

FLORIDA | Board of Acupuncture

MINUTES
June 13, 2014

Tampa Marriott Westshore
1001 North Westshore Boulevard
Tampa, FL 33607
Telephone # 813-287-2555



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

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

Christy Robinson
Acting Executive Director

FRIDAY JUNE 13, 2014

The meeting was called to order by Ms. Min Tian, Vice Chair, at approximately 9:01 a.m. Those present for all or part of the meeting included the following:

MEMBERS PRESENT

Min Tian, AP, D.O.M., Ph.D., Vice-Chair
Katherine Teisinger, AP
Barbara Thurman, AP
Herman Vega, AMD, PhD, AP, LMHC
Greg Gunter, Consumer Member
Barbara Rezmer, Consumer Member

MEMBERS ABSENT

Melody Clancy, AP, D.O.M., Chair (excused)

BOARD COUNSEL

Lee Ann Gustafson, Esq.
Senior Assistant Attorney General

STAFF PRESENT

Joe Baker, Jr., Executive Director
Alexandra Alday, Program Operations Administrator
Jacqueline Clahar-Anderson, Regulatory Specialist II

ASSISTANT GENERAL COUNSEL

Elana Jones, Esq.

COURT REPORTER

For The Record
PHONE: 850.222-5491
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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. December 13, 2013 General Business Meeting Minutes

Action Taken: Ms. Teisinger moved to approve the minutes with corrections. Motion seconded by Ms. Thurman, which passed unanimously.

DISCIPLINARY PROCEEDINGS

Settlement Agreement

1. Jose Guillermo Celpha AP CASE # 2010-04278 & 2010-14062 PCP: Gunter & Ervolino

Respondent was present without counsel.

Mr. Gunter was recused due to participation on the probable cause panel.

Ms. Elana Jones represented the Department and presented the case to the board.

Allegations of Administrative Complaint: Case 2010-04278 - Section 456.072(1)(w) and 457.109(1)(c), FS.
Case 2010-14062 – Section 457.109(1)(o) FS.

Action Taken: Ms. Thurman moved to accept the Settlement Agreement. Motion seconded by Ms. Tian, which carried unanimously.

*REPORTS

Board Chair Report – Melody Clancy

No Report

Board Counsel Report – Lee Ann Gustafson, Esq.

1. Rule 64B1-6.008 Process for Program Approval

Ms. Gustafson indicated this proposed amendment was to strike the term “that is registered with the board”, because the organized courses of study sponsored by national or state acupuncture and or oriental medicine organizations or accredited acupuncture schools will not have to make applications to become continuing education providers.

Action Taken: Ms. Thurman moved to accept the changes. Motion seconded by Ms. Rezmer, which passed unanimously.

Additional Action Taken: Ms. Gustafson further asked if the change will result in \$200,000 in regulatory cost in the first year of implementation or will result in \$1 million in additional regulatory cost within the first 5 years of implementation. Ms. Teisinger moved that she did not feel that to be the case, the motion was seconded by Ms. Thurman.

Application Liaison – Katherine Teisinger & Min Tian

No Report

Budget Liaison – Greg Gunter

1. Board Expenditures Report, dated 12/31/2013

Informational

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

Discussion was held regarding amending the provider application. After discussion, Ms. Alday suggested the continuing education liaisons send her a list of the most frequently missed items on the application, and she would have this information on the CE Broker and Board’s websites.

Legislative & Rules Liaison – Melody Clancy and Min Tian

No Report

Executive Director Report

Mr. Baker informed the Board of a new bill going into effect as of July 1, 2014 which will expedite licenses for Veterans.

Unlicensed Activity Liaison – Melody Clancy

No Report

PROSECUTOR'S REPORT

Action Taken: Mr. Gunter made a motion to accept the prosecutor's report, and to pursue the cases that were over a year old. Motion was seconded by Ms. Thurman which passed unanimously.

ADMINISTRATIVE PROCEEDINGS

Applications for Licensure

1. Lynn Cannisi – Endorsement by NCCAOM

Applicant was present without counsel.

Action Taken: After discussion Ms. Teisinger moved to grant the license unencumbered. Motion passed 5/1, with Ms. Thurman opposing.

2. Josephine Guenzel – Endorsement by NCCAOM

Applicant was present without counsel.

Action Taken: After discussion Ms. Guenzel requested the Board waive the 90 days to allow her to obtain the missing hours needed for licensure.

Petition for Declaratory Statement

1. R. Ashley Hoyt, A.P.

Action Taken: After discussion Ms. Hoyt made a motion to withdraw the petition and will submit and amended petition.

(Break)

Continuing Education Courses

1. Healthcare Medicine Institute – Course 20-439634

Action Taken: After discussion, Ms. Thurman moved to deny approval of the course. Motion seconded by Ms. Rezmer, which passed unanimously.

2. The International Alliance of Healthcare Educators – Courses 20-324376 and 20-400607

Course 20-324376

Action Taken: After discussion, Ms. Thurman moved to deny course because instructor does not meet requirements. Motion seconded by Mr. Gunter which passed unanimously.

Course 20-400607

Action Taken: After discussion, Mr. Gunter moved to approve the course. Motion seconded by Ms. Thurman, which passed unanimously.

3. Health Freedom, LLC – Course 20-430915

Action Taken: After discussion, Ms. Tian moved to deny the course as the instructor is not qualified to teach the topic of this course. Motion seconded by Mr. Vega, which passed unanimously.

4. Robin Green – Course 20-430254

Action Taken: After discussion, Ms. Rezmer moved to deny the course based on instructor's does meet the qualification and most of the course is business related. Motion seconded by Mr. Vega, which passed unanimously.

5. The Whole Circle – Courses 20-421023, 20-421040, 20-421041, 20-421148, 20-421202, 20-421204, and 20-421205

Action Taken: After discussion, Ms. Thurman moved to approve the courses. Motion seconded by Mr. Gunter, which passed unanimously.

6. Pro D Seminars – Courses 20-414630, 20-414631, 20-414928, and 20-414931

Action Taken: After discussion, Ms. Thurman moved to approve the courses. Motion seconded by Mr. Gunter, which passed unanimously.

OLD BUSINESS

Mr. Baker informed the Board that the Surgeon General is hosting the Healthy Weight liaison meeting in Tallahassee on July 14, 2014.

Ms. Tian had questions on the status of the continuing education form which liaisons had changed. Ms. Alday stated board staff will research and provide an update on the form at the next meeting.

NEW BUSINESS

1. Proposed Meeting Dates – 2015

Action Taken: After discussion, Mr. Gunter moved to approve the meeting dates. Motion seconded by Mr. Vega, which passed unanimously.

2. Ratification of Licensure

Action Taken: Mr. Gunter moved to ratify the new licensees. Motion seconded by Ms. Thurman, which passed unanimously.

3. Ratification of Continuing Education Courses

Action Taken: Mr. Gunter moved to motion to ratify the continuing education courses. Motion seconded by Ms. Rezmer, which passed unanimously.

4. Election of Officers

Mr. Baker suggested the Board consider postponing this item until the end of the calendar year as the Department is working with all the regulatory boards to have officers serve for a calendar year for purposes of the annual board chair and vice-chairs meeting.

Action Taken: After discussion, Mr. Gunter moved to delay the election of officers until the December Meeting. Motion seconded Mr. Vega, which passed unanimously.

5. 2014-2015 Annual Regulatory Plan

Ms. Alday requested the Board delegate to the Board Chair or the Legislation and Rules Liaison to work with Ms. Gustafson to complete by July 1, deadline.

Action Taken: After discussion, Mr. Gunter moved to delegate the authority to the Vice Chair to work with Ms. Gustafson. Motion seconded by Ms. Thurman, which passed unanimously.

INFORMATIONAL

1. Final Renewal Report

ADJOURNMENT

Meeting adjourned at approximately 11:08 a.m.