LA BOARD OF CHIROPRACTIC EXAMINERS

SUMMARY OF MINUTES

**BOARD MEETING – OCTOBER 13, 2016**

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: None.

Meeting called to order at 8:38 a.m., Dr. Jon E. Zeagler, President, presiding.

The **minutes** of the 07/28/2016 meeting were mailed to all Board members. Dr. Martello notes a correction needed at “Annual Elections” relative to the election of “Vice President”, that it should read “….Dr. Martello is the ‘Vice President’ by acclamation.” Motion made by Dr. Kruse, seconded by Dr. Martello, to accept the minutes as corrected. With no objections, motion carries unanimously.

Dr. Zeagler would like to welcome newly appointed Board member, **Dr. Denise Rollette**, Hammond, LA, assuming the expired appointment of **Dr. Wynn Harvey**, Pineville, LA.

**PUBLIC COMMENT:**

#### None.

**STANDING COMMITTEE REPORTS**

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

**Financial statements** for July, August and September 2016 were prepared by Ms. Oliver and provided Martello, to accept the statements as prepared. With no objections, motion carries unanimously.

**CD report:**  Dr. VanBreemen reports a CD #12 was renewed in September for a one year term.

Ms. Oliver notes the **annual audit** was recently finalized and the report was issued by the Legislative Auditor. The only “finding” was the new requirement of annual on-line ethics training for board members and staff was not completed. Info was provided to all Board members about this requirement which is due December 31 annually. Staff has already completed the training as well as some Board members. More info will follow.

All Board members present reviewed each **expense and expenditure reimbursement** paperwork since the July, 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**:

Dr. Martello notes no new activity since the last Board meeting.

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

Dr. Zeagler appointed **Dr. Kruse** as “Complaints Chairman” replacing Dr. Harvey.

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

Dr. Zeagler appointed **Dr. Turk** as “S & P Chairman” replacing Dr. Kruse No report at this time.

* **LAW & LEGISLATION:**

Dr. Zeagler appointed **Dr. Rollette** as “Law & Legislation Chairman” replacing Dr. Zeagler. Dr. Rollette has no report at this time.

Dr. Martello reports update on the recently created taskforce – **The Taskforce on Meaningful Oversigh**t – relative to the NC Dental Board’s antitrust lawsuit and how it may relate to regulatory boards across the country. The Taskforce has now met twice and participating boards were instructed to complete a questionnaire for submission to the Taskforce Chair for compilation. Ms. Oliver prepared and submitted the report for the Board and a copy of the report was provided to all Board members for review. Some questions required the “Board’s position”, i.e. the Board felt “sunset review” is not beneficial and not necessary to our Board. Relative to “areas of training”, and if the Board has “sufficient training”, perhaps some investigation can be done to provide more board member training, i.e. a board member training, plus the “online Ethics” training should be beneficial as well. The next scheduled meeting is October 24, 2016. More information will be provided to the Board as it develops.

Ms. Oliver notes new legislation in effect is the “**Cash Management Review Committee”** reporting which is now a quarterly requirement. She prepared and submitted the first report to the “Cash Management” committee and provided a copy to the Board.

* **TESTING**:

Dr. Zeagler requests the Board “recess” for the administration of the additional offering of the licensure examination.

(-----------------------------Recess-------)

Board meeting resumes at 9:44 a.m.

* **ADMINISTRATIVE OVERSIGHT:**

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

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

Ms. Oliver reports Dr. VanBreemen had reviewed 46 seminars since the last meeting; however 1 additional seminar requires full Board review as follows:

Request from **National University** to review the seminar for 20 hours CE entitled “ACA Council of Diagnostic Imaging” which needs full Board review due to “no post graduate faculty. Motion made by Dr. Cavanaugh, seconded by Dr. Kruse, to accept the seminar for CE for 18 hours and deny the 2 hours in “Florida Laws”. With no objections, motion carries unanimously.

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**OLD BUSINESS:**

Continued discussion held by Dr. Martello on the possible “**licensing of chiropractic facilities**”. Ms. Oliver notes the 2017 LR form requests the “clinic name” and “clinic owner” where the licensee is employed. Dr. Martello requests a “power poll” to be conducted on this topic. It is also noted that strict enforcement will be applied to the rule regarding **address change** requirement by licensees. Ms. Oliver states she includes this requirement in every year’s newsletter. Ms. Oliver also requested to post this at “**Practice Alerts**” on the Board’s website.

Ms. Oliver presents the “**online CE**” power poll information obtained through the FCLB’s state directory. Ms. Hebert prepared a chart of states that illustrated 43 states accept some amount of online CE and 7 states do not accept online CE. Matter is to be kept on the agenda for January, 2017 meeting. Dr. Zeagler notes if we want to change requirements regarding CE hours or have “risk management” requirement every year, totaling 18 hours with some online hours accepted. Ms. Oliver asked to track requests for online CE and give info to the Board at next meeting. Matter is to be kept on agenda for the January 2017 meeting. Ms. Oliver notes the 2017 Regular Legislative Session convenes Monday, April 10, 2017 and the deadline to pre-file bills for that session is March 29, 2017.

Continued discussion held on “**prepayment plans**”. AL Board info was requested however the proposal was in draft form only and the AL Board would not release it. Dr. Kruse will to prepare language for proposed legislation. The matter is to be kept on the agenda. Ms. Oliver instructed to contact the WV Board to obtain a copy of their law on “prepayment plans”.

Continued discussion held by Dr. Martello on “**claims review**”. Info was gathered by FCLB’s “power poll” service regarding “claims review” and if a state license is needed for a DC to conduct a “claims review”. Dr. Kruse notes that “LSA R.S. 37:2801.3.A discusses “the business of” chiropractic.

**NEW BUSINESS:**

Request received from **Thomas Dupont, D.C**., Lafayette, LA, relative to converting his “inactive” license to “active”. Ms. Oliver reports he would need a total of 60 hours (48 regular CE and 12 “RM” CE). Dr. Dupont will complete the requirements in one year. Motion made by Dr. Cavanaugh, seconded by Dr. Martello, to accept the CLE hours he has earned and to grant him 1 year to complete the 48 hours online, waive the RM requirements and complete the 12 hours regular CE classroom hours. With no objections, motion carries unanimously.

Request received from **Patrick Price, D.C.**, Houston, TX, to reinstate his license which had lapsed. Dr. Price has supplied the necessary CE hours, fees and paperwork. Motion made by Dr. Cavanaugh, seconded by Dr. Kruse, to reinstate his license effective today. With no objections, motion carries unanimously.

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Request received from **Terrence Leist, D.C**., Baker, LA, to waive his CE requirements for 2017 as he is ill, bed-ridden, and cannot attend a CE seminar. Documentation was supplied relative to his request. Motion made by Dr. Kruse, seconded by Dr. Turk, to waive his CE requirements for 2017. With no objection, motion carries unanimously.

Discussion held by Ms. Oliver whether continuing education is needed for those licensees utilizing “**dry needling**”. It is discussed that CE is not needed at this time. Ms. Oliver is maintaining a list of those “DC’s” who have filed “dry needling” certification papers. Further, the “dry needling” certification info will not be incorporated on the LV reports at this time.

Dr. Martello notes the 2017 **FARB** conference will be held January 27-29, 2017, in San Antonio, TX. Those interested in attending should contact Ms. Oliver so that travel arrangements can be made in a timely manner.

**Board Member Model Code of Conduct** has been released from FARB and distributed to all board members. The Board members are directed to read over the material for discussion at the next meeting. Ms Oliver would like to add it to the “**new board member orientation**” materials if the “code” is accepted.

Ms. Oliver notes a few items for discussion were received after the agenda was prepared. Motion made by Dr. Cavanaugh, seconded by Dr. Kruse, to amend the posted agenda to include items received after the agenda was prepared. Roll call vote: Rollette: Yes; Kruse - Yes; Martello – Yes; Cavanaugh – Yes; Turk – Yes; VanBreemen - Yes; Zeagler – Yes. With 7 yeas, 0 nays, motion carries unanimously and agenda is amended.

Ms. Oliver notes the licensure applicant, **B. Dichiara**, who was requested to attend this meeting to discuss the background report generated in the licensure application process did not present today. Ms. Oliver is to note his application file accordingly that his appearance is required before any consideration of licensure will be afforded to him.

**Upcoming Events:**

* NBCE’s Part IV Test Administration (nationwide), 11/11-13/2016.
* Next Board Meeting, 12/15/2016, time to be announced.
* Annual license renewal deadline, 12/31/2016.
* Biannual licensure exam, 01/21/2017, time to be announced

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

MEETING ADJOURNED AT APPROXIMATELY 11:21 a.m.

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Regarding “online CE” for licensing renewal, Dr. Harvey requests that Ms. Oliver ask FCLB to conduct a “power poll” relative to how many states accept/allow **“online CE**” for license renewal.

Motion made by Dr. Kruse, seconded by Dr. Harvey, to amend the posted agenda to include “LA Worker’s Comp’s “dry needling” list request and any other specialties. Roll call vote: Harvey – Yes; Kruse – Yes; Cavanaugh – Yes; Turk –Yes; Martello – Yes. With 5 yeas, 0 nays, agenda is amended.

Dr. Kruse discusses having a list of DC’s who utilize “**dry needling”.** Motion made by Dr. Harvey, seconded by Dr. Kruse, to create a list of duly certified “**dry needling**” licensees. Ms. Oliver notes she created a list and maintains it. The “dry needling” credentials should also be placed on each licensee’s license verification report and in the specialty register log.

Request received from **Celia Cangelosi**, Attorney, to renew her legal representation contract. Motion made by Dr. Kruse, seconded by Dr. Harvey, to renew Ms. Cangelosi’s contract. With no objections, motion carries unanimously.

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

Dr. Martello 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 “Secretary Treasurer” by acclamation.

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

**Upcoming Events:**

* X-Ray Proficiency Certificate holders’ annual renewal deadline, 07/31/2016.
* Next Board Meeting, 10/13/2016.
* Additional offering of licensure exam, 10/13/2016, time to be announced
* NBCE’s Part IV Test Administration (nationwide), 11/11-13/2016.
* Annual license renewal deadline, 12/31/2016.

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

MEETING ADJOURNED AT APPROXIMATELY 11:37 a.m.