

FLORIDA | Board of Acupuncture

MINUTES

December 12, 2014

Embassy Suites Orlando
Lake Buena Vista South
4955 Kyns Heath Road
Kissimmee, FL 34746
407-597-4000



Melody Clancy, AP, D.O.M.
Chair

Min Tian, AP, D.O.M., Ph.D.,
Vice-Chair

Christy Robinson
Executive Director

The meeting was called to order by Ms. Melody Clancy, Chair, at approximately 9:04 a.m. Those present for all or part of the meeting included the following: At the start of the meeting Mr. Dolan handed over Ms. Diane Guillemette as the new attorney for the Board of Acupuncture.

MEMBERS PRESENT:

Melody Clancy, AP, D.O.M., Chair
Min Tian, AP, D.O.M., Ph.D., Vice-Chair
Katherine Teisinger, AP
Greg Gunter, Consumer Member
Barbara Thurman, AP
Barbara Rezmer, Consumer Member

STAFF PRESENT:

Christy Robinson, Executive Director
Don Olmstead, Program Operations Administrator
Jacqueline Clahar-Anderson, Regulatory Specialist II

MEMBERS ABSENT:

Herman Vega, AMD, PhD, AP, LMHC

COURT REPORTER:

For The Record
PHONE: 850.222-5491
FAX: 850.224.5316

BOARD COUNSELS:

Doug Dolan, Esq.
Diane Guillemette, Esq.

Please note the minutes reflect the actual order agenda items were discussed and may differ from the agenda outline. Audio from this meeting can be found online: <http://floridasacupuncture.gov/meeting-information/past-meetings/>

REVIEW AND APPROVAL OF MINUTES

1. September 5, 2014 General Business Meeting Minutes

Action Taken: Ms. Teisinger requested that staff make the minutes more detailed. Mr. Gunter made a motion to approve the minutes as written. Motion was seconded by Ms. Thurman, which carried unanimously.

*REPORTS

Board Chair Report – Melody Clancy

No Report

Executive Director's Report – Christy Robinson

Ms. Robinson did not have a formal report, but expressed to the board that the Department had asked her to get with the healthy weight liaisons to figure out a way to get people more involved in the healthy weight initiative. The Board expressed their concerns on the message of the healthy weight being generic and would prefer a message that was more tailored to the Acupuncture profession. After discussion Ms. Robinson indicated she would try to relay that message to the Healthy Weight Liaison.

2. **Board Counsel Report** – Diane Guillemette, Esq.

Ms. Guillemette did not have a formal report; however she was looking forward to working with everyone.

Application Liaison – Min Tian and Katherine Teisinger

No report.

Budget Liaison – Greg Gunter

3. Action Taken: Mr. Gunter did not have a report and referred the board to the expenditure report on the agenda.

Community Relations Liaison – Barbara Rezmer

No report.

Consumer Protection Liaison – Barbara Rezmer

No report.

Continuing Education Liaison – Barbara Thurman, Melody Clancy, Min Tian, Herman Vega

Ms. Thurman did not have a formal report, however expressed her concerns about the application not being completed as required.

Ms. Tian also expressed concerns on the changes to the application which were approved by the board, but were still not indicated on the continuing education application.

Legislative & Rules Liaison – Melody Clancy and Min Tian

Ms. Tian did not have a formal report, however stated there seems to be something going on with dry needling and the Board of Physical Therapy. After discussion it was decided the board would send another letter to the Board of Physical Therapy in regards to dry needling.

Healthy Weight - Ms. Teisinger gave a brief report on the healthy weight meeting she attended in Tallahassee.

Unlicensed Activity Liaison – Katherine Teisinger

No report.

ADMINISTRATIVE PROCEEDINGS

Applications for Licensure

4. Annette Tapia Cornet – Endorsement by NCCAOM

Applicant was not present or represented by Counsel. Applicant was sworn in by the court reporter.

Action Taken: After discussion, Mr. Gunter moved to deny licensure based on applicant not completing hours in herbs. Motion seconded by Dr. Tian, which passed unanimously.

5. Samina Quraishi – Endorsement by Other State

Applicant was not present nor represented by counsel.

Action Taken: – Applicant was not present. Greg motioned to deny motioned seconded by Barbara Rezmer. Motion carried unanimously.

6. Anne Crowley - Applicant was not present nor represented by counsel.

Action Taken: Ms. Teisinger made a motion to deny licensure based on not enough herbal hours. Motion seconded by Ms. Thurman which carried unanimously.

7. Margaret Celli – Applicant was not present nor represented by counsel.

Action Taken: Ms. Clancy motioned to approve contingent to applicant completing CPR and First Aid, Laws and Rules and Medical. Motion was seconded by Mr. Greg Gunter, which passed unanimously.

8. Andrea Rue – Applicant was present and sworn in by the Court Reporter

Action Taken: Ms. Rue requested to waive the 90 day waiver. Mr. Gunter motioned to allow applicant to complete the herbology hours. Motion seconded by Ms. Thurman, which carried unanimously.

9. Jennifer Yanko Strahman – Applicant was present and sworn in by the court reporter.

Action Taken: Ms. Clancy made a motion to deny the applicant for licensure. Ms. Teisinger seconded the motion which carried unanimously.

10. Beverly Alkow – Applicant was present and sworn in by the court reporter.

Action Taken: Ms. Alkow requested to waive the 90 day waiver to complete the herbal hours. Mr. Gunter seconded the motion which passed unanimously.

11. Jamaica Dolinsky – Applicant was not present nor represented by Counsel.

Action Taken: Ms. Clancy made a motion to deny application. Mr. Gunter seconded the motion which carried unanimously.

BREAK

The Board Reconvened at approximately 10:26 a.m.

Petitions for Variance and Waiver:

12. Dan Cohen. Applicant was not present nor represented by counsel.

Action Taken: Ms. Teisinger motioned to grant the petition and to issue licensure contingent on applicant obtaining insurance within 45 days. Ms. Thurman seconded the motion which passed unanimously.

13. Shirlee Fazzino – Applicant was present and sworn in by the court reporter.

Action Taken: Ms. Clancy made a motion to approve applicant for licensure. Ms. Teisinger seconded the motion which passed unanimously. Ms. Fazzino requested to withdraw the variance filed.

Request for Exemption from Disqualification of Employment

14. **Ernest Gonzalez, AP 767** - Mr. Gunter was recused. Licensee was present with counsel and was sworn in by the by the court reporter.

Action Taken: After discussion, Ms. Teisinger motioned to grant an exemption from disqualification from employment. Motion was seconded by Ms. Rezmer which passed unanimously.

Continuing Education Courses

15. **Shellie Goldstein** Course # 20-463190 Anatomy and Physiology of the Face for Cosmetic Acupuncture: Safe practices for practitioner and patients.

Provider was not present nor represented by counsel.

Action Taken: Ms. Thurman made a motion to deny the course based on failure to provide specialized training and a bibliography. Motion was seconded by Ms. Teisinger which passed unanimously.

16. **Eastern Currents Distributing LTD** Course # 20-458425- Strategies Series Session 1 Patient Attraction.

Provider was not present or represented by counsel.

Action Taken: Ms. Clancy made a motion to deny the course based. Motion was seconded by Mr. Gunter which passed unanimously.

17. **Lotus Institute** Course # 20-449459 GMO Foods

Provider was not present nor represented by counsel.

Action Taken: Ms. Teisinger made a motion to deny the course deny course based on provider not providing a bibliography, and not having any specialized training or prior teaching experience in the subject matter. The motion was seconded by Ms. Rezmer which passed unanimously.

GENERAL BUSINESS

18. **Ratification of Licensure**

Action Taken: Ms. Rezmer made a motion to ratify licensure. Motion was seconded by Mr. Gunter which passed unanimously.

19. **Ratification of Continuing Education Courses**

Action Taken: Ms. Rezmer made a motion to ratify the continuing education courses. Ms. Clancy seconded the motion which carried unanimously.

20. **Staff Clarification Request Regarding Clean Needle Technique Course and Universal Precautions.**

Action Taken: Ms. Clancy indicated that Clean needle technique and Universal Precautions were different and not the same. Ms. Clancy provided a clarification of each.

ELECTION OF 2015 OFFICERS

Chair – Ms. Clancy indicated she would like to remain the Chair of the Board. Ms. Clancy nominated herself for the position of the Chair. There were no other nominations for Chair. The motion was seconded by Mr. Gunter which carried unanimously.

Vice Chair – Ms. Clancy nominated Min Tian as Vice Chair. Motion was seconded by Ms. Teisinger, motion carried unanimously.

NEW BUSINESS

21. Discussion: Rule 64B1-4.012 Acupoint Injection Therapy – James Saylor

Mr. Saylor was present and addressed the Board regarding licensed acupuncturist certified in acupoint injection therapy (AIT) not being able to purchase B12 vitamins from pharmacies.

Board Counsel informed the board that when B12 is placed in a syringe, it becomes a scheduled drug. After discussion Mr. Saylor was instructed to file petition for a declaratory statement.

Break:

Board reconvened at 11:29 a.m.

Speakers:

22. Ms. Amy Sears CEU Provider stated it was taking an enormously long time to have application reviewed and approved, and is requesting the Board to expedite the review of continuing education courses.

Ms. Robinson indicated staff will be more diligent in making sure courses are processed more diligently. Instructions will be clearer to coincide with what is on the application. Ms. Robinson further indicated staff will be more proficient in making sure that the process becomes more efficient.

23. Ms. Teisinger requested board staff to forward article she had previously sent to board staff to the other board members, and also placed the article on the next agenda for discussion

24. **Discussion regarding Electronic Health Records.**

Ms. Teisinger also spoke about electronic records for licensed Acupuncturists.

Ms. Sears informed the Board that members or licensed professionals can go to electronic records now if they wish, and that eventually it will be a federal requirement to keep electronic records.

Ms. Lynne Thames pointed out that electronic health records would be useful in population health studies.

Ms. Lynn Thames also indicated it would be critical for Acupuncturist to also have electronic health records.

25. Ms. Thurman requested clarification on who was now on the committee for continuing education. The Chair appointed Ms. Thurman, Dr. Tian and Ms. Thurman as the continuing education liaisons. Dr. Vega was removed from the committee.

26. Amy Sears asked the Board if there was any conflict with continuing education providers being a Board member. Ms. Robinson stated she would check on the Ethics Committee for their opinion regarding this issue.

NEXT MEETING:

The next meeting is scheduled for February 6, 2015. This meeting will be a conference call if there are no disciplinary cases on the agenda.

ADJOURNMENT

Meeting adjourned at approximately 12:02 p.m.

DRAFT