and Approval of Minutes**

Board Member Bronson moved the adoption of the minutes for the March 23, 2011 regular board meeting with Board Member Wilks providing a second. The motion carried by unanimous vote: 8-0.

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

## **Reach Training for Complementary and Integrative Medicine Practitioners: Learning to Help Others Quit Tobacco**

Myra Muramoto, MD, MPH, Associate Professor, Family and Community Medicine, College of Medicine, The University of Arizona described the Reach Training for Complementary and Integrative Medicine Practitioners: Learning to Help Others Quit Tobacco.

The Reach Training is the central feature of a large, five-year study funded by the National Cancer Institute. The goal of this study is two-fold: to evaluate the feasibility and acceptability of tobacco cessation training for complementary and integrative medicine practitioners from three modalities (chiropractic, massage therapy, and acupuncture/Traditional Chinese Medicine), and test the effectiveness of this tailored tobacco cessation training on increasing practitioner efforts to help patients quit tobacco or take steps towards quitting.

### **Training Objectives:**

*At the end of this training learners will be able to:*

1. Create an environment that facilitates comfort with, and expectancy of, conversations regarding tobacco use on an ongoing basis.
2. Describe the scope of the problem of tobacco use.
3. Explain the relationship between tobacco use and the most common presenting health issues/problems for patients.
4. Relay knowledge about behavioral, pharmacologic, and complementary and integrative medicine approaches to tobacco cessation, and community referral options.
5. Identify and routinely introduce the topic of tobacco use/quitting.
6. Routinely assess tobacco users' readiness, motivators, barriers and willingness to take action.
7. Utilize motivational techniques to negotiate action steps and help people move forward in the process of quitting.
8. Draw on knowledge of treatment approaches and community cessation resources to provide referrals.
9. Routinely identify, and comfortably follow-up, with clients/patients by using an office system that documents tobacco use.
10. Provide information and referrals to web resources on reducing secondhand and thirdhand smoke exposure.

In addition, an application for continuing education was presented for the Board's consideration. Licensees that are interviewed and selected to participate in this study will be awarded 8 hours of continuing education.

The Board reviewed the continuing education application for the course "Reach Training for Complementary and Integrative Medicine Practitioners: Learning to Help Others Quit Tobacco" offered by Dr. Myra Muramoto at the Department of Family and Community Medicine at the University of Arizona in Tucson for 8 hours.

Board Member Adelman moved for the approval of the continuing education application with an effective date of January 2012 – December 31, 2012 with Board Member Martin providing a second. The motion carried by unanimous vote: 8-0.

Adelman	Bennalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Wilks	<b>Vote</b>
X	X	X	X	X	X		X	X	Aye
									Nay
									Recused
									Abstained
						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 applicants for licensure listed below with Board Member Wilks providing a second. The motion carried by unanimous vote: 8-0.

Scott Denny  
LaNai M. Mackey

Adelman	Bennalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Wilks	<b>Vote</b>
X	X	X	X	X	X		X	X	Aye
									Nay
									Recused
									Abstained
						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 Martin providing a second. The motion carried by unanimous vote: 7-0.

April D. McCollough

Adelman	Bennalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Wilks	<b>Vote</b>
X		X	X	X	X		X	X	Aye
									Nay
	X								Recused
									Abstained
						X			Absent

**Applications for Auricular Certificate (with self-disclosures)**

The Board reviewed the certificate applicant chart and Board Member Bronson moved for the approval of the applicant for certification listed below with Board Member Wilks providing a second. The motion carried by unanimous vote: 8-0.

Juliandra Bailon

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

**Other Applications/Requests – Continuing Education**

The Board reviewed the continuing education application for the course “Headaches and Other Head Conditions” offered on-line by Jeffrey Utter, for 4 hours.

Board Member Darcy moved for the approval of the continuing education application with Board Member Bronson providing a second. The motion carried by unanimous vote: 8-0.

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

The Board reviewed the continuing education application for the course “Differential Diagnosis of the Musculoskeletal System” offered on-line by Jeffrey Utter, for 16 hours.

Board Member Bronson moved for the approval of the continuing education application with Board Member Martin providing a second. The motion carried by unanimous vote: 8-0.

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

## **Professional Business**

### Discussion on Dry Needling

Executive Director Gonzalez updated the Board on the meeting with the Arizona State Board of Physical Therapy. Unlike the Acupuncture Board, the Physical Therapy does not review or approve continuing education courses such as dry needling courses. The Board will need to conduct a fact finding on the issue of dry needling as it pertains to physical therapists in the State of Arizona.

Board Member Wilks presented the questions 1) Is dry needling actually acupuncture? And 2) To what extent should the Acupuncture Board get involved in reviewing the safety of dry needling?

Catherine Niemiec, President of the Phoenix Institute of Herbal Medicine and Acupuncture and President (Interim) of the Arizona Society of Oriental Medicine and Acupuncture (AzSOMA) addressed the Board regarding advertised dry needling continuing education courses for physical therapists in Arizona. She indicated that John Amaro, L.Ac. and former board member believes dry needling is acupuncture.

Ms. Niemiec suggested the Board send cease and desist letters to all providers of dry needling who are not licensed acupuncturists that are practicing at hospitals and clinics.

A number of people in the audience spoke to their opposition of physical therapists and others practicing dry needling and explained on what other states have done to address this issue.

Questions from the audience included:

- What is taught in the dry needling continuing education course?
- Is dry needling reimbursed by insurance companies?
- Do physical therapists use acupuncture needles for dry needling treatments?
- Have physical therapists completed a clean needle technique course?
- Are physical therapy schools providing courses in dry needling?

The Board was provided a copy of the addendum to the Council of Colleges of Acupuncture and Oriental Medicine (CCAOM) Position Paper on Dry Needling.

The Board will determine if a study committee will be required to accomplish the fact finding at a future board meeting.

### Strategic Plan Discussion

The Board provided an overview of the Strategic Plan and its plans for the remainder of this year.

## Executive Director Compensation

The Board at the March 23, 2011 board meeting hired the Executive Director at \$40,000 for the remainder of this fiscal year which ends on June 30, 2011.

The Executive Director was instructed to prepare an agenda item for discussion to adjust the salary to \$46,350.00 or half the maximum salary for the E-1 (Executive Director) -- \$92,699.98.

Board Member Bronson moved for the approval of the adjusted salary of \$46,350.00 for the Executive Director to take effect on July 1, 2011 with Board Member Adelman providing a second. The motion carried by unanimous vote: 8-0.

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

## Executive Director Report

### License and Certificate Status Report:

Active Licensed Acupuncturists: 503

Expired Licenses: 3

Active Certified Auricular Acupuncturists: 59

### Board Office Information/Activities:

- Pursuant to Arizona Revised Statutes §32-3925 (B), license and certificate renewal notices for June 2011 licensees were prepared and sent. In addition, expired license and certificate letters for the month of March were sent.
- Completed and submitted the 2011 1<sup>st</sup> Quarter Lobbyist Expenditure Report. This information is maintained by the Secretary of State's Office.
- Met on April 19, 2011 with representatives from the Arizona State Board of Physical Therapy to discuss "dry needling" in preparation for the board meeting.
- Coordinated with the University of Arizona Department of Family & Community Medicine—College of Medicine—for the presentation of the Project Reach project.

### State Budget

- The Governor has recommended for the current fiscal year to transfer \$13,800 from the Acupuncture Fund to the general fund. In addition, \$10,100 will be transferred to the general fund in fiscal year 2012 which begins July 1, 2011.
- The Executive Director will provide an update on the state budget since the Legislature is nearing the completion of the legislative session.

## Future Meeting Dates

May 25, 2011 (Teleconference Meeting)  
June 22, 2011  
August 24, 2011

## Call to the Public

Chris Oagley, L.Ac. asked the Board to consider a “carry-over” option in the area of continuing education from one year to the next.

Talena DeBaun, L.Ac. mentioned the location of her new business location in the Tucson area.

Catherine Niemiec, President of the Phoenix Institute of Herbal Medicine and Acupuncture and President (Interim) of the Arizona Society of Oriental Medicine and Acupuncture (AzSOMA) addressed the Board regarding the AzSOMA Spring Conference in Tucson with a focus on dry needling.

Joseph Balensi, L.Ac., asked the Board to consider the allowance for licensees to hire acu-detox specialists so a larger section of the population could be served. In addition, Mr. Balensi shared his thoughts on the doctoral degree in acupuncture.

Minerva Perez echoed the thoughts of Joseph Balensi on the issue of licensees hiring acu-detox specialists.

## Discussion of Items to be place on a future meeting agenda

- Creation of Dry Needling Study Committee

## Adjournment

Board Member Adelman moved for adjournment and Board Member Cho provided a second. The motion carried by unanimous vote: 8-0. The Board adjourned at 2:57 p.m.

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

Respectfully Submitted,

A handwritten signature in cursive script that reads "Pete Gonzalez".

Pete Gonzalez  
Executive Director

Approved by the Board: May 25, 2011