

FLORIDA | Board of Acupuncture

Meeting Minutes June 16, 2017

Telephone conference number: 1 (888) 670-3525
Participant code: 6656186923



Herman Vega, AMD, PhD, AP, LMHC
Chair

Kathy Veon, AP
Vice-Chair

Kama Monroe
Executive Director

FRIDAY, June 16, 2017

Meeting called to order by Dr. Herman Vega at 9:03 a.m.

MEMBERS PRESENT:

Herman Vega, Chair, AMD, PhD, AP, LMHC
Kathy Veon, AP
Greg Gunter, Consumer Member
Steve Moreau, AP
Rodney Dunetz, AP
Janine Margewicz, AP

STAFF PRESENT:

Kama Monroe, J.D. Executive Director
Carol Taylor, Program Administrator
Dianne Guillemette, Esq., Board Counsel

PROSECUTING ATTORNEYS:

Peter Delia, PSU attorney
Jennifer Weaver, PSU attorney

COURT REPORTER:

For the Record
850-222-5491

OTHERS PRESENT:

Keeley Reynolds, Course Applicant

REVIEW AND APPROVAL OF MINUTES

1. March 10, 2017 General Business Meeting Minutes

Motion: by Herman Vega, to approve meeting minutes. Motion carried.

GENERAL BUSINESS

PROSECUTION SERVICES REPORT

2. The prosecution services report was noted for comment. No initial comment was made and next item was called. Subsequently, the report was presented by PSU attorney Peter Delia. A request was made to be allowed to continue prosecution of the year and older cases.

Motion: by Kathy Veon, seconded by Janine Margewicz, to allow Prosecution Services to continue prosecution of the year and older cases. Motion carried.

PETITION AND VARIANCE OF WAIVER FROM RULE 64B1-3.010, F.A.C.

3. Salvatore Gorla

After discussion:

Motion: by Kathy Veon, seconded by Herman Vega, to deny the petition for variance and waiver based on the fact herbal test is required and applicant does not have it. Motion carried.

APPLICATON FOR ENDORSEMENT THROUGH ANOTHER STATE

4. Salvatore Gorla: file number 4256

After discussion, including establishing that there is precedent for this action and that the board needs to be consistent with actions taken.

Motion: by Rodney Dunetz, seconded by Janine Margewicz, to deny the application based on the fact the applicant does not meet the qualifications. Motion carried.

CONTINUING EDUCATION COURSE APPLICATIONS

5. Manage Weight with TCM Principals: #20-585978

Keely Reynolds was present for the course application.

After discussion, it was determined that the rule only allows for five hours of home study and the application requests fifteen hours. Presented as is, the course application is not compliant with the rule. The applicant verbally amended the application to change it to five hours home study.

Motion: by Kathy Veon, seconded by Steve Moreau, to accept the course application with the verbal amendment. Motion carried.

Note: Dianne will check whether Board can require in the rule that the entire test be provided in the application. She will check to see if board has legislative authority and will update at next board meeting.

6. Touch for Health 2 Hour Intro: #20-577954

Motion: by Kathy Veon, seconded by Herman Vega, to deny based upon failure to provide sufficient documentation for instructor. Motion carried.

7. Introduction to TCM for Degenerative Eye Disease: #20-542587

After discussion, it was determined that the application did not provide sufficient information regarding the course instructor. Specifically, the dates the instructor's degree was awarded. Additionally, the application lists 8 home study hours, which is inconsistent with the rule, which only allows for 5.

Motion: by Herman Vega, seconded by Rodney Dunetz, to require applicant's appearance at the next meeting. Motion carried.

8. ?4 Acupuncture CEUs Confidentiality Ethics?: #20-525935

After discussion;

Motion: by Rodney Dunetz, seconded by Kathy Veon, to approve contingent upon course title being changed to Acupuncture Confidentiality Ethics. Vega opposed. Motion carried.

RATIFICATION OF LICENSURE

9. Ratification of Acupuncturist Licenses Issued from 3/2/2017 through 6/5/2017

Motion: by Steve Moreau, seconded by Janine Margewicz to approve ratification of licenses issued from March 3, 2017 through June 5, 2017, providing other is an approved school. Motion carried.

10. Ratification of CE Providers approved from 3/2/2017 through 6/5/2017

Motion: by Steve Moreau, seconded by Kathy Veon to approve ratification of licenses issued from March 3, 2017 through June 5, 2017. Herman Vega opposed. Motion carried.

Note: Diane will send standards for approval of ce providers.

11. Ratification of CE Course Applications approved from 3/2/2016 through 6/5/2017

Motion: by Herman Vega, seconded by Kathy Veon to approve ratification of licenses issued from March 3, 2017 through June 5, 2017. Motion carried.

REPORTS

12. **Board Chair Report** –No report submitted.

Executive Director Report – Kama Monroe

14. E-mail addresses; Pulse Survey update

Ms. Monroe provided an update on the progress of the Pulse Survey. She noted that absent any subsequent inquiries; the survey should be sent to licensees within seven to ten working days upon receipt of the responses to the current inquiries.

Ms. Monroe informed board members that much of the delay in the Pulse Survey was due to incorrect e-mail addresses. A request was made for current e-mail addresses and alternate, if applicable, be provided to board staff.

Board Counsel Report – Diane Guillemette, Esq.

13. April and May 2017 Rules reports

Reports were presented for informational purposes.

Ms. Guillemette reminded members that a huge re-vamp was performed on the disciplinary guidelines at the March 20th meeting. The notice was published June 15, 2017. Draft language should be available at the next meeting.

Additionally, Rule 9.003 provides for Notices of Non-Compliance. Ms. Guillemette explained the rule and noted that the board had already looked at this but asked if they wished to add anything. It was determined that Ms. Guillemette can present to legislature as completed.

Motion by Herman Vega, seconded by Kathy Veon, to approve report as provided.

15. Board Liaison Reports

No reports submitted

- **Application - Exam & Endorsement** – Vacant
No updates at this time
- **Budget** – Greg Gunter
No updates at this time
- **Community Relations** – Kathy Veon
No updates at this time
- **Consumer Protection** – Greg Gunter
No updates at this time
- **Continuing Education** – Janine Margewicz & Steve Moreau
No updates at this time
- **Legislative & Rules** – Herman Vega
No updates at this time
- **Unlicensed Activity** – Steve Moreau
No updates at this time
- **Healthy Weight Initiative** – Kathy Veon
No updates at this time

16. OLD BUSINESS

Peter Delia, PSU attorney spoke up and presented the Prosecution Services Report. See agenda item #3.

No old business.

NEW BUSINESS

17. Rule 64B1-9.007, F.A.C.; Advertising

Discussion related to the difference between a licensing term and a doctoral degree. Concern that licensees can use initials for a doctoral degree using this rule as justification. Diane will check into this matter and bring to next meeting.

Board staff will check to see if the verbiage on the licenses can be changed.

Board has requested September meeting be held in Tallahassee.

ADJOURN at 10:30

Next meeting: September 15, 2017