



State of Arizona Acupuncture Board of Examiners
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REGULAR MEETING
January 23, 2008

MINUTES

Board Members Present:

Della Estrada, L.Ac., Chairman
Toni Bennalley, L.Ac., Professional Member
Joe Balensi, L.Ac., Professional Member
Toni Karnas, Public Member
Rebecca Wilks, MD, MD(H), Professional Member
Yong Deng, L.Ac., Professional Member
Ross Adelman, Public Member

Board Members Absent:

Diane Pruetz, Public Member
Vacancy—Professional Member

Attorney General Representative:

Seth Hargraves

Administrative Staff:

Pete Gonzalez, Executive Director

I. Call to Order

Chairman Estrada called the meeting to order at 1:05 p.m.

II. Declaration of Conflicts of Interest

Board Member Toni Bennalley declared a conflict on the license application of Richard Ruth.

III. Discussion and Approval of Minutes

Board Member Bernalley moved the adoption of the minutes for the December 19, 2007 board meeting with Board Member Wilks providing a second. The Board approved the motion with a 7-0 vote.

IV. Consideration of Request for Approval of Acupuncture Program

The Executive Director provided the Board with an explanation of the application from the Acupuncture Center of Naples/Florida Health Academy. The Board discussed the application in detail and asked several questions of the Executive Director.

Board Member Deng moved for the approval of the acupuncture program from the Acupuncture Center of Naples/Florida Health Academy with Board Member Wilks providing a second. The Board approved the motion with a 7-0 vote.

The application of the Washington College of Acupuncture and Oriental Medicine was reviewed by the Board. Mr. Victor Fomo, the person requesting approval, addressed the Board and responded to some questions from the Board. Mr. Fomo provided a large amount of documentation with this application.

Board Member Bernalley moved for the approval of the acupuncture program from the Washington College of Acupuncture and Oriental Medicine with Board Member Adelman providing a second. The Board approved the motion with a 7-0 vote.

V. Applications for Licensure

Board Member Balensi moved for the approval of the applicants for licensure listed below with Board Member Bernalley providing a second. The Board approved the motion with a 7-0 vote.

Julia A. Eastman
David C. Chang
Sung Hyun Cho

Board Member Wilks moved for the approval of the applicant for licensure listed below with Board Member Balensi providing a second. The Board approved the motion with a 6-0 vote with Board Member Bernalley not voting.

Richard W. Ruth

VI. Professional Business—Review, Discussion and Action

The Board reviewed the proposed 2008 board meeting schedule. Board Member Estrada moved for the approval of the meeting schedule with Board Member Bernalley providing a second. The Board approved the motion 7-0.

Board Member Balensi moved for the approval of the fees for 2008 with Board Member Wilks providing a second. The motion was approved 7-0.

Board Member Balensi nominated Della Estrada for Board Chairman with Board Member Bernalley providing a second. The motion was approved 7-0.

Board Member Adelman nominated Joe Balensi for Board Secretary with Board Member Deng providing a second. The motion was approved 7-0.

The Executive Director reviewed the new Statement of Citizenship Requirement form for new applications and renewal applications.

A discussion took place on the Governor's Office proposal to consolidate a number of licensing boards. Board members expressed concerns over this proposal and wondered how business could be conducted in a timely manner. Board Member Adelman stated his opposition to this proposal because it runs counter to consumer protection and the citizens of the state. Board Member Balensi shared his concerns on the proposal and believes the individual boards provide the necessary "checks and balances" to protect and serve the general public.

Board Member Estrada moved for the Board to take a position in opposition to the board consolidation proposal with Board Member Adelman providing a second. The motion carried 6-0.

The Executive Director provided the Board with an update on HB 2019, the continuation bill, as recommended by the Sunset Review. The bill has been approved by the House Health and Rules committee and waiting for a vote by the Arizona House of Representatives.

A request by Andre Zitcer, L.Ac, regarding his consent agreement was reviewed and discussed by the Board.

Board Member Estrada provided a motion for the Board to enter Executive Session to receive legal advice. Board Member Balensi seconded the motion. The Board approved the motion with a 6-0 vote. The Executive Session started at 2:40 p.m.

The Board reconvened to the regular meeting session at 2:50 p.m.

Board Member Bernalley moved a motion to deny the request made by Andre Zitcer with Board Member Estrada providing a second. The motion was approved 6-0.

VII. Executive Director Report

The Executive Director reviewed the written report distributed to the Board. The Executive Director presented the Board with a status report on the number of active Licensed Acupuncturists (443) and certified Auricular Acupuncturists (66) in the state.

The Board was informed of the February 5, 2008 meeting of the Governor's Regulatory Review Council where the Board's rules are scheduled for approval.

Executive Director Gonzalez informed the Board that 812 individuals visited the Board website during the month of December.

VIII. Future Meeting Dates

February 27, 2008

March 26, 2008

IX. Call to the Public

Ms. Patricia Martin, with the Arizona Society of Oriental Medicine and Acupuncture, addressed the Board and spoke in opposition to the board consolidation issue. In addition, Ms. Martin asked that consideration be given to receive an email copy of the board meeting agenda prior to the meeting; meeting minutes posted immediately after a board meeting, and an opportunity for the public to speak on board agenda items.

X. Discussion of Items to be placed on a future meeting agenda

Board Member Estrada requested that an item be placed on the next meeting agenda to discuss the feasibility of conducting a board meeting in Tucson sometime in the future.

XI. Adjournment

Board Member Wilks moved for adjournment and Board Member Balensi provided a second. The motion passed by a vote of 6-0. The Board adjourned at 3:23 p.m.

Respectfully Submitted,



Pete Gonzalez
Executive Director

Approved by the Board: February 27, 2008