LA BOARD OF CHIROPRACTIC EXAMINERS

SUMMARY OF MINUTES

**BOARD MEETING – October 9, 2014**

Members Present: Dr. Wynn T. Harvey, President; Dr. Ned J. Martello, Vice-President; Dr. Jon E. Zeagler, Secretary-Treasurer; Dr. Michael Cavanaugh, Dr. Joseph E. Turk.

Members Absent: Dr. Mark B. Kruse; Dr. R. Buckley VanBreemen.

Staff Present: Patricia A. Oliver, Executive Director

 Shellie Hebert-Schmidt, Administrative Assistant

Legal Counsel: Angelique Freel, Asst. Attorney General.

Audience: None.

Meeting called to order at 8:41 a.m., Dr. Wynn T. Harvey, President, presiding. Dr. Harvey would like to welcome newly appointed Board member, **Dr. Joe Turk**, Eunice, LA, and thank **Dr. David Barczyk** for his service to the Board.

The **minutes** of the 07/31/2014 meeting were mailed to all Board members. Motion made by Dr. Cavanaugh, seconded by Dr. Zeagler, to accept the minutes as prepared. With no objections, motion carries unanimously.

**PUBLIC COMMENT:**

#### None.

**STANDING COMMITTEE REPORTS**

1. **FINANCE COMMITTEE REPORT** **by Ms. Oliver:**

 **Financial statements** for July and August 2014 was prepared by Ms. Oliver and provided to the Board members. Motion made by Dr. Cavanaugh, seconded by Dr. Martello, to accept the statements as prepared. With no objections, motion carries unanimously.

 **CD report** was given by Ms. Oliver and Dr. Zeagler. One CD (approximately $56000.00) was reinvested after review of possible rates by Dr. Zeagler.

Ms. Oliver notes the **annual audit**, FY 2013-2014, was completed recently. The auditor made comment as a “finding” that travel accommodations were purchased for Ms.Oliver and Dr. Martello which were outside of “state travel guidelines to attend the FARB regulatory conference – the purchase was made since authority to attend was given at a late date and plane tickets were secured at a discount.

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

 Relative to the **PR Committee composition**, Dr. Martello notes Dr. Ron McMorris, Walker, LA, is interested in serving. Dr. Martello will contact the other people interested in serving as well.

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1. **COMPLAINT COMMITTEE REPORT by Dr. Harvey**:

Dr. Harvey reports on the following complaints: #1022, #1059, #1086, #1112, #1113, #1114, #1120, #1123, #1124, #1127, #1128, #1129, #1133, # 1135, #1144 – all which were related to website advertising. Motion made by Dr. Cavanaugh, seconded by Dr. Zeagler, to accept Dr. Harvey’s recommendation of a $350.00 agreed settlement for each complaint discussed as noted above. Motion made by Dr. Cavanaugh, seconded by Dr. Zeagler, to accept the agreed settlements in the complaints noted. With no objections, motion carries unanimously. Relative to Complaint # 1118, motion made by Dr. Harvey, seconded by Dr. Cavanaugh, to accept the agreed settlement of $700.00 for an advertising complaint. With no objections, motion carries unanimously.

Recess called at 9:20 a.m. for testing.

Meeting resumed at 9:57 a.m.

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

Due to Dr. Kruse’s absence, no report available.

* **LAW & LEGISLATION:**

Ms. Freel notes the “**dry needling**” opinion has been drafted and approved for release, however, the “requestor” has not requested release of the opinion as of this date. Motion made by Dr. Cavanaugh, seconded by Dr. Zeagler, to request an Attorney General’s opinion if “dry needling” is within the scope of chiropractic practice in LA. With no objections, motion carries unanimously. Ms. Oliver directed to send opinion request to the AG’s office.

Relative to current **reciprocity** language, discussion held about amending the statute to allow reciprocity applicants to be exempt from the “bachelor’s degree” requirement. Dr. Turk offers to contact Sen. Micky Guillory and Dr. Martello offers to speak with Rep. Valerie Hodges.

* **TESTING**:

Relative to **biannual licensure exam** was administered today, Ms. Oliver notes 5 applications were accepted and 3 presented for the exam. Registration for the exam scheduled began 9:00 a.m.

Blinded **background check** paperwork is presented to the Board for review. Relative to **Applicant Glover**, Ms. Oliver directed send request for explanation of the incident in question to be sent to the Board. Relative to **Applicant Broussard**, motion made by Dr Martello, seconded by Dr. Zeagler, for a letter to be sent to the applicant that his application information does not match the information contained in the background check and therefore the application is rejected. With 5 yeas, 0 nays, motion carries unanimously. Letter to reference LSA R.S. 37:2805.B1.B and the failure to disclose the complete criminal history which could appear to be an attempt to deceive or defraud.

Relative to **NBCE’s Part IV Exam**, Dr. Martello and Dr. Cavanaugh will represent LA by participating as “examiners” in the testing process at Life University.

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* **ADMINISTRATIVE OVERSIGHT:**

 Dr. Zeagler reviewed the leave records for the employees and stated all leave records of **Ms. Oliver** and **Ms. Hebert-Schmidt** are in order.

* **SEMINAR REVIEW by Dr. Barczyk:**

Ms. Oliver reports Dr. Zeagler reviewed 40 seminars since the last meeting, however, 8 seminars review request requires full Board review due to all speakers not on post graduate faculty as follows:

 Request from **Michigan Association of Chiropractic** to review the seminar entitled, “MAC Fall 2014 Convention”. Dr. Zeagler notes the speaker is not on post grad faculty. Motion made by Dr. Zeagler, seconded by Dr. Cavanaugh, to approve the seminar for CE credits and deny the “practice management” hours. With no objections, motion carries unanimously.

Request from **NWHSU** to review the seminar entitled, “Advanced Entergy Practice Modules”. Dr. Zeagler notes the speaker is not on post grad faculty. Motion made by Dr. Cavanaugh, seconded by Dr. Martello, to approve the seminar for CE credits. With no objections, motion carries unanimously.

Request from **NWHSU** to review the seminar entitled, “Gastrointestinal Advanced Practice Module”. Dr. Zeagler notes the speaker is not on post grad faculty. Motion made by Dr. Cavanaugh, seconded by Dr. Turk, to approve the seminar for CE credits. With no objections, motion carries unanimously.

Request from **ICPA** to review the seminar entitled, “Freedom for Family Wellness”. Dr. Zeagler notes the speaker is not on post grad faculty. Motion made by Dr. Zeagler, seconded by Dr. Cavanaugh, to approve the seminar for CE credits. With no objections, motion carries unanimously.

Request from **GRT Solutions (dba Quantum Neurology)** to review the seminar entitled, “Motor and Sensory Rehab”. Dr. Zeagler notes the speaker is not on post grad faculty. Motion made by Dr. Zeagler, seconded by Dr. Martello, to deny the seminar due to lack of credentialing history for CE credits. With no objections, motion carries unanimously.

Request from **CAL** to review the seminar entitled, “DOT Medical Exams”. Dr. Zeagler notes the speaker is not on post grad faculty. Motion made by Dr. Zeagler, seconded by Dr. Turk, to approve the seminar for CE credits. With no objections, motion carries unanimously.

Request from **TCA** to review the seminar entitled, “TCA Annual Convention”. Dr. Zeagler notes the speaker is not on post grad faculty. Motion made by Dr. Zeagler, seconded by Dr. Cavanaugh, to approve the seminar for CE credits. With no objections, motion carries unanimously.

Request from **CAL** to review the seminar entitled, “Risk Management”. Dr. Zeagler notes the speaker is not on post grad faculty. Motion made by Dr. Zeagler, seconded by Dr. Cavanaugh, to approve the seminar for CE credits. With no objections, motion carries unanimously.

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* GENERAL CORRESPONDENCE:

NBCE reports it is now conducting computer based testing on written exams.

**OLD BUSINESS:**

Due to absence of Dr. Kruse, the discussion relative to request received from **Irshan Chaudary, D.C**., Lake Charles, LA, if he can administer “vitamins, minerals, and/or herbs (anything natural) by IV” to a patient for a condition under the scope of chiropractic, will be “tabled” until the next meeting.

**NEW BUSINESS:**

Reinstatement request received from **Christie Zocco Grayling, D.C**., Bella Vista, AR. She was licensed in LA from 1985 to 1994. Ms. Oliver calculated the reinstatement fees and hours due. Motion made by Dr. Martello, seconded by Dr. Cavanaugh, to accept the CE hours she presented and to assess the reinstatement fee of $1000.00. With no objections, motion carries unanimously. Upon receipt of fees due, license will be reinstated.

Scope inquiry received from **Keta Patel, D.C.,** Baton Rouge, LA, relative to the practice of “functional medicine”. Ms. Oliver to send response that this is within the current scope of practice.

Discussion held by Dr. Harvey relative to “**prepayment chiropractic plans**”. More information to follow.

Ms. Oliver notes the **subscription** to “**The Chiropractic Report”** will be expiring. Motion made by Dr. Cavanaugh, seconded by Dr. Zeagler to renew the subscription for the 2 year renewal rate. With no objections, motion carries unanimously.

Discussion of recent request from the **National Practitioner Databank** for update of disciplinary action taken by the Board between the years 2010-2012. Ms. Oliver and Ms. Freel discussed and reviewed the actions. Only 4 cases were required to be reported as “public”. Ms. Freel discusses the current “consent agreement language” and form utilized. Ms. Freel offers the possibility of amending the current rules to coincide with the actual consent order language and procedure. Ms. Freel also suggests the board president or vice president should be signing the agreed settlements.

Ms. Oliver offers the stats relative to the recent **x-ray proficiency holder certificate** renewals. Renewals packets were mailed and 361 were renewed.

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Dr. Martello notes the upcoming **Federation of Regulatory Boards’ Association** conference will be held in late January 23-25, 2015 in Tucson, AZ. Dr. Martello and Ms. Oliver will attend.

**Upcoming Events:**

* NBCE Part IV exam administration, 11/14-16/2014, nationwide test sites.
* Next Board meeting, 12/11/2014
* Annual license renewal deadline, 12/31/2014.
* Biannual licensure exam, 01/29/2015, time to be announced.

Motion made by Dr. Cavanaugh, seconded by Dr. Zeagler, to adjourn. With no objections, motion carries unanimously.

MEETING ADJOURNED AT APPROXIMATELY 11:52 a.m.