

FLORIDA | Board of Acupuncture

November 4, 2016 Teleconference Meeting



MEETING MINUTES
Board of Acupuncture
General Business Meeting
November 4, 2016
9:00 a.m.

Conference Call
Meet Me #: 1 (888) 670-3525
Participant Passcode: 665 618 6923

The meeting was called to order by Katherine Teisinger, Chair, at approximately 9 a.m.

Those present for all or part of the meeting included the following:

MEMBERS PRESENT:

Katherine Teisinger, Chair
Herman Vega, Vice-Chair
Kathy Veon
Steve Moreau
Greg Gunter

MEMBERS ABSENT:

None

COURT REPORTER:

For The Record Reporting
850-222-5491

OTHERS PRESENT:

Yura Stolyarsky, Applicant
Ying Li, Applicant
Nefertiti Abdou, Applicant
Michael Guralnik, Applicant

BOARD COUNSEL:

Diane Guillemette, Board counsel
Cassandra Fullove, Paralegal Specialist

BOARD STAFF PRESENT:

Kama Monroe, Executive Director
Amber Greene, Regulatory Supervisor
Sophie Amorosa, RSI
Amanda Sutton, RSI

Please note that the meeting minutes reflect the actual order that agenda items were discussed during the meeting and may differ from the agenda outline.

REVIEW AND APPROVAL OF MINUTES

1. Minutes of the June 10, 2016 General Business Meeting were reviewed.

Motion: by Kathy Veon, seconded by Dr. Herman Vega, to approve meeting minutes. Motion carried.

2. Minutes of the July 15, 2016 General Business Meeting were reviewed.

Motion: by Kathy Veon, seconded by Dr. Herman Vega, to approve meeting minutes. Motion carried.

ADMINISTRATIVE PROCEEDINGS

Petitions for Variance or Waiver

3. Rosalee Elizabeth McCurdy – Enrolled prior to 1997

Applicant was not present. Applicant was not represented by counsel.

After Discussion,

Motion: by Greg Gunter, seconded by Dr. Herman Vega, to deny Petition for Variance or Waiver. Motion carried.

Motion: by Greg Gunter, seconded by Kathy Veon, to deny application based on applicant not having Biomed and Herbology. Motion carried.

4. Yura Stolyarsky – Endorsement through NCCAOM

Applicant was present. Applicant was not represented by counsel.

After Discussion,

Motion: by Dr. Herman Vega, seconded by Kathy Veon, to dismiss Petition for Variance or Waiver for not meeting the requirements for petitions for variance or waiver. Motion carried.

Motion: by Dr. Herman Vega, seconded by Kathy Veon, to approve application and grant license contingent upon receiving renewed NCCAOM certification. Motion carried.

5. Nefertiti Abdou – Endorsement through other state license

Applicant was present. Applicant was not represented by counsel.

Ms. Abdou provided the Board an Occupational Analysis of the Acupuncture Profession, Office of Professional Examination Services from California.

After review of the materials provided and discussion it was determined that the California exam is equivalent and more stringent than Florida. Dr. Vega stated the board has approved applicants from California in the past and also agreed the California test is equal or better to Florida's.

After Discussion,

Motion: by Greg Gunter, seconded by Kathy Veon, to dismiss Petition for Variance or Waiver. Motion carried.

Motion: by Dr. Herman Vega, seconded by Greg Gunter, approve application and grant license. Motion carried.

Applicants with Foreign Education

6. Ying Li- Endorsement through NCCAOM

Applicant was present. Applicant was not represented by counsel.

After Discussion,

Motion: by Greg Gunter, seconded by Dr. Herman Vega, to approve application and grant license. Motion carried.

7. Michael Guralnik- Endorsement through NCCAOM

Applicant was present. Applicant was not represented by counsel.

After Discussion,

Motion: by Dr. Herman Vega, seconded by Kathy Veon, to approve application and grant license. Motion carried.

GENERAL BUSINESS

8. Ratification of Licensure

Motion: by Kathy Veon, seconded by Greg Gunter, to approve ratification of licenses issued. Motion carried.

9. Ratification of Continuing Education Courses

Motion: by Greg Gunter, seconded by Kathy Veon, to approve ratification of continuing education courses with the exception of course 20-532134, Acupuncture Business Success, based on the title of the course and what is currently stated in rule and with permission to correct scrivener's error. Motion carried.

10. CE Broker update

Sophie Amoroso, board staff, provided the CE broker update to the board. She stated the board office is receiving numerous calls regarding the status of the ce courses submitted. Kama Monroe, Executive Director stated 50 courses are still pending review. After discussion it was determined the board office will give the course providers 30 days to submit missing information. At that time, if the board office has not heard from them they will be placed on an upcoming board agenda and possibly be denied.

11. 2017 Meeting dates

Amber Greene provided the board with proposed 2017 meeting dates. The majority of the board had conflicts with the proposed meeting dates. Ms. Greene will propose new dates at the December board meeting. Board members made it known that Fridays are the best days to hold the board meetings.

REPORTS

Board Chair Report – Katherine Teisinger

Dr. Katherine Teisinger provided the board with a recap of the Annual Chair/Vice-Chair meeting that was held in September of this year in Tallahassee. She further noted, that of interest to the board was the fact the board has excess money in their account and she has requested information on ways the board can utilize the money. Discussion ensued.

Board Counsel Report – Diane Guillemette, Esq.

12. Annual Regulatory Plan

Diane Guillemette advised the board that the Annual Regulatory Plan was timely submitted.

13. June Rules Report

Diane Guillemette provided the board with a June rules report.

14. September Rules Report

Diane Guillemette provided the board with a September rules report.

15. October Rules Report

Diane Guillemette provided the board with an October rules report.

16. Application and Qualification Rules

64B1-605 Standards for approval of education credit.
The rule needs to be removed from development.

64B1-4.0011- Documentation Necessary for Licensure Application

There would be no rule hearing at this meeting due to this particular meeting being rescheduled numerous times and the rule hearing not being timely noticed.

64B1-3.009: Licensure by Endorsement through National Certification

Motion: by Kathy Veon, seconded by Dr. Herman Vega, to approve the rule language with the addition of "Acupuncture or Oriental Medicine." Motion carried.

Motion: by Greg Gunter, seconded by Dr. Herman Vega, to approve NO as an answer to the question, "Will the proposed rule change have an adverse impact on small business or will the proposed rule change be likely to directly or indirectly increase regulatory costs to any entity including of any government in excess of \$200,000.00 dollars in the aggregate in Florida within one year after the implementation of the rule?" Motion carried.

64B1-3.010 Licensure by Endorsement Through Another State License

Motion: by Kathy Veon, seconded by Dr. Herman Vega, to accept the language of the rule. Motion carried.

Motion: by Katherine Teisinger, seconded by Kathy Veon, to approve NO as an answer to the question, "Will the proposed rule change have an adverse impact on small business or will the proposed rule change be likely to directly or indirectly increase regulatory costs to any entity including of any government in excess of \$200,000.00 dollars in the aggregate in Florida within one year after the implementation of the rule?" Motion carried.

Rule 64B1-4.001 Acupuncture Program Requirements

Motion: by Katherine Teisinger, seconded by Dr. Herman Vega, to accept the rule as it is written. Motion carried.

Motion: by Katherine Teisinger, seconded by Dr. Herman Vega, to approve NO as an answer to the question, "Will the proposed rule change have an adverse impact on small business or will the proposed rule change be likely to directly or indirectly increase regulatory costs to any entity including of any government in excess of \$200,000.00 dollars in the aggregate in Florida within one year after the implementation of the rule?" Motion carried.

Rule 64B1-4.0011 Documentation Necessary for Licensure Application

Discussion of Application

Motion: by Katherine Teisinger, seconded by Dr. Herman Vega, to accept the application with change to reflect NCCAOM certification language, "Acupuncture or Oriental Medicine." Motion carried.

Motion: by Dr. Herman Vega, seconded by Katherine Teisinger, to incorporate the new application in Rule 64B1-4.0011. Motion carried.

Motion: by Katherine Teisinger, seconded by Kathy Veon, to approve NO as an answer to the question, "Will the proposed rule change have an adverse impact on small business or will the proposed rule change be likely to directly or indirectly increase regulatory costs to any entity including of any government in excess of \$200,000.00 dollars in the aggregate in Florida within one year after the implementation of the rule?" Motion carried.

17- Section 456.072, Florida Statutes

Rule 64B1-9.001

Motion: by Katherine Teisinger, seconded by Kathy Veon, to accept the new language change to Rule 64B1-9.001. Motion carried.

Motion: by Katherine Teisinger, seconded by Dr. Herman Vega, to approve NO as an answer to the question, "Will the proposed rule change have an adverse impact on small business or will the proposed rule change be likely to directly or indirectly increase regulatory costs to any entity including of any government in excess of \$200,000.00 dollars in the aggregate in Florida within one year after the implementation of the rule?" Motion carried.

DOH Prosecutor's Report

The report was reviewed. PSU was not represented at the meeting.

Executive Director Report – Kama Monroe

Ms. Monroe noted that the two items she had to report had already been reported during this meeting.

Board Liaison Reports

- **Application - Exam & Endorsement** – Katherine Teisinger
No report.
- **Budget** – Greg Gunter
No report.
- **Community Relations** – Kathy Veon
No report.
- **Consumer Protection** – Greg Gunter
No report.
- **Continuing Education** – Kathy Veon & Steve Moreau
No report.
- **Legislative & Rules** – Herman Vega
No report.
- **Unlicensed Activity** – Steve Moreau
No report.
- **Healthy Weight Initiative** – Katherine Teisinger
Katherine Teisinger was unable to attend the meeting.

OLD BUSINESS

NEW BUSINESS

After discussion it was determined that the proposed survey and proposed education will be brought to the December board meeting and board will determine if a subcommittee is necessary.

ADJOURN

Next meeting scheduled December 9th, 2016 in Orlando at Renaissance Orlando at Seaworld.