



State of Arizona Acupuncture Board of Examiners

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REGULAR MEETING

June 23, 2010

OPEN SESSION MINUTES

Members of the Arizona Acupuncture Board of Examiners met at 1:00 p.m. on Wednesday, June 23, 2010, at 1400 West Washington, Conference Room B-1, Phoenix, Arizona.

Board Members Present:

Toni Bernalley, L.Ac., Chairperson
Ross Adelman, Consumer Member, Secretary
Maureen Bronson, Consumer Member
Dianne Darcy, L.Ac., Professional Member (via telephone)
Robert L. Gear, NMD, DC, Professional Member
John M. Rhodes, L.Ac., Professional Member

Board Members Absent:

Woohyung Cho, L.Ac., Professional Member
Rebecca Wilks, MD, MD(H), Professional Member

Administrative Staff:

Pete Gonzalez, Executive Director

Attorney General Representative:

Montgomery Lee, Assistant Attorney General

Call to Order

Chairperson Bernalley called the meeting to order at 1:03 p.m.

The following order of business was then considered:

Declaration of Conflicts of Interest

Board Member Adelman declared a conflict of interest on the acupuncture license application of Lisa M. Anderson.

Discussion and Approval of Minutes

Board Member Rhodes moved the adoption of the minutes for the May 26, 2010 regular board meeting with Board Member Adelman providing a second. The motion carried by unanimous vote: 6 -0.

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

Administrative Inquiries

Board Member Bernalley moved to enter executive session to receive legal advice at 1:06 p.m. with Board Member Bronson providing a second. The motion carried by unanimous vote: 6 -0.

The Board returned to regular session at 1:46 p.m.

A) Monte Gores, L.Ac. addressed the Board. Board Member Bernalley asked what time of day the incident occurred. Mr. Gores stated it was 1:30 a.m. Board Member Adelman and Bernalley thanked Mr. Gores for his initiative in reporting this incident in a timely manner.

Board Member Darcy asked why Mr. Gores did not take a breathalyzer test. Mr. Gores responded by saying that he was provided with the option of taking the blood test versus the breathalyzer test.

Board Member Bronson moved to accept the notification from Monte Gores, L.Ac., regarding his arrest on driving under the influence on April 30, 2010 and for Mr. Gores to provide the Board with all future action taken by the Flagstaff Municipal

Court with Board Member Rhodes providing a second. The motion carried by unanimous vote: 6 -0.

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

B) Executive Director Gonzalez reviewed the memorandum provided to the Board which explains the situation involving Martin Werner, L.Ac. The Board received correspondence from Mr. Werner indicating his preceptorship program is accepting applications from individuals to receive training.

The Board office has found no record of Mr. Werner applying for a preceptorship training and preceptorship supervisor. Mr. Werner contends that his program was approved. Again, there is no record of the Board scheduling the matter at a board meeting for action on the program or supervisor applications.

The Board discussed and reviewed the correspondence between the Board and Mr. Werner. The Board asked that a letter be prepared to include the following:

- Instructing Mr. Werner to cease the program
- A request to submit the required applications (preceptorship and preceptorship supervisor)
- The names of students be provided
- Written documentation provided by Mr. Werner to students on the program

Board Member Bennalley moved to send the letter to Mr. Werner requesting the information as determined by the Board with Board Member Bronson providing a second. The motion carried by unanimous vote: 6 -0.

Adelman	Bennalley	Bronson	Cho	Darcy	Gear	Rhodes	Wilks	Vote
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 applicants for licensure listed below with Board Member Rhodes providing a second. The motion carried by unanimous vote: 6-0.

Richard A. Oliver
Kyrsten M. Carter

Adelman	Bennalley	Bronson	Cho	Darcy	Gear	Rhodes	Wilks	Vote
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 Rhodes providing a second. The motion carried by unanimous vote: 5-0.

Lisa M. Anderson

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

Other Applications/Requests – Continuing Education

The Board reviewed the continuing education application for the course “Balance the Constitution” offered by Tala Lindaro, L.Ac., on July 21, August 4, 16 and September 1 for a total of 16 hours.

Board Member Bronson moved for the approval of the continuing education application with Board Member Rhodes providing a second. The motion carried by unanimous vote: 6-0.

Adelman	Bennalley	Bronson	Cho	Darcy	Gear	Rhodes	Wilks	Vote
X	X	X		X	X	X		Aye
								Nay
								Recused
								Abstained

			X				X	Absent
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The Board reviewed the continuing education application for the course “Differential Diagnosis of the Musculoskeletal System” offered by Jeffrey C. Utter, online for 16 hours.

Board Member Rhodes moved for the approval of the continuing education application with Board Member Darcy providing a second. The motion carried by unanimous vote: 6-0.

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

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

Board Member Adelman moved for the approval of the continuing education application with Board Member Bronson providing a second. The motion carried by unanimous vote: 6-0.

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

Professional Business

Review of Rules for Five-Year Report for Arizona Administrative Code, Title 4, Chapter 8, All Articles

Executive Director Gonzalez provided the Board with the explanation of why this review is required and how the process will develop over the course of the next couple of months. Board members were asked to review the board rules and provide their questions and comments regarding the current set of rules to determine if any rules should be amended, deleted, and improved for the conduct of board business for the next five years. The final review is due by October 26, 2010.

The Board reviewed the draft Continuing Education Provider List. Board Member Gear moved for the approval of the List with Board Member Bronson providing a second. The motion carried by unanimous vote: 6-0.

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

Executive Director Report

License and Certificate Status Report:

Active Licensed Acupuncturists: 490
 Expired Licenses: 8
 Active Certified Auricular Acupuncturists: 63

Board Office Information/Activities:

- Pursuant to Arizona Revised Statutes §32-3925 (B), license and certificate renewal notices for August 2010 licensees were prepared and sent. In addition, expired license and certificate letters for the month of May were sent.
- Completed and submitted Customer Address and Contact Update request from the Arizona Department of Administration Interagency Mail Room.
- Pursuant to Arizona Revised Statutes §41-725, completed and submitted Transparency Confidentiality Certification to the Arizona Department of Administration.
- Completed the transfer of the board website and email accounts to Goggle mail. The Board's new website address is: <www.azacupunctureboard.us>

For the month of May, the board website was visited by 844 individuals. A steady increase of hits has taken place in the last three years. In 2006, a total of 7496 individuals used the web; 10,200 in 2007; 11,930 in 2008 and 10,927 in 2009. To date in 2010, there have been 4735 unique visits and 65,109 hits.

Future Meeting Dates

Board Member Rhodes moved to cancel the July 28, 2010 board meeting with Board Member Bronson providing a second. The motion carried by unanimous vote: 6-0.

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

August 25, 2010

Call to the Public

The Board did not receive any requests.

Discussion of Items to be place on a future meeting agenda

The Board requested the following topics be placed on the next board meeting agenda:

- Preceptorship rules review
- Strategic plan discussion and update
- Review of board rules

Adjournment

Board Member Bronson moved for adjournment and Board Member Rhodes provided a second. The motion carried by unanimous vote: 6-0. The Board adjourned at 2:29 p.m.

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

Respectfully Submitted,



Pete Gonzalez
Executive Director

Approved by the Board: August 25, 2010