LA BOARD OF CHIROPRACTIC EXAMINERS

SUMMARY OF MINUTES

**BOARD MEETING – JANUARY 19, 2017**

Members Present: Dr. Ned J. Martello, Vice-President; Dr. R. Buckley VanBreemen, Secretary-Treasurer; Dr. Michael Cavanaugh; Dr. Mark B. Kruse; Dr. Denise D. Rollette; Dr. Joseph E. Turk.

Members Absent: Dr. Jon E. Zeagler, President.

Staff Present: Patricia A. Oliver, Executive Director

Shellie Hebert-Schmidt, Administrative Assistant

Legal Counsel: Jeddie Smith, Asst. Attorney General.

Audience: Dr. Jay Perniciaro, DC, Donaldsonville, LA.

Meeting called to order at 8:48 a.m., Dr. Ned J. Martello, Vice-President, presiding due to absence of Dr. Zeagler.

The **minutes** of the 12/15/2016 meeting were mailed to all Board members. Dr. Martello notes the word, “documentation” should have been included in the motion on CE requirements for the CE clarification. Motion made by Dr, Martello, seconded by Dr. VanBreemen, to add the world “documentation” to the “ethics/risk management”. Motion made by Dr. VanBreemen, seconded by Dr. Kruse, to accept the minutes as amended. With no objections, motion carries unanimously.

**PUBLIC COMMENT:**

#### None.

**STANDING COMMITTEE REPORTS**

1. **FINANCE COMMITTEE REPORT** **by Ms. Oliver & Dr. VanBreemen:**

**Financial statement** for December 2016 were prepared by Ms. Oliver and provided to the Board. Motion made by Dr. Kruse, seconded by Dr. Cavanaugh, to accept the statements as prepared. With no objections, motion carries unanimously.

**CD report:**  Dr. VanBreemen notes 3 CDs will be maturing in February and he and Ms. Oliver will investigate new rates.

Ms. Oliver notes all staff as well as most of the Board members have completed the “**on line ethics training**” as required by state law. Completion of this requirement is due December 31 annually and Ms. Oliver reminds everyone that this annual requirement can be completed at any time until 12/31 for the 2017 current requirement.

All Board members present reviewed each **expense and expenditure reimbursement** paperwork since the December, 2016 Board meeting as well as all bank statements and signed the cover log sheet.

The **“Performance Indicator”** report with info since last Board meeting was provided to Board members for review.

* **PEER REVIEW COMMITTEE REPORT BY Dr. Martello**:

Ms. Oliver notes one new PR request was recently received and records requests have been initiated with one set of records being received. Otherwise, Dr. Martello notes no new activity since the last Board meeting.

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* **COMPLAINT COMMITTEE REPORT by Dr. Kruse**:

Dr. Kruse notes the Complaints Committee is involved with several new complaints at this time and also will be compiling a list of delinquent license renewals for “informal inquiry”.

* **STANDARDS & PRACTICES by Dr. Turk:**

**Dr. Turk** notes no new activity at this time.

* **LAW & LEGISLATION:**

Dr. Martello reports update on **The Taskforce on Meaningful Oversigh**t which he and Ms. Oliver have attended the meeting– relative to the NC Dental Board’s antitrust lawsuit and how it may relate to regulatory boards across the country. The final report has been submitted to the Legislature by the Committee and the Board was provided with a copy as well. Dr. Kruse, as Complaints Chairman, will monitor any “market participant issues” should any occur, however, the Board feels that this issue has never been a problem.

Ms. Oliver earlier provided the dates of the 2017 Legislative Session which convenes April 10, 2017 with adjournment no later than June 8, 2017. Dr. Martello made contact with his area legislator who agreed to sponsor a bill for the Board to modify the CE requirement structure. He notes the Board will be required to submit a Board resolution to the senator to handle the Board legislation. Dr. Kruse would also suggest an address change time requirement to notify the Board. Dr. Martello, Dr. Rollette and Ms. Oliver will get this info together for submission to Senator Erdey. Dr. Kruse requests this matter be kept on the future agenda for other possible legislative changes.

Board takes a “recess” at 9:07 a.m. for “testing”.

Board reconvenes at 9:50 a.m. from “testing”.

* **TESTING**:

Ms. Oliver notes the licensure exam was held today. 7 people applied and 6 applicants presented. Results will be provided within 7 business days.

* **ADMINISTRATIVE OVERSIGHT:**

Dr. VanBreemen notes review of Ms. Hebert-Schmidt and Ms. Oliver’s **leave records,** and notes that all is in order, and further, the full Board present reviewed and approved the leave records of both employees as well as payroll info for all 4 employees.

* **GENERAL CORRESPONDENCE**:

None to discuss.

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* **SEMINAR REVIEW by Dr. VanBreemen:**

Ms. Oliver reports Dr. VanBreemen had reviewed 15 seminars since the last meeting; however 3additional seminars require full Board review as follows:

Request from **Parker College** to review the seminar entitled “Parker Seminars – Las Vegas” for 28 hours which needs the full Board review due to not all presenters are on “post graduate faculty”. Motion made by Dr. VanBreemen, seconded by Dr. Kruse, to accept the seminar for CE. With no objections, motion carries unanimously.

Request from **NWHSU** for seminar entitled, “Reversing Cognitive Decline” which needs full Board review as some presenters are “medical doctors”. Motion made by Dr. VanBreemen, seconded by Dr. Turk, to approve the seminar for CE. With no objections, motion carries unanimously.

Request for **NWHSU** for seminar entitled “Take Aim at Chronic Pain” course for CE credits. Motion made by Dr. VanBreemen, seconded by Dr. Kruse, to approve the seminar for 12 CE credits. With no objections, motion carries unanimously.

Dr. VanBreemen requests that a letter be sent to all CE providers regarding seminar requests must be received in same calendar year that the course is given. He also suggests this info be posted on the Board’s website at “**Practice Alerts**”.

Dr. VanBreemen suggests a list of **approved instructors** be created for the Board’s internal use in reviewing CE seminar applications.

**OLD BUSINESS:**

Dr. Martello notes the **2017 FARB** conference will be held January 27-29, 2017, in San Antonio, TX. Dr. Martello, Dr. Kruse and Ms. Oliver will be in attendance.

Dr. Martello notes the **2017 FCLB** regulatory board training conference will be held May 4-7, 2017, Orlando, FL.

**NEW BUSINESS:**

Request received from **NBCE** for name of the Board’s 2017 delegate and alternate to NBCE. Dr. Martello notes Dr. **Kruse** will be the “delegate” and Dr. **VanBreemen** will be the “alternate”. Ms. Oliver will inform NBCE.

Request received from **FCLB** for name of the Board’s 2017 delegate and alternate to FCLB for the upcoming national convention. Dr. Martello notes Dr. VanBreemen will be the “delegate” and Dr. Kruse will be the “delegate”. Ms. Oliver will inform FCLB.

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Request received from **Jack Methvin**, **DC**, Ponchatoula, LA, for license reinstatement. Dr. Methvin presents info relative to a drug conviction in 2009 and info regarding the completion of his 60 month sentence served and all requirements and restitution completed. Motion made by Dr. Cavanaugh, seconded by Dr. Kruse, to reinstate the license of Dr. Methvin with receipt of the required CE hours, fees and background report. With no objections, motion carries unanimously.

Request received from **Dwayne Burch, D.C**., Lutcher, LA, relative to records rules and **records retention** and use of digital pictures of old x-ray films to be “burned” to DVD’s. The Board notes this is allowable and complies with records rules.

Request received from **Joe Halkovic, D.C**., Bogalusa, LA, to waive the delinquent fee for his 2017 license renewal. Motion made by Dr. Turk, seconded by Dr. Cavanaugh, to deny the delinquent waiver request. With 5 yeas, 1 nay, the motion carries.

Request received from **Alvin Jaufre, D.C**., Baton Rouge, LA, to waive the delinquent fee for his 2017 license renewal. Dr. Jaufre notes he could not secure the CE voucher before the deadline as his home flooded, no mail receptable, etc. Motion made by Dr. Kruse, seconded by Dr. Turk, to waive the delinquent fee and grant a 30-day extension to submit the CE voucher. With no objections, motion carries unanimously.

Request received from **Todd Fitzgerald, D.C**., Metairie, LA, to waive the delinquent fee for his 2017 license renewal. Dr. Fitzgerald noted his office assistant found his LR paperwork after 12/31/2016 and then mailed it in. Motion made by Dr. Cavanaugh, seconded by Dr. VanBreemen, to deny the delinquent waiver request. With no objections, motion carries unanimously.

Request received from **Ted Kurz, D.C**., Metairie, LA, to waive the delinquent fee for his 2017 license renewal. Motion made by Dr. Cavanaugh, seconded by Dr. VanBreemen, to deny the delinquent waiver request. With no objections, motion carries unanimously.

Request received from **Jessica Lee, D.C**., Prairieville, LA, to waive the delinquent fee for her 2017 license renewal. Motion made by Dr. Kruse, seconded by Dr. VanBreemen, to waive the delinquent fee. With no objections, motion carries unanimously.

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Request received from **Willie Webb, D.C.,** McComb, MS, to accept his MS hours he obtained for his 2017 license renewal. Motion made by Dr. Kruse, seconded by Dr. Cavanaugh, to accept the CE hours he obtained. With no objections, motion carries unanimously.

Request received from **Ed Dailey, D.C.,** Canton, OH, to accept the CE hours he obtained for his 2017 license renewal. Motion made by Dr. VanBreemen, seconded by Dr. Cavanaugh, to accept the CE hours he obtained. With no objections, motion carries unanimously.

Motion made by Dr. Kruse, seconded by Dr. Cavanaugh, to amend the agenda to discuss items received after the agenda was prepared. Roll call vote: Rollette: Yes; Kruse: Yes; Cavanaugh: Yes; Turk: Yes; VanBreemen: Yes; Martello: Yes.

Request received from **Amy Rhodes Hebert, D.C**., Houma, LA, to waive the delinquent LR fee. Motion made by Dr. VanBreemen, seconded by Dr. Turk, to waive the delinquent fee. With no objections, motion carries unanimously.

Request received from **Harvey Nicaud, DC**, Covington, LA, to waive the delinquent LR fee. Motion made by Dr. Cavanaugh, seconded by Dr. Martello, to deny the waiver request. With 4 yeas and 2 nays, motion carries.

Request received from **Kevin Miller, D.C**., Ville Platte, LA, to waive the delinquent fee as he hand-delivered the renewal form to the Board office on December 31st after the office was closed.

Request received from **Marc Behar, D.C**., New Orleans, LA, to waive the delinquent license renewal fee due to post office issues. Motion made by Dr. VanBreemen, seconded by Dr. Kruse, to renew his license on December 31, 2016, however, the delinquent fee will be due in 120 days of receipt of Board action notice. With no objections, motion carries unanimously.

Request received from **Jimmy Brian Sullivan, D.C**., Prosper, TX, to waive the delinquent LR fee and accept the CE hours he obtained for his 2017 license renewal. Motion made by Dr. Cavanaugh, seconded by Dr. Kruse, to grant a 60-day extension to obtain approved CE hours and to deny the delinquent fee waiver request. With no objections, motion carries unanimously,

Request received from **Angelique Miller, D.C**., Lafayette, LA, to apply the licensure application fees for the January exam to the April 2017 exam. Motion made by Dr. Cavanaugh, seconded by Dr. Kruse, to apply April fees to July exam. With no objections, motion carries unanimously.

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**Upcoming Events:**

* Next Board Meeting, 04/06/2017, time to be announced.
* Additional licensure exam offering, 04/06/2017, time to be announced.
* NBCE’s Part IV Test Administration (nationwide), 05/19-21/2017.
* Biannual licensure exam, 07/27/2017, time to be announced.
* Annual X-ray Proficiency Certificate Holder renewal deadline, 07/31/2017.
* Annual license renewal deadline, 12/31/2017.

Motion made by Dr. Cavanagh, seconded by Dr. Kruse, to adjourn. With no objections, motion carries unanimously.

MEETING ADJOURNED AT APPROXIMATELY 11:35 a.m.