LA BOARD OF CHIROPRACTIC EXAMINERS

SUMMARY OF MINUTES

**BOARD MEETING – APRIL 5, 2018**

Members Present: Dr. Jon E. Zeagler, President; Dr. Ned J. Martello, Vice-President; Dr. R. Buckley VanBreemen, Secretary-Treasurer; Dr. Mark B. Kruse; Dr. Denise D. Rollette; Dr. Joseph E. Turk.

Members Absent: Dr. Michael Cavanaugh

Present: Patricia A. Oliver, Executive Director

Shellie Hebert-Schmidt, Administrative Assistant

Legal Counsel: David Jeddie Smith, Asst. Attorney General

Audience: P1 Applicant LeBlanc.

Meeting called to order at 8:36 a.m., Dr. Jon Zeagler, President, presiding.

The **minutes** of the 01/23/2018 meeting were mailed to all Board members. Motion made by Dr. VanBreemen, seconded by Dr. Kruse, to accept the minutes as prepared. With no objections, motion carries unanimously.

**PUBLIC COMMENT:**

#### None.

**INTEGRITY CHECK:**

No issues offered or noted.

Motion made by Dr. Kruse, seconded by Dr. Martello to amend the order of the posted agenda to

discuss a background check review. Roll call vote: Zeagler – Yes; Rollette – Yes; Martello – Yes;

Kruse – Yes; Turk – Yes; VanBreemen – Yes. With 6 yeas, 0 nays, order of the posted agenda is

amended.

Motion made by Dr. VanBreemen, seconded by Dr. Kruse to hold an “executive session” to

discuss the background check report on potential applicant, P1 Applicant LeBlanc. Roll call vote:

Zeagler – Yes; Rollette – Yes; Martello – Yes; Kruse – Yes; Turk – Yes; VanBreemen – Yes. With

yeas, 0 nays, motion passes unanimously.

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

Motion made by Dr. Kruse, seconded by Dr. Rollette to accept the application of P1 Applicant LeBlanc. With 6 yeas, 0 nays, motion carries unanimously.

**STANDING COMMITTEE REPORTS**

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

**Financial statements** for January and February 2018 were prepared by Ms. Oliver and provided to the Board. Motion made by Dr. Kruse, seconded by Dr. Martello, to accept the **financial statements** as prepared. With no objections, motion carried unanimously.

**The Financial Activity Log of Expense and Expenditures** was presented to and reviewed by the Board as well as all bank statements since the last meeting. All members signed the cover sheet for the log. Motion made by Dr. Martello, seconded by Dr. Kruse, to accept the log as presented. With no objections, motion carries unanimously.

Relative to **deposit trends**, Ms. Oliver updated the chart to reflect activity since the last Board meeting. Board asks for next report to reflect values at close of fiscal year – June 30, 2018.

**CD report:**  Dr. VanBreemen notes 2 CDs renewed in February and one to mature in September. Motion made by Dr. Turk, seconded by Dr. Martello, to accept the CD report as presented. With no objections, motion carries unanimously.

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

* 322 phone calls received
* 9 application packets mailed
* 45 seminars reviewed
* 5 x-ray certificates issued
* 16 licenses issued
* 21 complaints filed
* 14 complaints closed
* 17 license renewals processed
* 0 license renewals returned as “incomplete” or “missing CE”
* 0 x-ray renewals
* 457 license verifications processed
* 0 public records requests
* 0 subpoenas
* 15 CE locate requests received
* 5 lists requests processed
* 19 national licensee alerts received and logged
* 0 complaints received on new law/CE change
* 0 Peer Review Requests
* **PEER REVIEW COMMITTEE REPORT BY Dr. Martello**:

No action to report.

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

Dr. Kruse has removed himself as “complaints chairman” due to personal commitments and workload. Dr. Zeagler appointed Dr. Cavanaugh as “Complaints Chairman”.

The record will note **Jeff Salczenko DC**, Karnack, TX, Mr. Brian Tru, Karnack, TX, and Mr. John Wagner, Baton Rouge, LA, AG’s Office of Medicaid Fraud, are in the audience. Motion made by Dr. Kruse, seconded by Dr. Martello, to amend the order of the posted agenda to allow Dr. Salczenko to address the Board. Roll call vote: VanBreemen – Yes; Kruse – Yes; Martello – Yes; Zeagler – Yes; Turk – Yes; Rollette – Yes. With 6 yeas, 0 nays, agenda order is amended.

**Jeff Salczenko, D.C**., Karnack, TX, is petitioning the Board to allow him to reinstate his revoked and relinquished license or to allow him to apply for a new LA license. Due to new information presented by the AG Medicaid Fraud Office as well as information from Dr. Salczenko, motion made by Dr. Kruse, seconded by Dr. VanBreemen, to allow Dr. Salczenko to apply for the upcoming exam. With no objections, motion carries unanimously.

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

Dr. Turknotes no new activity or requests.

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* **TESTING**:

Ms. Oliver notes 10 applicants will be sitting for the licensure exam later today.

Motion made by Dr. Kruse, seconded by Dr. Cavanaugh, to recess for “licensure testing” at 9:03 a.m.. With no objection, motion carries unanimously

(9:03 a.m. – 10:00 a.m -----------------------------RECESS)

Exam concluded and results to be announced in 7 days.

* **LAW & LEGISLATION:**

Relative to the required “**Ethics training**” for state employees and state board members, Ms. Oliver stresses importance of completing requirement as early as possible for the 12/31/2018 deadline!

The Board’s bill, **HB 750** by Dr. Joe Stagni relative to “**licensing requirements relative to accreditation of foreign chiropractic colleges” and foreign colleges,** and the Board’s bill, **HB 781** by Dr. Joe Stagni, relative to allow the Board to be added to the list of agencies allowed to receive expunged records of criminal activity of licensure applicants are moving through the legislative process. More info to follow.

**SB 40** by Senator Mills, relative to changing the structure of all boards to include a **consumer member**, is also moving through the legislative process. More info to follow.

**SB 280** by Senator Cortez, relative to changing the complaints process for the Board, was introduced, but after a meeting Ms. Oliver and Rep. Joe Stagni had with Senator Cortez, the bill should be left on the calendar**.** More info to follow.

Continued discussion held by Dr. Kruse on “specialty advertising” because of new Supreme C44ourt ruling on “**restraint of trade**. Dr. Kruse notes this matter can be removed from the agenda.

* **GENERAL CORRESPONDENCE**:

None at this time.

* **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 45 seminars since the last meeting and Dr. VanBreemen states 4 seminars require full Board review as follows:

Request received from TCA to review the seminar “Chiro Texpo” for CE credits as speaker is not on post grad faculty. Motion made by Dr. VanBreemen, seconded by Dr. Kruse, to approve 30 of 34 hours. With no objections, motion carries unanimously.

Request received from TCA to review the seminar “Mid-Winter Conference” for CE credits to add a speaker. Motion made by Dr. VanBreemen, seconded by Dr. Martello, to approve. With no objections, motion carries unanimously.

Request received from CAL to review the seminar entitled “The Total Core Workout”, “Could your Practice Survive a Post Payment Audit” as speaker is not on post grad faculty. Motion made by Dr. VanBreemen, seconded Dr. Martello, to approve. With no objections, motion carries unanimously.

Request received from Northwestern Health Sciences University to review the seminar “2018 International Conference” for 17.75 hours CE credits. Motion made by Dr. VanBreemen, seconded by Dr. Kruse, to approve. With no objections, motion carries unanimously.

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**OLD BUSINESS:**

Ms. Oliver and Dr. Martello attended the **FARB** conference in SanDiego, CA and

reported on highlights of conference.

Dr. Cavanaugh, Dr. Martello, Dr. Kruse and Ms. Oliver will be attending the

upcoming **FCLB** Educational Conference in Dallas, TX in May.

**NEW BUSINESS:**

Request from FCLB for a **power poll** on “**stem cell therapy**” scope inquiry per enumerated questions:

1. Is performing stem cell therapy/treatment within the scope. No

2. Is performing platelet rich plasma injections within the scope. No.

3. Any comments or other info to share? No comment.

Request received from **Matthew Duckworth Senior Financial Analyst, CFO Network, Little Rock, AR**, regarding what are licensure requirements regarding a DC to administer “weight loss program” which is being advertised. The Board requests copies of the program and states only a licensed LA DC could advertise the program.

Review of proposed annual renewal form for **x-ray proficiency certificate holders**. Board notes no changes are needed to the form at this time. Ms. Oliver notes for the form will be mailed to all certificate holders in first week of May.

Request received from **Jason Maggio, D.C**., Shreveport, LA, to accept the hours he earned in 2018 for his 2018 license renewal. Motion made by Dr. Kruse, seconded by Dr. VanBreemen, to accept the hours but to include a reminder that those hours cannot be utilized for the 2019 renewal. With 6 yeas, 0 nays, motion carries unanimously.

Motion made by Dr. Kruse, seconded by Dr. VanBreemen, to amend the posted agenda to handle items which were not received before agenda was prepared, posted and mailed. Roll call vote: VanBreemen – Yes; Kruse – Yes; Martello – Yes; Zeagler – Yes; Turk – Yes; Rollette – Yes. With 6 yeas, 0 nays, agenda order is amended.

Request received from **Jeannie Hicks, D.C**., Leeville, LA, to accept hours she earned for 2018 license renewal. Motion made by Dr. VanBreemen, seconded by Dr. Rollette, to accept the hours obtained. With 6 yeas, 0 nays, motion carries unanimously.

Request received from **David Duhon, D.C**., Lake Charles, LA, relative to performing occupational health testing for the industrial work force and regarding OSHA’s definition of “physician”. The Board notes no prohibition per the Chiropractic Act on performing occupational health testing, however recommends Dr. Duhon check with OSHA regarding requirements.

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**Upcoming Events:**

* FCLB Annual National Conference, 05/02-06/2018, Dallas, TX
* NBCE’s Part IV Test Administration (nationwide), 05/18-20/2018.
* Next Board Meeting, 06/14/2018, time to be announced.
* Biannual licensure exam, 07/26/2018, time to be announced.
* X-Ray Proficiency Certificate Holder annual renewal deadline, 07/31/2018.
* Annual license renewal deadline, 12/31/2018.

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

MEETING ADJOURNED AT APPROXIMATELY 12:01 p.m.

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