



STATE OF IOWA

CHESTER J. CULVER
GOVERNOR

PATTY JUDGE
LT. GOVERNOR

IOWA BOARD OF MEDICINE
ANN E. MOWERY, Ph.D., EXECUTIVE DIRECTOR

December 10, 2007

Vivianne Kaberna
Laser Concepts of Iowa
1605 SE Delaware, Suite L
Ankeny, IA 50021-4595

Re: 01-2007-0529

CERTIFIED MAIL

NOTICE TO CEASE AND DESIST

Dear Ms. Kaberna:

The Iowa Board of Medicine (hereinafter "the Board") serves as the licensing board for acupuncture, medicine and surgery in Iowa. It has come to the attention of the Board that you are providing cold laser therapy to consumers on acupuncture points for smoking cessation, weight loss and pain management. You are not licensed in the State of Iowa to practice acupuncture under Iowa Code chapter 148E (2007). Therefore, you must **CEASE AND DESIST** from holding yourself out to the public as practicing acupuncture and from engaging in any conduct that constitutes the practice of acupuncture in Iowa.

Iowa Code section 148E.1(1) defines "acupuncture" as a form of health care that "employs oriental medical diagnosis and treatment, and adjunctive therapies and diagnostic techniques. . . ." Section 148E.1(4) further defines the "practice of acupuncture" as

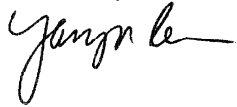
. . .the insertion of acupuncture needles and the application of moxibustion to specific areas of the human body based upon oriental medical diagnosis as a primary mode of therapy. Adjunctive therapies within the scope of acupuncture may include manual, mechanical, thermal, electrical, and electromagnetic treatment, and the recommendation of dietary guidelines and therapeutic exercise based on traditional oriental medicine concepts.

A person who is engaged in the practice of acupuncture is required to obtain a license for that purpose. See Iowa Code § 147.2. In the event a person engages in the practice of acupuncture without a license issued by the Iowa Board of Medicine, the office of the Iowa Attorney General is authorized to file a civil action against that person in a state district court to obtain a permanent injunction prohibiting that person from engaging in the unauthorized practice of medicine or acupuncture. See Iowa Code §§ 147.83 and 147.92. Furthermore, such unlicensed practice could subject you to criminal charges.

You are hereby warned that you must **CEASE AND DESIST** from in any way holding yourself out to the public as practicing acupuncture, as you do not hold a license as required by law. If the Board of Medicine receives information that you have engaged in the unauthorized practice of acupuncture, or held yourself out to the public as practicing acupuncture, after the date you receive this letter, a civil injunction action may be filed against you by the office of the Iowa Attorney General, and/or the case may be referred to the county attorney for consideration of criminal prosecution.

I would strongly advise you to contact your attorney to seek advice regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Yasyn Lee". The signature is fluid and cursive, with a long horizontal stroke at the end.

Yasyn Lee, M.D., Chairperson
Iowa Board of Medicine
400 SW 8th Street, Suite C
Des Moines, Iowa 50309-4686