

Pursuant to Assembly Bill 361, members of the License Review Board and staff will participate in this meeting via teleconference or other electronic means.

PARTICIPATE BEFORE THE MEETING by emailing Revenue@TorranceCA.GOV and write “Public Comment” in the subject line. In the body of the email include the item number and/or title of the item with your comments.

MEMBERS OF THE PUBLIC MAY VIEW AND PARTICIPATE IN THE MEETING via Zoom by using the following link or by calling in with the phone number listed below:

Link: <https://us02web.zoom.us/j/87817714007?pwd=elpac0VzZmZ0LzNCT0luVUJDdFQzdz09>

Phone number: 1-669-900-6833

Meeting ID: 878 1771 4007

Passcode: 582891

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk’s office at (310) 618-2780. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28CFR35.102-35.104 ADA Title II]

Direct questions or concerns to the Suzanne Bittner at (310) 618-5923 or individual department head prior to submission to the Board. Parties will be notified if the complaint will be included on a subsequent agenda.

**TORRANCE LICENSE REVIEW BOARD AGENDA
THURSDAY, April 7, 2022
REGULAR MEETING**

10:00 A.M. VIA TELECONFERENCE OR OTHER ELECTRONIC MEANS

1. CALL TO ORDER

2. ROLL CALL

License Review Board Members – Botiller ____, Chun ____, Chair Smith ____
Alternate License Review Board Members – Harris ____, Rumery ____

3. REPORT OF STAFF ON THE POSTING OF THE AGENDA

The agenda was posted on the Public Notice Board at 3031 Torrance Boulevard and on the City’s website on Friday April 1, 2022.

4. ANNOUNCEMENT OF WITHDRAWN, DEFERRED, AND/OR SUPPLEMENTAL ITEMS.

5. ORAL COMMUNICATIONS (Limited to a 30 minute period)

This portion of the meeting is reserved for public comment on items not on the agenda under the subject matter of the License Review Board. Under the Ralph M. Brown Act, Board Members cannot act on items raised during public comment but may respond briefly to statements made or questions posed; request clarification; or refer the item to staff. Speakers under this Public Comment period will have no longer than 3 minutes per speaker. Please do not use Bluetooth or speaker devices, mute the volume on your television or other electronic devices and speak clearly. Your phone call to the Board meeting will be recorded as part of the meeting. By staying on the line and making public comment during the meeting, you are agreeing to have your phone call recorded.

6. Consent Calendar

Matters listed under the Consent Calendar are considered routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, that item will be removed by a Board Member from the Consent Calendar and considered separately.

6A. APPROVAL OF MINUTES: Thursday March 3, 2022

7. ADMINISTRATIVE MATTERS

7A. XH Massage, application for a business license to allow the operation of a massage establishment.

8. PUBLIC HEARINGS (IF APPLICABLE MUST BE PUBLISHED IN NEWSPAPER)

9. BOARD ORAL COMMUNICATIONS

10. ADJOURNMENT

10A. Adjournment of License Review Board Meeting to Thursday April 21, 2022, at 10:00 a.m. Pursuant to Assembly Bill 361, members of the Board and staff will participate in this meeting via teleconference or other electronic means.

**MINUTES OF A REGULAR MEETING OF
THE LICENSE REVIEW BOARD**

1. CALL TO ORDER

The Torrance License Review Board convened in a regular session at 10:00 a.m. on Thursday, March 3, 2022, via teleconference or other electronic means.

2. ROLL CALL

Present: Chairman Michael Smith, City Manager's Office
Board Member Jason Botiller, General Services
Board Member Jin Chun, Office of Cable and Community Relations

Also Present: Deputy City Attorney Brandon Gonzaque
License Supervisor Suzanne Bittner

3. REPORT OF STAFF ON THE POSTING OF THE AGENDA

MOTION: Member Botiller, seconded by Member Chun moved to accept and file the report of the City Clerk on the posting on the agenda for this meeting. A roll call vote reflected unanimous approval.

4. ANNOUNCEMENT OF WITHDRAWN, DEFERRED, AND/OR SUPPLEMENTAL ITEMS

None

5. ORAL COMMUNICATIONS

None

6. CONSENT CALENDAR

6A. APPROVAL OF MINUTES: Thursday, January 6, 2022

MOTION: Member Botiller moved to approve the minutes for the meeting held on January 6, 2022, as submitted. The motion was seconded by Member Chun and the motion passed.

7. ADMINISTRATIVE MATTERS

7A. ORGANIC THAI MASSAGE & NAIL SPA, LLC

Application for approval of a Business License to allow the operation of a massage establishment

Nirawan Bupphakorn owner of Organic Thai Massage & Nail Spa, LLC confirmed her application for a business license to allow the operation of a massage establishment, located at 3535 Torrance Blvd; #4, Torrance, and verified that she had met with the Police Department and understood the rules and regulations pertaining to this type of business.

In response to questions from Member Botiller, Ms. Bupphakorn stated that she had repaired the wall paper and hired one massage therapist.

Responding to questions from Deputy City Attorney Gonzaque. Ms. Bupphakorn confirmed that: she was responsible for all activities that occurred at the business, whether she was present on site or not, including the activities of the employees, that she or any employees providing massages would need to be licensed by the California Massage Therapy Council, that she needed to maintain an up-to-date list of her employees with the Finance Department and inform the Finance Department if she hired any employees or let any employees go and that if she or any of her employees performed any illegal or illicit acts, in violation of California Penal Code, California Health and Safety Code or the Torrance Municipal Code or any other laws, she could be held responsible, she could have her business license suspended or revoked and if she or an employee violated the California Penal Code, the California Health and Safety Codes or the Torrance Municipal Code or any other laws, she could also be prosecuted in a criminal court of law.

MOTION: Member Botiller moved to approve the application for a business license to allow the operation of a massage establishment to Organic Thai Massage & Nail Spa, LLC, located at 3535 Torrance Blvd; #4 in Torrance. The motion was seconded by Member Chun and a roll call vote reflected unanimous approval.

License Supervisor Bittner stated that she would mail the business license to Ms. Bupphakorn.

7B. YUMIKO MASSAGE SPA

Application for approval of a Business License to allow the operation of a massage establishment

Yujing Wang, owner of Yumiko Massage Spa, confirmed her application for a business license to allow the operation of a massage establishment, located at 3134 Pacific Coast Highway in Torrance and verified that she had met with the Police Department and understood the rules and regulations pertaining to this type of business.

In response to questions Member Botiller, Ms. Wang stated that she had changed the carpeting, painted the facility and confirmed that she would no longer work at a spa in Cerritos, but be full time at Yumiko Massage Spa. She explained that she would be able to handle the front desk as the spa was not busy, but noted that when the business had more customers, she would hire a receptionist.

Deputy City Attorney Gonzaque confirmed that it was his understanding that the front door of a business would need to remain unlocked during operating business hours.

Responding to questions from Deputy City Attorney Gonzaque. Ms. Wang confirmed that: she was responsible for all activities that occurred at the business, whether she was present on site or not, including the activities of the employees, that she or any employees providing massages would need to be licensed by the California Massage Therapy Council, that she needed to maintain an up-to-date list of her employees with the Finance Department and inform the Finance Department if she hired any employees or let any employees go and that if she or any of her employees performed any illegal or illicit acts, in violation of California Penal Code, California Health and Safety Code or the Torrance Municipal Code or any other laws, she could be held responsible, she could have her business license suspended or revoked and if she or an employee violated the California Penal Code, the California Health and Safety Codes or the Torrance Municipal Code or any other laws, she could also be prosecuted in a criminal court of law.

In response to a question from Chairman Smith, License Supervisor Bittner stated that the Business Office accepted either a copy of the current license certificate or a copy of the card from the California Massage Therapy Council as proof. Chairman Smith stated that either was sufficient, as long as the Board could see proof in the application that the license was active.

MOTION: Member Botiller moved to approve the application for a business license to allow the operation of a massage establishment to Yumiko Massage Spa, located at 3134 Pacific Coast Highway in Torrance. The motion was seconded by Member Chun and a roll call vote reflected unanimous approval.

8. **PUBLIC HEARINGS (IF APPLICABLE MUST BE PUBLISHED IN NEWSPAPER)**

None

9. **BOARD ORAL COMMUNICATIONS**

Chairman Smith and Member Botiller welcomed Member Chun to the Board and thanked Member Wand for her time on the Board.

10. **ADJOURNMENT**

10A. **MOTION:** At 10:17 a.m., Member Botiller moved to adjourn the meeting to Thursday, March 17, 2021 at 10:00 a.m. via teleconference or other electronic means. The motion was seconded by Member Chun and a roll call vote reflected unanimous approval.

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LICENSE REVIEW BOARD MEETING
APRIL 7, 2022

ITEM NO. 7. A. – XH MASSAGE

BACKGROUND

Xiuhua Chen owner of XH Massage has made an application for approval of a business license to allow the operation of a massage establishment. The business is located at 1730 W Sepulveda Boulevard, Suite 5 in Torrance.

ANALYSIS

Per Section 31.7.3 subsection 25) of the Torrance Municipal Code, applications for a massage establishment must have License Review Board approval before issuance of the license.

RECOMMENDATION

The License Division recommends approval of the business license.

Attachment A: Business License Application

Attachment B: Form 100E and Massage Therapist's Certificate

Attachment C: Lease Agreement, applicable pages

Attachment D: Police Department Reports



City of Torrance, Revenue Division
 Business License Application
 3031 Torrance Blvd, Torrance, CA 90503
 (P) 310-618-5923 (F) 310-618-5852
 revenue@torrancaca.gov

SELECT APPLICABLE BOX:

NEW APPLICATION CHANGE OF OWNERSHIP (greater than 50%)
 CHANGE OF BUSINESS LOCATION CHANGE OF NAME (Only)

PART I. APPLICANT TO ANSWER ALL QUESTIONS IN THIS SECTION (print or type)

BUSINESS NAME OR DBA: XH Massage CORPORATE NAME (LEGAL ENTITY NAME IF DIFFERENT FROM BUSINESS NAME OR DBA):

1. BUSINESS LOCATION (*physical business address - see note below)
1730 West Sepulveda Blvd., Suite# 5 City Torrance State CA ZIP 90501
 2. MAILING ADDRESS OR PO/PMB BOX (required): Suite# City State ZIP

3. IS THE BUSINESS LOCATED AT A RESIDENTIAL ADDRESS (*select one)? YES NO HOME OCCUPATION PERMIT#: EMAIL ADDRESS:

NATURE OF BUSINESS (description of business activity in detail):
Massage therapy

FOR A BUSINESS LOCATED IN TORRANCE PROVIDE THE PRIMARY STANDARD INDUSTRY (SIC) CODE(S) (**see note below): STATE WASTE DISCHARGER IDENTIFICATION NUMBER (WDID#) (**if applicable - see note below):

TECHNOLOGY BUSINESS (select one): YES NO
 Definition: A business entity utilizing scientific equipment and engineering techniques, microelectronics, data processing, genetic engineering, or telecommunications.

RETAIL BUSINESS - WILL YOU BE SELLING CBD PRODUCTS? (select one): YES NO
 Definition: CBD is the cannabidiol compound derived from industrial hemp, cannabis or otherwise.

CONTACT NAME: Xinhua chen CONTACT TITLE: owner CONTACT PHONE#: BUSINESS PHONE#: CELL PHONE#: [REDACTED]
 DRIVERS LICENSE OR OTHER GOVERNMENT SOCIAL SECURITY# (optional) # OF PEOPLE WORKING IN TORRANCE: # OF UNITS (apartments/hotels/mobile homes/vehicles):

FEDERAL TAX ID# (FEIN): STATE TAX ID# (SEIN): STATE CONTRACTORS LICENSE #: STATE SELLERS PERMIT#:

OWNERSHIP INFORMATION (check applicable box): CORPORATION LLC PARTNERSHIP SOLE OWNERSHIP

NAMES OF OWNER, PARTNERS, OR PRINCIPAL OFFICERS: TITLE: NAMES OF OWNER, PARTNERS OR PRINCIPAL OFFICERS: TITLE:
XIUHUA CHEN OWNER

I declare that I am the owner, partner, corporate officer or person with the power of attorney, and I understand if any of the information provided above is not true the business license being applied for may be revoked as outlined in section 31.9.10 of the Torrance Municipal Code.
 I am duly authorized to make this application. All of the information provided in this application is true and correct. The business will not provide any service, good or product which is illegal under Federal, State, or Local Laws. I declare under penalty of perjury that the foregoing is true and correct.

SIGNATURE: DATE: 1/3/2022

PART II. FEE INFORMATION (SEE NOTE)
 BASIC FEE: PROCESSING FEE: STATE FEE: PER PERSON FEE: PER UNIT FEE:
 OTHER FEES: PENALTY FEE: TOTAL AMOUNT: Business License Application # BL-APP: Business License # BL-LIC:

NOTES:
 * FOR A RESIDENTIAL BUSINESS ADDRESS YOU ARE NOT REQUIRED TO PROVIDE IT. IF YOU DO NOT WANT TO PROVIDE THE RESIDENTIAL ADDRESS PLEASE LEAVE BOX #1 BLANK AND SELECT YES UNDER BOX #3. FOR A RESIDENTIAL ADDRESS IN TORRANCE YOU WILL FIRST REQUIRE A HOME OCCUPATION PERMIT#.
 ** ACCESS THE BUSINESS SIC CODE(S) AT UNITED STATES DEPARTMENT OF LABOR WEBSITE: https://www.osha.gov/pls/lmis/sic_manual.html
 *** ACCESS INFORMATION FOR AN INDUSTRIAL BUSINESS REQUIRING A WDID# FROM THE CALIFORNIA STATE WATER RESOURCES CONTROL BOARD WEBSITE: https://www.waterboards.ca.gov/water_issues/programs/stormwater/industrial.html

NAMES AND ADDRESSES OF PERSONS WITH WHOM APPLICANT HAS BEEN EMPLOYED FOR THE LAST FIVE YEARS:

Anna Foot SPA
XH Massage =
XH Massage =

NAMES AND ADDRESSES OF THREE RESPONSIBLE PERSONS WHO HAVE KNOWN APPLICANT FOR MORE THAN THREE YEARS:

Teresa Wong:
Yunxia Jia:
Tommy Zhou:

LIST ANY AND ALL MISDEMEANOR AND FELONY CONVICTIONS FOR VIOLATIONS OF ANY LAW, EVEN IF THE CONVICTION WAS DISMISSED OR
EXPUNGED, PER CALIFORNIA PENAL CODE 1203.4 ET. SEQ. Failure to list all convictions is grounds for DENIAL of the license. (IF ADDITIONAL
SPACE IS NEEDED PLEASE ATTACH ADDITIONAL SHEETS)

N/A

A LETTER AUTHORIZING APPLICANT TO REPRESENT SAID PERSON, FIRM OR CORPORATION IS HEREWITH ATTACHED.

[Redacted Signature]

DESCRIPTION OF APPLICANT
[Redacted Description]

FOR OFFICIAL USE ONLY

APPROVED BY: _____
CHIEF OF POLICE DATE LIC [Redacted]
DISAPPROVED BY: _____
CHIEF OF POLICE DATE LICENSE REVIEW BOARD DATE



CALIFORNIA
MASSAGE THERAPY
COUNCIL

CERTIFIED
MASSAGE
PRACTITIONER

Xiu Hua Chen
Cert # 68019

Expires 04-28/22



BETWEEN

Attachment C

1730 SEPULVEDA LLC and WESTERN TOWNE PLAZA LLC

LANDLORD

AND

XIUHUA CHEN

d/b/a/

XH Massage

TENANT

Landlord hereby leases to Tenant and Tenant hereby hires from Landlord the premises hereinafter described in the terms and conditions set forth in this Lease Agreement, hereinafter called the "Lease".

BASIC LEASE PROVISIONS

The following Basic Lease Provisions constitute an integral part of the Lease and are incorporated into the Lease by this reference.

- A. Date: 12/21, 2021
- B. Landlord: 1730 SEPULVEDA LLC, a California limited liability company and WESTERN TOWNE PLAZA LLC, a California limited liability company, as tenants-in-common
- C. Tenant: XIUHUA CHEN, an individual
- D. Tenant's Trade Name: *XH Massage*
- E. Shopping Center: The property particularly described and depicted on the Plot Plan marked Exhibit "B" (the "Shopping Center"), located at:

City: Torrance
County: Los Angeles
State: California

Address of Premises:

1730 West Sepulveda Boulevard, #5 Torrance, California 90501

F. Premises:

G. Use of Premises:

H. Initial Term:

I. Initial Minimum Monthly Rent:

J. Deposits:

K. [Intentionally Omitted]

L. Landlord's Address for Notices:

1730 SEPULVEDA LLC/ WESTERN TOWNE PLAZA LLC
2716 Ocean Park Blvd., Suite 2025
Santa Monica, California 90405
Attention: Christopher Chase, General Counsel

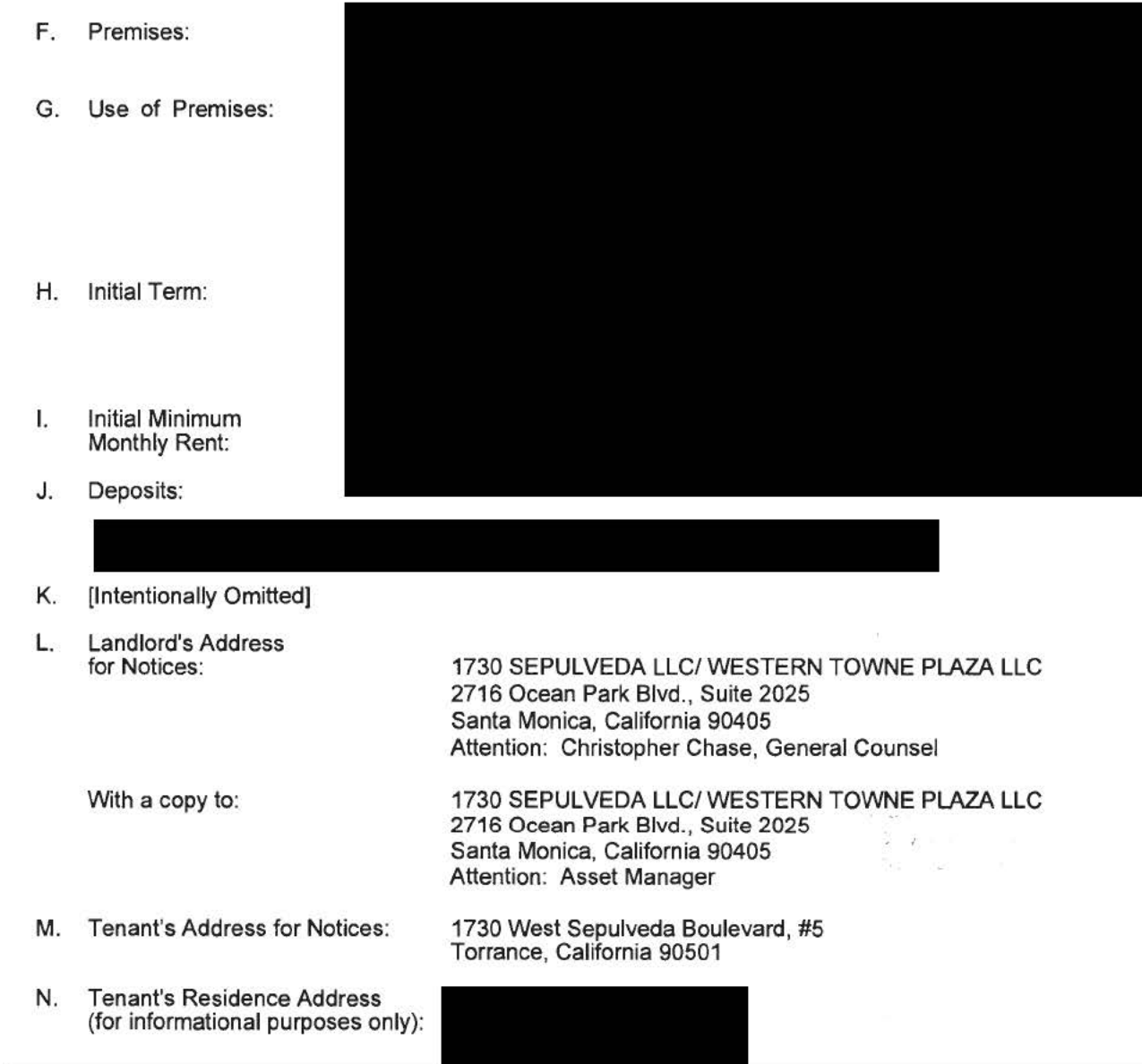
With a copy to:

1730 SEPULVEDA LLC/ WESTERN TOWNE PLAZA LLC
2716 Ocean Park Blvd., Suite 2025
Santa Monica, California 90405
Attention: Asset Manager

M. Tenant's Address for Notices:

1730 West Sepulveda Boulevard, #5
Torrance, California 90501

N. Tenant's Residence Address (for informational purposes only):



LANDLORD:

1730 SEPULVEDA LLC, a California limited liability company

By: Watt Properties, Inc., a California corporation, its
Authorized Agent



Alison M. Lynch
Its: President

Date: 12/21/21

WESTERN TOWNE PLAZA LLC, a California limited liability company

By: Watt Properties, Inc., a California corporation, its
Authorized Agent

Signed by:


By: Alison M. Lynch
Its: President

Date: 12/21/21

TENANT:



XIUHUA CHEN, an individual

Date: 12/20/21



Torrance Police Department Intelligence Detail
License Review Interview Summary
Detective Lucas Ryono [REDACTED]

To:
Suzanne Bittner
License Supervisor

Date: March 23, 2022

From:
Detective Lucas Ryono
Intelligence Section

Subject:
"XH Massage"
1730 W. Sepulveda Blvd; #5, Torrance, CA 90501
[REDACTED]

License Review Board Hearing – April 7, 2022

Licensees Interviewed:
Xiuhua Chen (Owner)
[REDACTED]

Translator: Luosha "Teresa" Wong
[REDACTED]

On 23 MAR 22, I interviewed Ms. Xiuhua Chen regarding her application for a business license for "XH Massage," located at 1730 W. Sepulveda Blvd, Unit 5, Torrance, CA. Ms. Chen is primarily a Mandarin speaker and she used her friend, Teresa Wong, as a translator during our interview.

Ms. Chen will be opening a new business at the location. Ms. Chen will be the sole owner. Ms. Chen has worked in the massage industry for 8 years. She obtained her Massage Therapy Council certificate in 2014 and has owned several massage businesses since then. She currently owns and operates a massage business in Camarillo (XH Massage, 2120 E. Ponderosa Dr.). She previously operated two XH Massage locations at the Del Amo Mall (3525 Carson, #83 and #11). One of the locations was a mall kiosk and the other was a full service massage business. Del Amo recently stopped allowing massage kiosks and also decided to lease their other location to a different business.

The current business will be providing body and foot massage by appointment and "walk-in" type customers.

Ms. Chen will be managing the business and providing massage. She currently plans to hire no additional licensed massage therapist until business improves.

An inspection of the establishment (specific to the concerns of law enforcement) was met as required by TMC Section 35.14.080 and 35.14.090.

Ms. Chen was advised of the laws regulating her occupation, and she was provided with a "Torrance Municipal Section Highlights" form, which detailed these laws and regulations. I completed a Massage Establishment Licensing Interview Questionnaire with her which she signed indicating that she understood the laws regulating this occupation. Ms. Chen was advised to strictly adhere to record keeping and hours of operation, as well as all the other rules and regulations that apply to the massage business.



Detective Lucas Ryono
Intelligence Section



Torrance Police Department
 Acupuncture/Massage Establishment Licensing Interview
 Questionnaire

Interpreter LUOSHA "TERESA" WONG Language MANDARIN



General Information

Business Name XH MASSAGE Phone [REDACTED]

Licensee(s) XIUHUA CHEN [REDACTED]

Who are the sole owners? XIUHUA CHEN

Is the business incorporated? N/A

Are there other officers owners in the company? _____

Business Address 1730 WEST SEPULVEDA BLVD, #5

How Long Has This Business Been Operating? NEW



Company History

Past Businesses

Have you been in the acupuncture/massage business before? YES (8 YEARS)

Location address? XH MASSAGE-DEL AMO MALL - 3525 CARSON #83 8 H/1 KIOSK

How long? CERTIFIED 8 YEARS, OPERATED 4 OTHER BUSINESSES,

Do you own any other businesses? YES - XH MASSAGE in Camarillo

Location address? 2120 E. PONDEROSA DR, CAMARILLO, CA 93010

Record in Other Cities (If Applicable)

In what other cities is the company licensed?

CAMARILLO, CA

Has the company had problems/issues in any of these cities? What problems/issues? How were the problems/issues resolved?

No.

Have you ever had your business license revoked or suspended? For what reason(s)?

No

Have you responded to all open complaints (Better Business Bureau or Department of Consumer Affairs) in any other business you have owned? How were the complaints resolved?

N/A



Business Inspection

The Following Conditions (Specific to the Concerns of Law Enforcement) Have Been Met As Required By TMC Section 35.14.080 and 35.14.090:

CR XMC Minimum lighting shall be provided in accordance with the Uniform Building Code, and either natural light per CA Building Code (CBC) 1205.2 or artificial light per CBC 1205.3.

CR XMC A massage table will be used for all massage therapy with the exception of "Thai," "Shiatsu," and similar forms of therapy. Those may be provided on a padded mat on the floor provided the patron is fully attired in loose clothing or similar garment. Massage tables are required to be a minimum of 18 inches from the floor. **Beds, floor mattresses and waterbeds are not permitted on the premises of the business or establishment (35.14.080 (d)).**

CR XMC All exit doors will be kept unlocked during business hours.

CR XHC Closed cabinets shall be utilized for the storage of clean linen. All massage tables will be covered with a clean sheet or other clean covering for each patron. After use, each covering will be deposited in a closed receptacle and not used until properly sanitized in the immersion of water at least 140 degrees Fahrenheit for not less than 15 minutes. An adequate supply of clean linens will be maintained.

CR XHC The massage business must display the State Certificate (California Massage Therapy Council) of each massage therapist in a location so that it can be readily seen by persons entering the business.

CR XHC All massage rooms, toilet rooms, pools, showers, bathtubs, steam rooms saunas, Jacuzzis and all other physical facilities will be thoroughly cleaned and disinfected as needed and at least once each business day the premises is open and in use.

CR XHC The patron's genitals, pubic area, anus, and female patron's breasts below a point immediately above the top of the areola must be fully draped at all times while any employee of the business or establishment is in the massage therapy room with the patron. No massage therapy will be provided to a patron that results in intentional contact, or occasional and repetitive contact, with the genitals, anus, or areola of a patron.

CR XHC An owner of a massage business shall be responsible for the conduct of all employees or independent contractors working on the premises of the business (Torrance Municipal Code (TMC) 35.14.120(a)).

CR XHC Each operator of a massage or acupressure establishment shall maintain a record of the date, time, name of customer, address of the customer, date of birth of the customer, type of service provided, and the licensed person supplying such service. The name, address and date of birth must be verified using legal identification prior to any service. Such records shall be open to inspection by health officials or police officers at all times, on the premises of the massage or acupressure establishment. Such records shall be kept for a minimum of not less than one year. The information contained in such records shall be used only for the purpose of enforcing this Article, as well as other applicable laws, and shall otherwise be confidential. It shall be unlawful for any person to disclose such information for any unauthorized purpose.

CR XHC 35.14.050 T.M.C. Hours of Operation.

No massage business or establishment will provide massage therapy to the public for compensation between the hours of 9:00 P.M. and 8:00 A.M. of the following day. The massage business or establishment must close and all patrons must leave the massage business or establishment by 9:00 P.M.



Local Codes and State Laws

Acupuncture Standards of Practice (State Requirements)

An acupuncturist is allowed to engage in the practice of acupuncture, electro acupuncture, perform or prescribe the use of oriental massage, acupressure, moxibustion, cupping, breathing techniques, exercise, heat, cold, magnets, nutrition, diet, herbs, plant, animal, and mineral products, and dietary supplements to promote, maintain, and restore health pursuant to Business & Professions Code Section 4937.

1399.450. Condition of Office.

1. (a) Every acupuncture office shall be maintained in a clean and sanitary condition at all times, and shall have a readily accessible bathroom facility in accordance with Title 24, Part 2, Building Standards Code Sections 494A.1 and 1994 Uniform Building Code Section 2902.3.

1399.451. Treatment Procedures.

In treating a patient, an acupuncturist shall adhere to the following procedures:

1. (a) The acupuncturist's hands shall be brush-scrubbed with soap and warm water immediately before examining patients or handling acupuncture needles and other instruments, and between patients.
2. (b) All instruments shall be sterilized before and between uses in a manner which will destroy all microorganisms. All needle trays which contain sterile needles shall also be sterile. Each time instruments are sterilized, the acupuncturist shall use a tape or strip indicator which shows that sterilization is complete.
3. (c) Acupuncture points, where needles are to be inserted, shall be cleaned with an appropriate antiseptic before insertion of the needle.
4. (d) In the event an acupuncture needle inserted in a patient breaks subcutaneously, the treating acupuncturist shall immediately consult a physician. An acupuncturist shall not sever or penetrate the tissues in order to excise such a needle.
5. (e) Any complication, including but not limited to, hematoma, peritonitis or pneumothorax arising out of acupuncture treatment shall be referred immediately to a physician or dentist or podiatrist, if appropriate, if immediate medical treatment is required..
6. (f) Acupuncture shall not be performed using hypodermic needles.
7. (g) All instruments to be discarded shall be disposed of safely.
8. (h) Needles shall be disposed of by placing them in a sealed, unbreakable container marked "Hazardous Waste" and disposed of in accordance with state and local law.

1399.453. Record keeping.

An acupuncturist shall keep complete and accurate records on each patient who is given acupuncture treatment, including but not limited to, treatments given and progress made as a result of the acupuncture treatments.

1399.454. Single Use Needles.

An acupuncturist shall use needles labeled for single use only that meet the requirements of federal regulations 21 CFR Part 880.5580 (61 FR 64617, December 6, 1996). It shall constitute unprofessional conduct for an acupuncturist to use a needle more than once.

1399.455. Advertising.

1. (a) A licensed acupuncturist may advertise the provision of any acupuncture services authorized to be provided by such licensure in a manner authorized by Section 651 of the code so long as such advertising does not promote the excessive or unnecessary use of such services.
2. (b) It is improper advertising as provided in Section 4955 of the code to disseminate any advertising which represents in any manner that the acupuncturist can cure any type of disease, condition or symptom.
3. (c) It is improper advertising as provided in Section 4955 of the code to disseminate any advertising of a practice, technique or procedure which is not within the scope of the practice of acupuncture as defined in Section 4927 and 4937 of the code and which is the unlawful practice of medicine.

1399.456. Use of the Title "Doctor."

It is unprofessional conduct for an acupuncturist to use the title "Doctor" or the abbreviation "Dr." in connection with the practice of acupuncture unless he or she possesses a license or certificate which authorizes such use or possesses an earned doctorate degree from an accredited, approved or authorized educational institution as set forth under Article 4 (commencing with section 94760) of Chapter 7 of Part 59 which is in acupuncture, Oriental medicine, a biological science, or is otherwise related to the authorized practice of an acupuncturist as set forth in Sections 4927 and 4937 of the Code.

The use of the title "Doctor" or the abbreviation "Dr." by an acupuncturist as authorized above without further indicating the type of license, certificate or degree which authorizes such use, constitutes unprofessional conduct.

Is the Licensee(s) aware of applicable local codes and state laws?

XHC

Has the Licensee(s) received a copy of the "Massage Therapy Regulations?"

XHC

Does the Licensee(s) know how to contact the police department?

XHC



Information Confirmation

I (We), as a licensee(s), fully understand all of the above information and will abide by all the rules and regulations that govern acupuncture/massage businesses. I confirm that all of the above listed information is correct.

[Redacted]

Licensee(s)

3/23/22

Date

License(s) or Designated Representative

[Redacted]

3-23-22

Date