

**Douglas A. Ducey**  
Governor



**Jaime Fitzgerald, L.Ac.**  
Chairman

**Mario Fontes, L.Ac.**  
Secretary

## Acupuncture Board of Examiners

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**David Geriminsky**  
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### REGULAR MEETING –February 27, 2019 OPEN SESSION MINUTES

Members of the Arizona Acupuncture Board of Examiners met at :

**Wednesday, February 27, 2019, at 1:00 p.m.**  
**1740 W. Adams,**  
**Board Room B,**  
**Phoenix, AZ 85007**

**Board Staff:** David Geriminsky - Executive Director, Jemma Soto - Licensing Coordinator

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

1. **CALL TO ORDER.** Chairman Fontes called the meeting to order at 1:08 p.m.

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

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

Mario Fontes, L.AC., Chairman  
Mindy Hayden, L.AC., Secretary - Leaving at 4:03 p.m.  
Jamie Fitzgerald, L.AC.  
Rosemary Zimmerman, D.C.  
Susan Williams  
Tali Lehavi

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

None

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

A. November 28, 2018 Regular Session Minutes

Board Member Zimmerman moved for the adoption of the November 28, 2018 Regular Board Meeting minutes with Board Member Hayden providing a second. The Motion Passed.

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

**5. Professional Business**

- A. Discussion of Procedures for Election of 2018 Board Officers
- B. Election of Board Chairperson pursuant to A.R.S. §32-3902(D)

Executive Director Geriminsky provided an overview of the statutory requirements and procedures for election of Board officers. Board Member Jaime Fitzgerald was nominated by Board Member Hayden to hold the office of Chairperson. Board Member Zimmerman seconded. The motion passed.

Fontes	Hayden	William s	Lehavi	Fitzgerald	Zimmerman	Vote
X	X	X	X		X	Aye
						Nay
						Recused
				X		Abstained
						Absent

- C. Election of Board Secretary pursuant to A.R.S. §32-3902(D)  
Board Member Mario Fontes was nominated by Board Member Zimmerman to hold the office of Secretary. Board Member Williams seconded. The motion passed.

Fontes	Hayden	William s	Lehavi	Fitzgerald	Zimmerman	Vote
	X	X	X	X	X	Aye
						Nay
						Recused
X						Abstained
						Absent

- D. Review and Adoption of 2018 Fees pursuant to A.R.S. §32-3927  
The Board reviewed fees for Board services. Board Member Zimmerman moved to make no changes but to adopt the current fee structure as is. Board Member Hayden seconded. The motion passed.

Fontes	Hayden	William s	Lehavi	Fitzgerald	Zimmerman	Vote
X	X	X	X	X	X	Aye
						Nay
						Recused
						Abstained
						Absent

**6. Review, Discussion and Possible Action Regarding Applications for Licensure  
Acupuncture Licensing Applicants**

**A. Steven Brieske**

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

Fontes	Hayden	William s	Lehavi	Fitzgerald	Zimmerman	<b>Vote</b>
X	X	X	X	X	X	Aye
						Nay
						Recused
						Abstained
						Absent

**B. Annie Vedeler**

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 Vedeler. Board Member Fitzgerald seconded. The motion passed.

Fontes	Hayden	William s	Lehavi	Fitzgerald	Zimmerman	<b>Vote</b>
X	X	X	X	X	X	Aye
						Nay
						Recused
						Abstained
						Absent

**C. Hyesun Cho**

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 Cho. Board Member Zimmerman seconded. The motion passed.

Fontes	Hayden	William s	Lehavi	Fitzgerald	Zimmerman	<b>Vote</b>
X	X	X	X	X	X	Aye
						Nay
						Recused
						Abstained
						Absent

**D. Catherine Maxon**

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 Maxon. Board Member Lehavi seconded. The motion passed.

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

Ratification of Licenses Issued by the Executive Director

E. Adi Korman

F. Beth Gineris

- G. Candace Jordan
- H. Nora Eleid
- I. Susan Irin White
- J. Brian Neal
- K. Neil Kremer
- L. Laura Gaines-Bey Ellis
- M. Margaret Rose Murphy Conley

The Executive Director reviewed the applicants E-M stating that none had any derogatory information in their history and had been approved pursuant to the Boards delegation. Board Member Williams moved to ratify the issuance of licensure to applicants E-M. Board Member Zimmerman Seconded. The Motion Passed.

Fontes	Hayden	William s	Lehavi	Fitzgerald	Zimmerman	Vote
X	X	X	X	X	X	Aye
						Nay
						Recused
						Abstained
						Absent

**7. Review, Discussion and Possible Action Regarding Applications for Auricular Acupuncture Certification**

None

**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**

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 excepting Mindy Hayden, Jamie Fitzgerald, and David Garcia with Board Member Hayden providing a second. The Motion passed,

Fontes	Hayden	William s	Lehavi	Fitzgerald	Zimmerman	Vote
X	X	X	X	X	X	Aye
						Nay
						Recused
						Abstained
						Absent

Board Member Williams moved to ratify and approve the renewal application of David Garcia with Board Member Lehavi providing a second. The Motion Passed.

Fontes	Hayden	William s	Lehavi	Fitzgerald	Zimmerman	Vote
	X	X	X	X	X	Aye

						Nay
X						Recused
						Abstained
						Absent

Board Member Zimmerman moved to ratify and approve the renewal application of Jamie Fitzgerald with Board Member Hayden providing a second. The Motion Passed.

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

Board Member Williams moved to ratify and approve the renewal application of Mindy Hayden with Board Member Lehavi providing a second. The Motion Passed.

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

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

A. Guan Piao

Case # C001000-18-0329

Executive Director Geriminsky provided a review of the Complaint against LAc Piao including referring to the investigative report and investigative interviews performed. LAc Piao was present and represented by his attorney David Morrison. The Board reviewed and discussed the case materials and testimony.

After discussion, Board Member Williams moved to go into Executive Session to receive legal advice at 2:36 p.m.. Board Member Zimmerman seconded. The Motion Passed.

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

The Board returned to regular session at 2:51 and went on recess until 2:55

After further discussion, Board Member Williams moved to table this issue until the May Board Meeting to allow LAc Piao to produce a written policy on patient communication, interaction with female patients, and recommendations on remedial CE courses. Board Member Zimmerman seconded. The Motion Passed.

Fontes	Hayden	Williams	Lehavi	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 Board discussed the approval process and requirements for Chemical Dependency Programs including the need for additional clarification and simplification in order to reduce regulatory burdens. The Board directed the Executive Director to work with Board Member Williams and Fontes to develop such a document and agendize this matter on the next Regularly Scheduled Meeting.

### 11. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING CORRESPONDENCE TO THE BOARD

a. **Natural Medicine and Detox Inc.**

The Board Members discussed the application for approval stating that the minimum eligibility requirements for approval had been met. Board Member Williams Moved to approve Natural Medicine and Detox Inc. as a Chemical Dependency Program. Board Member Fitzgerald seconded. The motion passed.

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

### 12. Review, Discussion and Possible Action on Applications for Continuing Education Course Approval

Board Member Fontes moved to authorize Chairperson Fitzgerald to approve CE courses between this meeting and the March Board Meeting. Board Member Hayden seconded. The Motion Passed.

Fontes	Hayden	Williams	Lehavi	Fitzgerald	Zimmerman	Vote
X	X	X	X	X	X	Aye
						Nay
						Recused

						Abstained
						Absent

**A. Trauma Informed Care and the 5 Needle Protocol in Community Acupuncture**

Executive Director Geriminsky provided a brief overview of the application packet. The Board found that the Course met the minimum eligibility requirements in law and rule. Board Member Hayden moved to approve this course for 2 CE. Board Member Zimmerman seconded. The Motion Passed.

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

**B. Access Consciousness - The Bars**

Executive Director Geriminsky provided a brief overview of the application packet. Jennifer Sandoval was present and provided an overview of the course. The Board found that the Course met the minimum eligibility requirements in law and rule. Board Member Williams moved to approve this course for 8 CE. Board Member Zimmerman Seconded. The Motion Passed.

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

**C. Korean Constitutional Acupuncture**

Executive Director Geriminsky provided a brief overview of the application packet. The Board found that the Course met the minimum eligibility requirements in law and rule. Board Member Hayden moved to approve this course for 8 CE. Board Member Williams Seconded. The Motion Passed.

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

**D. Clinical Acupuncture for Elders**

Executive Director Geriminsky provided a brief overview of the application packet. The Board found that the Course met the minimum eligibility requirements in law and rule. Board Member Hayden moved to approve this course for 4 CE. Board Member Zimmerman Seconded. The Motion Passed.

Fontes	Hayden	William s	Lehavi	Fitzgerald	Zimmerman	Vote
X	X	X	X	X	X	Aye
						Nay
						Recused
						Abstained
						Absent

**13. Review, Discussion and Possible Action on Substantive Policy Statement on the definition of Acupuncture in ARS § 32-3901(1)**

The Board took no action on this item at this time and it was tabled until the March Meeting.

**14. Review, Discussion and Possible Action Regarding Executive Director Report**

- A. Budget/Strategic Plan
- B. Summary of Current Events
- C. Survey Results
- D. New Licensing Coordinator
- E. Complaints Status
- F. Governor's Executive Order
- G. Legislative Update
- H. Board Office Highlights

Executive Director Geriminsky provided the Board an update on pending complaints and on the above items. The Board took no action at this time.

**15. Review, Discussion and Possible Action Regarding Future Regular Meeting Dates**

- March 27, 2019
- April 24, 2019
- May 22, 2019
- June 26, 2019
- July 24, 2019
- August 28, 2019
- September 25, 2019 - Flagstaff
- October 23, 2019 - Tucson
- November 27, 2019
- December 25, 2019 - Cancelled

The Board reviewed the schedule of meetings for this year and by consensus moved to cancel the December Board meeting, hold the September Board Meeting in Flagstaff and the October Meeting in Tucson.

**16. Call to the Public**

No comment received

**17. Discussion of Items to be placed on a future meeting agenda**

None



## 18. Adjournment

Board Member Zimmerman moved for adjournment and Board Member Lehavi provided a second. The Motion passed. The Board adjournment at 4:10 p.m.

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