

**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  
director@acupuncture.az.gov

### REGULAR MEETING – May 23, 2018 OPEN SESSION MINUTES

Members of the Arizona Acupuncture Board of Examiners met at 1:00 p.m. on Wednesday, May 23, 2018, at 1740 W. Adams, Boardroom B, Phoenix, Arizona 85007.

#### Board Members Present:

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

#### Board Members Absent:

None

**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 1:04 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. April 25, 2018 Board Meeting Minutes

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

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

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

**A. Heidi Branlund**

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 Branlund. Board Secretary Hayden seconded. The motion passed.

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

**B. Bianca Valencia**

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 Valencia. Board Member Williams seconded. The motion passed.

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

Applications for Renewal of Acupuncture License

**C. Loren Starks**

Executive Director Geriminsky provided a summary of licensure renewal eligibility. Applicant Starks filed an application for late license renewal/reinstatement within the 60 day deadline however there were several irregularities on his application including having worked as an Acupuncturist without a license, filing a misrepresentation on his renewal application, and failing to complete CE within his licensure period. Applicant Starks was present and made statements to the Board requesting renewal of license and explaining his actions.

Board Member Jolley moved to go into executive session for legal advice at 1:22 p.m.. Board Member Williams Seconded. The Motion Passed.

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

The Board came out of Executive Session at 1:28

The Board discussed the options available to them at this point including an order to require CE, a Civil Penalty, denying the license renewal or Granting the Renewal without restriction. After further discussion, Board Member Williams moved to Grant License Renewal on the condition that applicant enter into a disciplinary consent agreement to pay a \$500.00 Civil Penalty within 6 months and if he declines to do so place this matter on a later agenda. The Motion Passed.

Fontes	Hayden	Williams	Jolley	Fitzgerald	Vote
X	X	X		X	Aye
			X		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.)*

- |                     |                  |                        |                     |
|---------------------|------------------|------------------------|---------------------|
| Anna M Cocilovo     | April McCollough | Britta L Van Dun       | Clinton R Withrow   |
| Daniela C Van Wart  | David A Myrick   | David K LeGar          | David K Osborn      |
| David K Wallace     | Emily Thompson   | Gabrielle P Rubin      | Glenn L Earl        |
| Gregory S Steerman  | Guan Z Piao      | Hannah F Steerman      | Harvey Abrams       |
| Heidi N McHardy     | Hua Wang         | Jacqueline J Quinn     | Jeremy R Werner     |
| Jessica Deahl       | John A Montoya   | Joshuah S Kim          | Jun Han             |
| Katharine F Stewart | Kennedy T Vo     | Kimberly A Fatica      | Kimberly A Kleiman  |
| Larry A Moore       | Leigh E Marshall | Maria G Mandarino      | Mario Fontes        |
| Mayo M Wardle       | Pamela S Robbins | Pamela S Wake          | Patricia L Crawford |
| Peggy Meents DeLay  | Renee I Stucklen | Renee R Pierce         | Richard Wyckoff     |
| Robert C Hudson     | Robert Koagedal  | Stefanie Lischer Liers | Stephanie M Nelson  |
| Susan D Davis       | Susan G Sadow    | Tala Lindaro           | Terry M Heaps       |
| Thomas J Geare      | Tiffany M Avery  | Vera H Kaikobad        | Veronica Y Soto     |
| Wei Fang            | Yalda Soha       | Yongzhi Pan            | Yufen Shen          |
| Yumiko G Foss       | Zelene Quiles    | Zhen Liu               |                     |

The Executive Director provided an overview of licenses renewed stating each had been reviewed, found eligible, and license was renewed Board Secretary Hayden moved to remove Chairman Fontes from this list to consider separately and to ratify and approve all other applicants for license renewal listed above with Board Member Williams providing a second. The motion passed.

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

Board Secretary Hayden assumed the Chair for this vote. Board Member Williams moved to ratify and approve the application for license renewal of Mario Fontes with Board Member Fitzgerald providing a second. The motion passed.

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

**8. Review, Discussion and Possible Action Regarding Other Applications/ Requests - Continuing Education Provider Request for Course Approval**

a. Bodymapping Acupuncture Part 2

The Board reviewed the CE approval application and found it met all the requirements for approval. Board Member Williams moved to approve the course. Board Secretary Hayden Seconded. The Motion Passed.

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

b. Mindfulness Based Stress Reduction and Relaxation

The Board reviewed the CE approval application and found it met all the requirements for approval. Board Member Fitzgerald moved to approve the course. Board Member Jolley Seconded. The Motion Passed.

Fontes	Hayden	Williams	Jolley	Fitzgerald	Vote
X	X	X	X	X	Aye
					Nay

					Recused
					Abstained
					Absent

**9. Review, Discussion and Possible Action Regarding Correspondence to the Board**

A. Request to have history of Board action removed - Conrad Loreto

The Board held a discussion and reviewed the history of this individual including the reason for being placed on the imposter list and the length of time since he had been placed on that list without any further complaint. Board Member Williams moved to remove Conrad Loreto from the Imposter list but to inform him that the minutes can not be changed. Secretary Hayden Seconded. The Motion Passed.

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

**10. 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
- B. E-Licensing Solution
- C. Audit 24 month follow up
- D. Summary of Current Events
- E. Survey Results

The Board took no action at this time.

**11. Review, Discussion and Possible Action Regarding Allegations of Unprofessional Conduct or Working Without a License**

a. Guan Piao            LAC-000329

The Board discussed the complaint against LAc. Piao. After a review of the materials available, and consideration of the seriousness of the case, Board Member Jolley moved to table this matter to a later meeting and request the Executive Director to do additional interviews and document gathering. Board member Williams Seconded. The Motion Passed.

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

b. Robert Woods Unlicensed

The Board discussed the complaint against Mr. Woods. After a review of the materials, consideration of Mr. Woods response, and that Mr. Woods had filed an initial licensure application Board Member Jolley moved to dismiss this case of unlicensed practice. Board Secretary Hayden Seconded. The Motion Passed.

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

c. Henry Ojeniyi Unlicensed

The Board discussed the complaint of unlicensed practice against Mr. Ojeniyi. After a review of the materials available Board Secretary hayden moved to table this matter to a later meeting and request the Executive Director to do additional interviews and document gathering. Board member Jolley Seconded. The Motion Passed.

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

**12. Review, Discussion and Possible Action Regarding Executive Director Performance Review**

Upon a vote of the majority of a quorum, the Board may go into executive session, pursuant to A.R.S. § 38-431.03(A)(1) for discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of any public body, except that, with the exception of salary discussions, an officer, appointee or employee may demand that the discussion or consideration occur at a public meeting.

Board Chairman Fontes moved to go into executive session to consider personnel matters at 2:25 p.m.. Secretary Hayden Seconded. The Motion Passed.

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

The Board returned from Executive Session at 2:32 p.m.

The Board expressed appreciation for the performance of the Executive Director and the operations of the Board Office since his hire and reviewed performance evaluation forms completed prior to the Board Meeting. Board Member Jolley moved to give a spot incentive to Executive Director Geriminsky in the amount discussed in Executive Session. Further, to re-agendize this agenda item at the next meeting. Secretary Hayden seconded. The Motion Passed.

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

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

- June 27, 2018
- July 25, 2018 (teleconference meeting)
- August 22, 2018 -To be held in Flagstaff
- September 26, 2018 (teleconference meeting)
- October 24, 2018 - To be held in Tucson
- November 28, 2018
- December 19, 2018 - 3<sup>rd</sup> Wednesday (teleconference meeting)

The Board took no action

**14. CALL TO THE PUBLIC**

No public Comment was received

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

Board Members requested several items to be placed on the next agenda including Executive Director Performance, Board Member Training, the CLEAR conference, and Discussion about the title of Doctor in reference to Acupuncturists.

**16. ADJOURNMENT.** Board Member Jolley moved for adjournment and Board Secretary Hayden provided a second. The motion passed. The Board adjourned at 2:42 p.m.

Fontes	Hayden	Williams	Jolley	Sandoval	Vote
X	X	X	X	X	Aye
					Nay
					Recused
					Abstained
					Absent

Respectfully Submitted,

David Geriminsky  
Executive Director

Approved by the Board: