LA BOARD OF CHIROPRACTIC EXAMINERS

SUMMARY OF MINUTES

**BOARD MEETING – April 6, 2017**

Members Present: Dr. Jon E. Zeagler, President; Dr. Ned J. Martello, Vice-President; Dr. R. Buckley VanBreemen, Secretary-Treasurer; Dr. Joseph E. Turk.

Members Absent: Dr. Michael Cavanaugh, Dr. Mark B. Kruse, Dr. Denise D. Rollette.

Staff Present: Patricia A. Oliver, Executive Director

Shellie Hebert-Schmidt, Administrative Assistant

Legal Counsel: Jeddie Smith, Asst. Attorney General.

Audience: None.

Meeting called to order at 8:45 a.m., Dr. Jon Zeagler, President.

The **minutes** of the 01/19/2017 meeting were mailed to all Board members. Motion made by Dr. VanBreemen, seconded by Dr. Martello, to accept the minutes as prepared and received. With no objections, motion carries unanimously.

**PUBLIC COMMENT:**

#### None.

**STANDING COMMITTEE REPORTS**

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

**Financial statements** for January and February 2017 were prepared by Ms. Oliver and provided to the Board. Motion made by Dr. Martello, seconded by Dr. VanBreemen, to accept the statements as prepared. With no objections, motion carries unanimously.

Relative to **deposit trends**, Dr. Kruse asked Ms. Oliver to prepare a chart noting monthly deposit activity. This chart distributed to all Board members, but due to Dr. Kruse’s absence, no discussion held.

**CD report:**  Dr. VanBreemen noted CD activity since the last Board meeting. He also suggests designating some CD money for legal fees and legal defense. Board will discuss this at the next meeting when all Board members are in attendance.

Ms. Oliver is reminding all Board members to complete the “**on line ethics training**” as required by state law for 2017. 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 January 19, 2017 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**:

Dr. Martello noted a recent PR Committee held to discuss a PR request, PR 2016-01. Dr. Martello discusses the reported findings of the Committee – the treatment for the infant patient was not necessary and further, the provider did not submit info to the Committee for review as requested within the appropriate time frame given. Dr. Martello notes the review was conducted with the info submitted by the petitioner.

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

Due to the absence of Dr. Kruse, Ms. Oliver reports notes the Complaints Committee has been staying busy with existing and newly received complaints. Further, she notes the Board is in receipt of income tax fraud conviction info involving a licensee.

Dr. Zeagler calls for a “recess” at 9:11 a.m. for “testing”.

The Board reconvenes at 9:40 a.m. with “testing” completed.

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

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

* **LAW & LEGISLATION:**

Ms. Oliver notes receipt of a request from the State relative to reporting **Act 401** requirements, however, the Board has no newly published rules to report.

Dr. Martello contacted Senator Dale Erdey who will handle the Board’s **legislation** regarding modifying the CE annual requirement as previously voted on and possible address change requirements. Ms. Oliver and Dr. Martello submitted info to Senator Erdey’s office.

Relative to new legislation, **SB 75** by Senator Mills and its intent to change boards’ composition, boards’ functions, boards’ funds, boards’ disciplinary process, etc,. Dr. Zeagler suggests the Board meet with Governor Edwards to discuss this bill and its potential effects. Dr. VanBreemen, Dr. Martello, Dr. Zeagler are interested in attending, and further, any other Board member depending on scheduling.

Motion made by Dr. Martello, seconded by Dr. Zeagler, to change the order of the posted agenda to handle the license reinstatement request of **Richard McElveen, D.C**., Lake Charles, LA, who is present. Roll call vote: Martello – Yes; Turk – Yes; VanBreemen – Yes; Zeagler – Yes. With 4 yeas, 0 nays, motion carries unanimously.

Dr. Richard McElveen is requesting license reinstatement. He has completed the mandatory background check info, paid the fees due, and presented vouchers for partial CE hours required. Motion made by Dr. VanBreemen, seconded by Dr. Turk, to reinstate the license with a 2 year probation period and to be with another chiropractor in a clinic and his license be reinstated contingent upon receiving proof of completed CE hours required. With 4 yeas, 0 nays, motion carries.

* **TESTING**:

Ms. Oliver notes the licensure exam was held today. 6 people applied, 4 were eligible and 4 applicants presented. Results will be provided within 7 business days.

Discussion initiated by Dr. Martello relative to the “**background check**” process and **Board policy** for licensure applicants. Motion made by Dr. Martello, seconded by Dr. VanBreemen, to allow applicants to sit for the exam if the background check has not been completed, however the license will not be issued until the final background check report is received. With no objections, motion carries unanimously.

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* **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.

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

Ms. Oliver reports Dr. VanBreemen had reviewed 47 seminars since the last meeting; however 5 additional seminars require full Board review as follows:

Request from **Dr. Ma’s Dry Needling** to review the seminar entitled “Dr. Ma’s Dry Needing” which needs the full Board review due to not all presenters are on “post graduate faculty”. Motion made by Dr. VanBreemen, seconded by Dr. Martello, to accept the seminar for CE. With no objections, motion carries unanimously.

Request from **Dr. Ma’s Dry Needling** to review the seminar entitled “Advanced Dry Needling for Pain Management and Sports Rehab” which needs the full Board review due to not all presenters are on “post graduate faculty”. Motion made by Dr. VanBreemen, seconded by Dr. Martello, 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 **TCA** for seminar entitled “Stress and Strain Diagnosis & Treatment of Daily Physical Stress and Musculoskeletal Strain” course for CE credits. Motion made by Dr. VanBreemen, seconded by Dr. Martello, to approve the seminar. With no objections, motion carries unanimously.

Request for **CAL** for seminar entitled “Advanced Dry Needling for the Chiropractic Practice” course for CE credits. Motion made by Dr. VanBreemen, seconded by Dr. Martello, to approve the seminar. With no objections, motion carries unanimously.

Request for **Michigan Association of Chiropractic** for seminar entitled “Spring Convention 2017” course for CE credits. Motion made by Dr. VanBreemen, seconded by Dr. Martello, to approve the seminar. With no objections, motion carries unanimously.

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 was held January 27-29, 2017, in San Antonio, TX. Dr. Martello, Dr. Kruse and Ms. Oliver attended. Dr. Martello notes several topics of interest – one was keep educating yourself in a variety of areas for the Board, i.e. scope inquiries, reporting requirements, administrative procedures.

Dr. Martello notes the **2017 FCLB** regulatory board training conference will be held May 4-7, 2017, Orlando, FL. Dr. Kruse, Dr. Martello, Dr. VanBreemen and Ms. Oliver will be attending.

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Relative to the **FCLB’s Model Practice Act**, Ms. Oliver requests the Board members review it and be prepared to discuss it at the next meeting.

Relative to previous request about “**sexual assault forensic examiner**” and if that is within the scope of practice for LA, the Board is requesting more info relative to specifics of the exam, where it is administered, compensation for this review work etc., and suggests also perhaps Dr. **Renese Garcie** come to a Board meeting to provide info about this topic. Previously, the Board had ruled the “sexual assault forensic examiner” work would not be within the chiropractic scope of practice.

**NEW BUSINESS:**

Request received from LA Massage Therapy Board about the unlicensed practice of “massage therapy” by a chiropractor. The Board will secure info from the MT Board as to the identity of the DC in question so that a complaint can be initiated by the Board.

Relative to the agenda item request by Dr. Kruse regarding “**Moral Character**”, Dr. Zeagler notes this item to be “tabled” to the next meeting when Dr. Kruse is present.

Ms. Oliver notes requests from 3 applicants who submitted application fees however could not sit for the April exam due to incomplete application folders.

Motion made by Dr. VanBreemen, seconded by Dr. Martello, to apply the application fees of **Daniel Goodman, DC**, **Susan Aurich, DC**, and **Anna George, DC**, to the upcoming exam in July. With 4 yeas, 0 nays, the motion carries unanimously.

Request received from Allstate Insurance Company regarding any chiropractic regulations of facility conditions and who/where should a complaint be filed relative to a chiropractic facility. More detailed info will be collected.

Request received from **Heaven Londot, D.C**., Keller, TX, to waive the delinquent fee for her 2017 license renewal. Motion made by Dr. VanBreemen, seconded by Dr. Martello, to grant the delinquent waiver request. With 4 yeas, 0 nays, the motion carries unanimously.

**Upcoming Events:**

* NBCE’s Part IV Test Administration (nationwide), 05/19-21/2017.
* Next Board Meeting, 06/15/2017, time to be announced.
* 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. VanBreemen, seconded by Dr. Martello, to adjourn. With no objections, motion carries unanimously.

MEETING ADJOURNED AT APPROXIMATELY 11:50 a.m.