

# FLORIDA | Board of Acupuncture

December 7, 2018



**Draft Meeting Minutes**  
**Board of Acupuncture**  
**General Business Meeting**  
**December 7, 2018**  
**9 a.m.**

**Hyatt Regency Orlando**  
9801 International Dr.  
Orlando, Florida 32819  
(407) 284-1234

The meeting was called to order by vice-chair, Rodney Dunetz, at approximately 9:00 a.m.

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

**MEMBERS PRESENT:**

Rodney Dunetz, DAOM, AP, Dipl.Ac, Vice-Chair  
Steve Moreau, AP  
Janine Margewicz, AP  
Dave Heine, Consumer Member

**STAFF PRESENT:**

Kama Monroe, J.D. Executive Director  
Jacqueline Clahar-Anderson, RSII

**MEMBERS ABSENT:**

Herman Vega, Chair, AMD, PhD, AP, LMHC  
Greg Gunter, Consumer Member  
Kathy Veon, AP, DOM, Chair

**BOARD COUNSEL:**

Diane Guillemette, Esq., Board Counsel

**COURT REPORTER:**

Nancy Metzke  
(850) 926-2020

Ms. Monroe announced that Consumer Member, Greg Gunter resigned. She then read Mr. Gunter's written resignation to the board.

Motion: by Mr. Heine, to present Mr. Gunter with a "years of service" plaque. Motion carried.

*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.*

## **TAB 1: PROSECUTION SERVICES REPORT**

The prosecution services report was provided in the agenda materials. Ms. Monroe informed board members that the Prosecution Services Unit (PSU) had submitted a Motion requesting the board authorize (PSU) to continue prosecuting cases that are a year and older.

Motion: by Mr. Heine, seconded by Dr. Moreau, to allow PSU to continue prosecuting cases one year and older. Motion carried

## **REVIEW AND APPROVAL OF MINUTES**

### **TAB 2: September 21, 2018, General Business Meeting Minutes**

Motion: by Mr. Heine, seconded by Dr. Margewicz, to approve meeting minutes as corrected.  
Motion carried.

## **APPLICATIONS**

### **APPLICATION BY ENDORSEMENT-NCCAOM**

#### **TAB 3: Andres Nemeth, AP File #4608**

Applicant was present and sworn in.

**Action Taken:** After discussion, Dr. Dunetz moved to grant the license, Dr. Margewicz, seconded the motion. Motion carried.

#### **TAB 4: Michael Floren, File #4630**

Applicant was present and sworn in.

**Action Taken:** After discussion, Dr. Moreau moved to grant the license. Mr. Heine, seconded the motion. Motion carried.

#### **TAB 5: Jason Wechs, File #4518**

Applicant was present and sworn in.

**Action Taken:** After discussion, the applicant withdrew his application.

### **APPLICATION BY ENDORSEMENT-OUT OF STATE**

#### **TAB 6: Zunli Mo, AP File #4597**

Applicant was present and sworn in. Applicant verbally waived the ninety-day statutory requirement to act on the application.

**Action Taken:** After discussion, Dr. Dunetz moved to continue the application to the next meeting to allow the applicant the opportunity to provide either a NCCAOM certification in Oriental Medicine or the Missouri laws and rules at the time of licensure, Dr. Moreau, seconded the motion. Motion carried.

#### **TAB 7: Sarah Brooks Fiedler, File #4620**

Applicant was present and sworn in. Applicant withdrew application.

#### **TAB 8: Daniel Camburn, File #4576**

Applicant was present and sworn in.

**Action Taken:** After discussion, Dr. Moreau moved to grant the license. Dr. Margewicz, seconded the motion. Motion carried.

**TAB 9: Theresa Anderson, File #4627**

Applicant was present and sworn in.

**Action Taken:** After discussion, Dr. Margewicz moved to grant the license. Dr. Moreau, seconded the motion. Motion carried.

**RATIFICATION OF LICENSURE**

**TAB 10: Acupuncturist-9/1/2018-11/20/2018**

Ratification of Acupuncturist Licenses Issued from 9/1/2018 through 11/20/2018.  
Motion: by Mr. Heine, seconded by Dr. Moreau, to approve ratification of license numbers 3987-4007 issued from 9/1/2018 through 11/20/2018. Motion carried.

**GENERAL DISCUSSION**

**TAB 11: CE Provider List-9/1/2018-11/20/2018**

This item was placed on the agenda for informational purposes.

**TAB 12: CE Course Approved List-9/1/2018-11/20/2018**

This item was placed on the agenda for informational purposes.

**REPORTS**

**TAB 13: Board Chair Report**

There was no board chair report.

**Board Counsel Report – Robert Milne, Esq.**

**Rules Report**

- TAB 14: December 2018
- TAB 15: November 2018
- TAB 16: October 2018

Board counsel reviewed the rule reports, specifically the December report. She noted the approved change on Rule 64B1-4.001 (Acupuncture Program Requirements) became effective December 3, 2018. She added the other rule open is the application.

**Rules Discussion**

**TAB 17: Licensure by Endorsement Through National Certification.**

Ms. Guillemette provided board members a memorandum regarding the change to Rule 64B1-3.009. She read the proposed language (which added the word “active”) to the board members and requested they approve it.

Motion: by Dr. Dunetz, seconded by Dr. Moreau, to approve the proposed language for Rule 64B1-3.009. Motion carried.

Motion: by Mr. Heine, seconded by Dr. Moreau to find that a violation of this rule or any part of this rule would not be considered a minor violation. Motion carried.

Motion: by Mr. Heine, seconded by Dr. Moreau, that the proposed changes will not make an adverse impact on small business and proposed changes would not directly or indirectly increase

regulatory costs to any entity including government in excess of \$200,000.00 in aggregate in Florida within one year after the implementation of the rule. No SERC is needed and no legislative ratification is needed. Motion carried.

**TAB 18: JAPC Letter 64B1-4**

Board counsel Ms. Guillemette stated she received a letter from the Joint Administrative Procedures Committee (JAPC) on existing rule 64B1-4, Florida Administrative Code. Ms. Guillemette informed the board that most of the changes are technical; however, there is one area that the board should consider voting to change because there is a conflict.

After discussion,

Motion: by Dr. Dunetz to revise the language in 64B1-4.0015(6) to change the phrase “supervised clinical experience” to “supervised instruction”. Dr. Margewicz, seconded the motion. Motion carried.

Motion: by Mr. Heine, seconded by Dr. Moreau to find that a violation of this rule or any part of this rule would not be considered a minor violation. Motion carried.

Motion: by Mr. Heine, seconded by Dr. Margewicz, that the proposed changes will not make an adverse impact on small business and proposed changes would not directly or indirectly increase regulatory costs to any entity including government in excess of \$200,000.00 in aggregate in Florida within one year after the implementation of the rule. No SERC is needed and no legislative ratification is needed. Motion carried.

Motion: by Dr. Moreau to approve the JAPC letter with the addition of the change made today, Dr. Dunetz seconded the motion. Motion carried.

**TAB 19: JAPC Letter 64B1-8**

After discussion,

Motion: by Dr. Moreau to change the title of the rule to read “biomedical waste” and incorporate it by reference, seconded by Dr. Margewicz. Motion carried.

Motion: by Dr. Dunetz, seconded by Dr. Margewicz to find that a violation of this rule or any part of this rule would not be considered a minor violation. Motion carried.

Motion: by Dr. Dunetz, seconded by Dr. Moreau, that the proposed changes will not make an adverse impact on small business and proposed changes would not directly or indirectly increase regulatory costs to any entity including government in excess of \$200,000.00 in aggregate in Florida within one year after the implementation of the rule. No SERC is needed and no legislative ratification is needed. Motion carried.

**Executive Director Report-Kama Monroe**

**TAB 20: Acupuncture Application for Licensure**

Ms. Monroe informed the board that there were two proposed changes to the application. She identified the changes as one on page 6 of 15 removing the words “either Acupuncture or.” This change is proposed to make the instruction language match the rule. The second change was on page 11 of 15 replacing the current health history questions with the health history questions that came from the joint committee.

Motion: by Dr. Dunetz, to accept the proposed changes to the application, seconded by Dr. Margewicz. Motion carried.

Motion: by Dr. Dunetz, to amend rule 64B1-4.001 to change the revision date, seconded by Dr. Moreau. Motion carried.

Motion: by Mr. Heine, seconded by Dr. Margewicz to find that a violation of this rule or any part of this rule would not be considered a minor violation. Motion carried.

Motion: by Dr. Dunetz, seconded by Mr. Heine, that the proposed changes will not make an adverse impact on small business and proposed changes would not directly or indirectly increase regulatory costs to any entity including government in excess of \$200,000.00 in aggregate in Florida within one year after the implementation of the rule. No SERC is needed and no legislative ratification is needed. Motion carried.

### **TAB 21: Updates**

Executive Director, Kama Monroe, informed the board that Ms. Taylor was out of the office indefinitely. She requested, until further notice, that in lieu of sending emails to Ms. Taylor, board members email Ms. Monroe or Ms. Compagnone-Bolt to ensure their emails receive responses. The board was also informed that with the addition of Dontae Moore as their new processor, they are fully staffed.

### **TAB 22: Board Liaison Reports**

- **Application-Exam & Endorsement-Kathy Veon**  
Dr. Veon was not in attendance. There was no report.
- **Budget-Greg Gunter**  
Mr. Gunter was not present; therefore, no report at this time.  
Budget information was included in the agenda materials for informational purposes.
- **Community Relations-** Janine Margewicz  
There was no report at this time.
- **Consumer Protection-** Dave Heine  
There was no report at this time.
- **Continuing Education-** Janine Margewicz, Steve Moreau & Herman Vega  
There was no report at this time.
- **Legislative & Rules-** Kathy Veon  
Dr. Veon was not in attendance. There was no report.
- **Unlicensed Activity-** Steve Moreau  
Dr. Moreau noted that he has been receiving calls from acupuncturists regarding unlicensed activity. He requested how he can obtain more information. Board counsel noted the difference between unlicensed activity and disciplinary action complaints. She directed Dr. Moreau to locations where he can obtain additional information.
- **Healthy Weight Initiative-** Rodney Dunetz  
There was no report at this time.

### **OLD BUSINESS**

## **TAB 23: NEW BUSINESS**

### Election of Officers

Motion by Dr. Dunetz to nominate Dr. Veon to serve as chair, Dr. Margewicz, seconded the motion. Motion carried.

Motion by Dr. Moreau to nominate Dr. Dunetz to serve as vice-chair, Dr. Margewicz, seconded the motion. Motion carried.

Motion by Dr. Dunetz to nominate Dr. Veon to serve as application exam and endorsement liaison, Dr. Moreau, seconded the motion. Motion carried.

Motion by Dr. Dunetz to nominate Mr. Heine to serve as budget liaison, Dr. Moreau, seconded the motion. Motion carried.

Motion by Dr. Dunetz to nominate Dr. Margewicz to serve as community relations liaison, Dr. Moreau, seconded the motion. Motion carried.

Motion by Dr. Dunetz to nominate Mr. Heine to serve as consumer protection liaison, Dr. Moreau, seconded the motion. Motion carried.

Motion by Dr. Dunetz to nominate Dr. Margewicz to serve as continuing education liaison, Dr. Moreau, seconded the motion. Motion carried.

Motion by Dr. Dunetz to nominate Dr. Veon to serve as continuing education liaison, Dr. Moreau, seconded the motion. Motion carried.

Motion by Dr. Dunetz to nominate Dr. Moreau to serve as continuing education liaison, Dr. Margewicz, seconded the motion. Motion carried.

Motion by Dr. Dunetz to nominate Dr. Moreau to serve as unlicensed activity liaison, Dr. Margewicz, seconded the motion. Motion carried.

Motion by Dr. Moreau to nominate Dr. Dunetz to serve as healthy weight initiative liaison, Dr. Margewicz, seconded the motion. Motion carried.

## **TAB 24: PUBLIC COMMENT**

There was no public comment.

## **ADJOURN:**

Next Meeting Date and Location: March 29, 2019-Boca Raton