LA BOARD OF CHIROPRACTIC EXAMINERS

SUMMARY OF MINUTES

**BOARD MEETING – JULY 27, 2017**

Members Present: Dr. Jon E. Zeagler, President; 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: None.

Staff Present: Patricia A. Oliver, Executive Director

Shellie Hebert-Schmidt, Administrative Assistant

Legal Counsel: Jeddie Smith, Asst. Attorney General.

Audience: Tim Chittom, CAL.

3Meeting called to order at 8:33 a.m., Dr. Jon Zeagler, President.

The **minutes** of the 06/15/2017 meeting were mailed to all Board members. Ms. Oliver will add Dr. VanBreeman’s name to those attended the FCLB meeting. Motion made by Dr. Cavanaugh, 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 statements** for May and June 2017 were prepared by Ms. Oliver and provided to the Board. Motion made by Dr. Martello, seconded by Dr. Kruse, to accept the statements as prepared. With no objections, motion carries unanimously.

Relative to **deposit trends**, Ms. Oliver prepared a chart noting monthly deposit activity since 2015. Updated chart discussed and Ms. Oliver requested to present more updates to chart as available.

**CD report:**  Dr. VanBreemen notes no CD activity since the last Board meeting however one CD will mature in September and one in November.

All Board members present reviewed each **expense and expenditure reimbursement** paperwork since the June 15, 2017 Board meeting as well as all bank statements and further, all members signed the cover log sheet.

Relative to **annual audit**, Ms Oliver noted a contract was awarded by the Legislative Auditor’s Office to Mr. Michael Glover, CPA, Baton Rouge, LA, to perform the Board’s audit work for 3 years. The audit work shall begin in the immediate future.

The **“Performance Indicator”** report of Board office activity since last Board meeting was provided to Board members for review as follows:

* 202 phone calls received
* 20 application packets mailed
* 30 seminars reviewed
* 4 x-ray certificates issued
* 2 licenses issued
* 6 complaints filed
* 100 x-ray renewals processed
* 69 license verifications processed
* 17 CE locate requests received
* 3 lists requests processed
* 18 national licensee alerts received and logged
* 45 complaints received on new law/CE change

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

Ms. Oliver notes no new PR requests.

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

Dr. Kruse notes a lot of complaints have been received since the June meeting. More info to follow.

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

Dr. Turknotes no new activity at this time.

* **TESTING**:

Ms. Oliver notes 11 applications were accepted for the July **licensure exam to be held today**.

Ms. Oliver has updated the **Board’s webpage** to reflect future test dates, application dates and deadline dates.

* **LAW & LEGISLATION:**

Relative to the Board’s legislation, **SB 217** was signed into law as Act 255 and goes into effect August 1, 2017. After discussion with Dr. Zeagler, Ms. Oliver prepared and mailed a notice to all licensees relative to the CE requirements change. Lots of phone calls have been received about the change. Ms. Oliver suggests other options to make available to licensees to obtain the additional 3 CE hours, however Board feels the associations and colleges will provide enough opportunities to obtain the hours before December 31, 2017.

Relative to the **FCLB’s “Model Practice Act**”, the Board will keep it available for possible future reference for practice language.

Relative to the required “**Ethics training**” for state employees and state board members, Ms. Oliver is reminding all board members and employees who have not yet completed the annual ethics training, to please do so on or before 12/31/2017.

Motion made by Dr. Martello, seconded by Dr. Kruse, to recess for “**testing**”. With no objections, motion carries unanimously.

(9:01 a.m. ----------------Testing---------- 10:03 a.m.)

Ms. Oliver notes 9 applicants presented for licensure. Test results will be released in approximately 7 days.

* **GENERAL CORRESPONDENCE**:

None to discuss.

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* **ADMINISTRATIVE OVERSIGHT:**

Dr. VanBreemen reviewed leave records of **Ms. Hebert-Schmidt** and **Ms. Oliver,** 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 3 employees.

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

Ms. Oliver reports Dr. VanBreemen had reviewed 16 seminars since the last meeting; and that 5 seminar require full Board review as follows:

Requests received from LUCP to approve the additional 3 hours of “RM” and “ethics” to the “Evidence Based Practice” seminar already approved by the Board, to approve the CAL’S “Fun in the Sun w/CAL” seminar, to approve CAL’s “The CAL Annual Convention”, to approve CAL’s “RM for the Chiropractic Office” and to approve Cleveland University’s “Cleveland Homecoming Convention 2017”. Motion made by Dr. VanBreemen, seconded by Dr. Kruse, to approve the seminars as discussed for CE. With no objections, motion carries unanimously.

**OLD BUSINESS:**

Ms. Oliver reminds everyone to please submit **board newsletter** articles ASAP and that she has received articles from Dr. Zeagler, Dr. Cavanaugh, Dr. Turk and Dr. Rollette.

A discussion is initiated by Dr. Rollette of current **application and testing procedures**. Dr. Rollette is concerned with the timeline, application deadlines and packet mail-out schedules and she would like this process reviewed as she feels the licensure process is cumbersome. Ms. Oliver reviews the notification requirements of the statutes relative to licensure application, etc. Dr. Zeagler and Dr. Turk will review the application and testing policy before the next meeting.

Discussion on several inquiries received about parameters of the **internship** program and the continued discussion by Dr. Rollette. Inquiries received about what is allowed in the internship program and lots of confusion as to what an “intern” is allowed to do under the supervisory chiropractor. Internship guidelines will be published in the Board’s next newsletter. Ms. Oliver and Dr. Zeagler will create a draft of the article and solicit input from the other Board members.

**NEW BUSINESS:**

Request received from **Carissa Hamilton, D.C**., Crowley, LA, relative to advertising regulations regarding “testimonials”. Dr. Hamilton notes that the current advertising requirements don’t address “Facebook” and other social media types of advertising when utilizing “testimonials”. Discussion held on possible re-write of LAC 37:XXVII.307.C. It is discussed that all testimonials shall have a signed, written release by the attesting party. A proposal for 307.C is “*in the case of electronic media, a testimonial shall have the word “ADVERTISEMENT” in all caps and the same-sized font. In the case of video testimonials, a statement at the end of the video shall state “the preceding message was a testimonial*”. Motion made by Dr. Kruse, seconded by Dr. Martello, to amend LAC 46:XXVII.307.C, to address new social media types of advertising. With no objections, motion carries unanimously. If the proposed rule is enacted, the licensees will be notified.

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Request received from Chiro Student Career Guide, to place their website link on our **website**. The Board feels this link is not appropriate.

Request received from **Anita Carrere, D.C**., Crowley, to accept the “risk management” credits she earned online with OUM to satisfy the new CE requirements recently passed by the Legislature. Motion made by Dr. Cavanagh, seconded by Dr. Kruse, to accept the OUM credits Dr. Carrere earned. With no yeas, and 7 nays, the motion fails.

Ms. Oliver notes the upcoming **FCLB** meeting to be held September 14-17, 2017. All interested members should let Ms. Oliver know of travel plans.

Discussion of background report information received for **Robert Johnson, D.C**., Lake Charles, LA, who is requesting license reinstatement. Dr. Kruse will obtain a written statement from Dr. Johnson regarding the background report information.

Motion by Dr. Kruse, seconded by Dr. Cavanaugh, to amend the agenda as posted to handle requests received after the agenda was posted. Roll call vote: Rollette – Yes; Martello – Yes; Kruse – Yes; Cavanaugh – Yes; Turk – Yes; VanBreemen – Yes; Zeagler – Yes. Agenda is amended.

Request received from **Tara Sandoval, D.C**., Livingston, LA, to accept the chiropractic college education she obtained as satisfactory to meet the requirements for x-ray certification proficiency. Motion made by Dr. VanBreemen, seconded by Dr. Turk, to issue the x-ray certificate to Dr. Sandoval. With no objections, motion carries unanimously.

Request received from **Jason Abshire, D.C**., Lafayette, LA, if use of the Cannabidiol oil (CBD) is within the scope of practice in LA. Dr. Kruse notes more research is needed before the Board can make a determination however he does note in SB 271, line 24-26, says it must be dispensed by a pharmacy as it is a drug.

Ms. Oliver notes receipt of renewal of **Celia Cangelosi’s** legal representation contract. Ms. Oliver notes no changes in the contract except dates of the contract. Motion made by Dr. Cavanaugh, seconded by Dr. Martello, to renew Celia Cangelosi’s contract.

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Dr. Zeagler notes the “**Annual Board Elections**” will be held today. He opens the office of “Secretary-Treasurer” for nominations. Dr. Martello nominates Dr. VanBreemen for “Secretary-Treasurer”. Having called for any other nominations three times and hearing none, Dr. Zeagler announces **Dr. VanBreemen** is “Secretary-Treasurer” by acclamation.

Dr. Zeagler opens the nominations for office of “Vice President”. Dr. Cavanaugh nominates **Dr. Martello** to “Vice President”. Having called for any other nominations three times and hearing none, Dr. Martello is the “Vice President” by acclamation.

Dr. Zeagler opens the nominations for office of “President”. Dr. Cavanaugh nominates **Dr. Zeagler** to “President”. Having called for any other nominations three times and hearing none, Dr. Zeagler is “President” by acclamation.

**Upcoming Events:**

* Annual X-ray Proficiency Certificate Holder renewal deadline, 07/31/2017.
* FCLB District Meeting, 09/14-17/2017. Quebec City, CANADA
* Next Board Meeting, 10/19/2017, time to be announced.
* Additional offering of licensure exam, 10/19/2017, time to be announced.
* NBCE’s Part IV Test Administration (nationwide), 11/10-12/2017.
* Annual license renewal deadline, 12/31/2017.

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

MEETING ADJOURNED AT APPROXIMATELY 12:12 p.m.

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