LA BOARD OF CHIROPRACTIC EXAMINERS

SUMMARY OF MINUTES

**BOARD MEETING – DECEMBER 11, 2014**

Members Present: Dr. Wynn T. Harvey, President; Dr. Ned J. Martello, Vice-President; Dr. Jon E. Zeagler, Secretary-Treasurer; Dr. Michael Cavanaugh, Dr. Mark B. Kruse; Dr. R. Buckley VanBreemen.

Members Absent: Dr. Joseph E. Turk.

Staff Present: Patricia A. Oliver, Executive Director

Shellie Hebert-Schmidt, Administrative Assistant

Legal Counsel: Angelique Freel, Asst. Attorney General.

Audience: Roshun Glover, D.C.; Kathy Chittom, CAL.

Meeting called to order at 8:40 a.m., Dr. Wynn T. Harvey, President, presiding.

Motion made by Dr. Kruse, seconded by Dr. Cavanaugh, to amend the order of the posted agenda to hear the request of **Roshun Glover, D.C**., River Ridge, LA, relative to information relative to his licensure application. Roll call vote: Kruse – Yes; Martello – Yes; Zeagler – Yes; Cavanaugh – Yes; VanBreemen – Yes; Harvey – Yes. With 6 yeas and 0 nays, agenda order is amended.

Ms. Oliver notes Dr. Glover was requested to provide additional information relative to his licensure application and background check. Ms. Freel informs Dr. Glover he can request an “executive session” or agree to discuss the information in “open session”. Dr. Glover opts for the “open session”. Ms. Oliver notes he was tested and successfully passed the LA licensure exam in October, however, his license was held pending receipt of background info and the Board’s action from the 10/09/2014 meeting. He provides the historical information relative to DUI arrest and court ordered community service. Motion made by Dr. Kruse, seconded by Dr. Zeagler, to issue Dr. Glover’s license.

The **minutes** of the 10/09/2014 meeting were mailed to all Board members. It is noted at “seminar report”, Dr. Barczyk’s name should be changed to Dr. Zeagler. Motion made by Dr. Cavanaugh, seconded by Dr. Kruse, to accept the minutes as corrected. With no objections, motion carries unanimously.

**PUBLIC COMMENT:**

#### None.

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**STANDING COMMITTEE REPORTS**

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

**Financial statements** for September, October and November 2014 was prepared by Ms. Oliver and provided to the Board members. Motion made by Dr. Kruse, seconded by Dr. VanBreemen, to accept the statements as prepared. With no objections, motion carries unanimously. Dr. Harvey would like to check on CD rates with bank/s in his area.

**CD report** was given by Dr. Zeagler – no CD’s renewed since last meeting, however 3 will be maturing in late January and February.

Dr. Kruse commented on LA’s license **active renewal fee** and how it compares across the state with other professions and the nation with chiropractic boards. Ms. Oliver will gather info for future.

Dr. Zeagler reviewed the **expense and expenditure reimbursements** submitted by Ms. Oliver and notes all are in order and substantiated by receipts.

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

Relative to the **PR Committee composition**, Dr. Harvey would like the vacancy filled ASAP. Dr. Martello will secure a “letter of intent” from Dr. Ron McMorris, Walker, LA.

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

Dr. Harvey reports on the following complaints: #1121 and #1119 –which were related to website advertising. Motion made by Dr. Kruse, seconded by Dr. Cavanaugh, to accept Dr. Harvey’s recommendation of a $350.00 agreed settlement for each complaint discussed as noted above. With no objections, motion carries unanimously.

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

No report at this time.

* **LAW & LEGISLATION:**

Relative to “**dry needling**” opinion request by the Board, Ms. Oliver submitted the request and received notification of receipt of the request from the AG’s Office.

Relative to amending “**reciprocity**” language, the 2015 Legislative Session is a “fiscal session” per information Dr. Turk obtained from his legislator. The Board, therefore, wants to wait until 2015 Legislative Session to consider changes to reciprocity laws regarding undergraduate degree requirements.

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* **TESTING**:

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

* **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. Zeagler:**

Ms. Oliver reports Dr. Zeagler reviewed 37 seminars since the last meeting, however, 6 seminars review request requires full Board review due to all speakers not on post graduate faculty as follows:

Request from **Palmer** to review the seminar entitled, “DICCP #29 Case Correlations and Exam Review”. Motion made by Dr. Zeagler, seconded by Dr. Cavanaugh, to approve the seminar for CE credits. With no objections, motion carries unanimously.

Request from **NWHSU** to review the seminar entitled, “Clinical Mastery of the Low Level Laser”. 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 **NWHSU** to review the seminar entitled, “Laserology”. Dr. Zeagler notes the speaker is not on post grad faculty. Motion made by Dr. Zeagler, seconded by Dr. Kruse, to approve the seminar for CE credits. With no objections, motion carries unanimously.

Request received from **Florida Chiropractic Association** to review the seminar entitled, “FCA Panhandle Convention and Expo 2015”. Dr. Zeagler notes the speaker is not on post grad faculty. Motion made by Dr. Kruse, seconded by Dr. VanBreemen, approve the seminar with exception of the “practice management” hours. 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 **Carrick Institute** to review the seminar entitled, “802 Neuromuscular Applications”. Dr. Zeagler notes the speaker is not on post grad faculty. Motion made by Dr. Zeagler, seconded by Dr. VanBreemen, to approve the seminar for CE credits. With no objections, motion carries unanimously.

Request from **Kinetacore** to review the seminar entitled, “Functional Dry Needling – Level 1”. 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:

None to discuss.

**OLD BUSINESS:**

Dr. Kruse as requested to “table” 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:**

Dr. Kruse requested **FCLB** conduct a “**power poll**” on chain clinics. The results were disclosed recently. Dr. Kruse would like the Board to send “thanks” to FCLB for the information gathered.

Request received from **William Higginbotham, D.C**., Lafayette, LA, relative to if use of “**cryotherapy chamber**” is within scope of practice in LA. Correspondence will be sent to refer to current scope, LSA R.S., 37:2801.3.a.

Request received from **Dennis Gregory, D.C**., Harrisburg, MO, to waive the “RM” requirements for 2015 as he lives/works in MO which does not have “RM” CE requirements. Motion made by Dr. Martello, seconded by Dr. Kruse, to waive the “RM” requirements for 2015 for Dr. Gregory. With 5 yeas, 1 nay, motion passes.

Request received from **James Bryant, D.C**., San Antonio, TX, to waive the “RM” requirements for 2015 as he lives/works in TX which does not have “RM” CE requirements. Motion made by Dr. Martello, seconded by Dr. Kruse, to waive the “RM” requirements for 2015 for Dr. Bryant. With 4 yeas, 1 nay, motion passes.

Correspondence received from **Terry Kahn, D.C**., Port Orange, FL, relative to “inactive status” and for the Board to consider allowing DC’s to renew as ‘inactive” if they live/work in another state. Board requests Ms. Oliver discuss the statutes with Dr. Kahn relative to “inactive” and “active” renewals.

Correspondence received from **LA Board of Physical Therapists** of alleged advertising violations by two DC’s. Ms. Oliver instructed to request proof of the violations and then commence the complaints process.

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Dr. Martello notes he will not be able to attend the upcoming **Federation of Regulatory Boards’ Association** conference in Tucson, AZ in late January, 2015.

Ms. Oliver notes late receipt of several items which were not included on the posted agenda. Motion made by Dr. Cavanaugh, seconded by Dr. Kruse, to amend the posted agenda to include those items noted. Roll call vote: Kruse – Yes; Martello – Yes; Zeagler – Yes; Cavanaugh – Yes; VanBreemen – Yes; Harvey – Yes. With 6 yeas, 0 nays, agenda is amended.

Request from **Jeremy Broussard, D.C**., New Iberia, LA, to address the Board relative to information from his license application and background check. Ms. Oliver notes Dr. Broussard was requested to provide additional information relative to his licensure application and background check. Ms. Freel informs Dr. Broussard he can request an “executive session” or agree to discuss the information in “open session”. Dr. Broussard opts for the “executive session”. Motion made by Dr. Kruse, seconded by Dr. Zeagler, to hold an “executive session” to allow Dr. Broussard to address the Board relative to his LA licensure application. Roll call vote: Kruse – Yes; Martello – Yes; Zeagler – Yes; Cavanaugh – Yes; VanBreemen – Yes; Harvey – Yes. With 6 yeas, 0 nays, motion carries unanimously.

(-------------------Executive Session-----------)

Dr. Broussard requests his LA licensure application be accepted and further, an internship with Tina Theriot, D.C., New Iberia, LA, be issued. Motion made by Dr. Zeagler, seconded by Dr. Kruse, to accept Dr. Broussard’s licensure application and, further, with proper paperwork executed, the internship be issued.

Request received from Kayla Marty, McGuire Woods relative to chiropractors **ordering laboratory tests** and specifically, DNA or toxicology tests. The Board states the ordering of DNA and toxicology tests is allowed.

Request received from **NBCE** for the naming of the Board’s **delegate** and **alternate**. Dr. Harvey names Dr. Zeagler as “delegate” and himself as “alternate”.

Request received from **FCLB** for the naming of the Board’s **delegate** and **alternate**. Dr. Harvey names himself as “delegate” and Dr. Zeagler as “alternate”.

Request received from **Patrick Clawson, D.C**., Homer, LA, to accept the course he taught for CAL for his license renewal CE for 12 hours. Motion made by Dr. Martello, seconded by Dr. Cavanaugh, to accept the hours for preparation and course instruction as 12 hours CE for the 2015 renewal requirements. It is noted, however, the CE requirement will be necessary for any future license renewals. With no objections, motion carries unanimously.

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Request received from **Josh LeBlanc, D.C**., Slidell, LA, relative to proposed advertising relative to “physical rehabilitation” if within the scope. The Board notes this is allowed but would like to remind Dr. LeBlanc that proper language is necessary when advertising “free”.

Correspondence received from **Olga** **Blakely**, MD, Katy, TX, who works with **Irshan Chaudary, D.C**., Lake Charles, LA and actions taken by the LA Medical Examiners Board which she feels is a “restraint of trade”. Detailed information provided by Dr. Harvey. Ms. Oliver directed to send response that the Board cannot assist her in her legal stance against the Medical Examiners Board.

Request received from **Robert Francis, D.C**., Pasadena, TX, to consider info he provided relative to his LA license application and background check info. After reviewing material received, motion made by Dr. Martello, seconded by Dr. Kruse to release his license. With no objections, motion carries unanimously.

**Upcoming Events:**

* Annual license renewal deadline, 12/31/2014.
* Next Board meeting, 01/29/2015
* 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 11:05 a.m.