LA BOARD OF CHIROPRACTIC EXAMINERS

SUMMARY OF MINUTES

**BOARD MEETING – October 19, 2023**

Members Present: Dr. Mark B. Kruse, President; Dr. Michael Traxler, Secretary-Treasurer; Dr. Michael R.

Cavanaugh.; Dr. Kelleigh A. Payne; Dr. Denise Rollette; Peggy Anselmo, Consumer

Member.

Members Absent: Dr. Ned J. Martello, Vice-President.

Staff Present: Patricia A. Oliver, Executive Director, Shellie Hebert-Schmidt, Administrative Assistant

Legal Counsel: Madeline Carbonette, Asst. Attorney General.

Audience: Debbie Moore, DC, Picayune, MS.; Benjamin Phillips, Picayune, MS; Robert Garrity,

Harahan, LA; Shay Corbin, DC, Baton Rouge, LA.

Meeting called to order at 8:39 a.m., Dr. Mark B. Kruse, President, presiding.

The draft version of the **minutes** of the 07/20/2023 meeting was emailed to all Board members for review. Motion made by Dr. Payne, seconded by Dr. Cavanaugh, to approve the minutes and release minutes to the public as prepared. With no objections, motion carries unanimously. For future minutes, the minutes’ draft will be released to the public when prepared then ratified at the next board meeting.

**PUBLIC COMMENT:** None received.

**INTEGRITY CHECK:** None.

**STANDING COMMITTEE REPORTS**

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

Regarding complaint # 1565, Dr. Cavanaugh offers an agreed settlement proposed of $500.00. Motion by Dr. Cavanaugh, seconded by Dr. Rollette, to accept the agreed settlement. With 6 yeas, 0 nays, motion carries unanimously.

Ms. Oliver notes 82 x-ray proficiency certificate holders did not renew and that inquiry letters have been issued to the certificate holders and the employers/clinic owners.

Ms. Oliver notes a list of “delinquent” license renewals was prepared with the number of days late and number of times previously delinquent. Informal inquiry notices have been prepared.

* **FINANCE COMMITTEE REPORT** **by Ms. Oliver and Dr. Traxler:**

**Financial statements** for July, August and September 2023 were prepared by Ms. Oliver and provided to the Board. Motion made by Dr. Cavanaugh, seconded by Ms. Anselmo, to accept the **financial statements as** prepared. With no objections, motion carried unanimously.

**CD Report** discussed by Dr. Traxler and Ms. Oliver. CD # 34 was renewed at the rate of 4.7% for 18 months. On the authority of Dr. Traxler and Dr. Kruse, funds were transferred from CD# 24 to the checking account in late July to cover operating expenses until license renewal fees were being paid.

**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. Cavanaugh, seconded by Anselmo, to accept the log as presented. With 6 yeas, 0 nays, motion carries.

**Deposit Trends report:** chart updated and presented. Ms. Oliver directed to maintain the chart but remove this item from the agenda until further notice**.**

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Also, relative to “**Financial Planning**”, Ms. Oliver presented the chart requested by Dr. Kruse from the July 2023 meeting with suggested administrative fee increases as follows:

* Lists: $ $300.00
* New Licensee List –$100.00
* Mailing Labels: $350.00
* Seminar Review: Single date- $150.00; multiple dates- $300.00
* Renewal Cards: $40.00
* Dry Needling Certificate: $40.00
* License verification reports: $75.00 (webpage)
* License verification report; from $75.00 (mail)
* License verification report; $75.00 (email
* Travel to Treat certificate: $150.00
* Minutes’ subscription (annual): $75.00
* Blue Book (law book subscription) $125.00
* Motion made by Dr. Cavanaugh, seconded by Dr. Traxler, to approve the fee increases as presented. With 6 yeas, 0 nays, motion carries unanimously.
* **PEER REVIEW COMMITTEE REPORT:** No activity to report at this time.
* **STANDARDS & PRACTICES by Dr. Traxler:** Continueddiscussion held on “functional medicine”. Dr. Kruse will research and report info back to the Board at the next meeting.
* **LAW & LEGISLATION:**
* Ms. Oliver *reminds* all board members and staff of the annual requirement to take the state **Ethics** course by 12/31 and to submit proof of completion to the Board.
* Ms. Oliver *reminds* all board members and staff of annual requirement to take the state **Sexual Misconduct** course by 12/31 annually and to submit proof of completion to the Board.
* Ms. Oliver reminds all board members of new annual requirement which is **CYBER training**.
* Ms. Oliver to put all “training” requirements on the annual October meeting agenda. Ms. Oliver to put “financial disclosure” ethics requirements reminder on the annual January meeting.
* Continued discussion on “**Testimonials”** languageReview” Committee chaired by Dr. Rollette –no new info but please leave the matter on the agenda for future discussion.
* Ms. Oliver notes **Act 393** passed – regulative to the state law on hiring and employing employees with disabilities. Each board must prepare rules to conform with new law. Possibility that there are exemptions for certain boards, however, Ms. Carbonnette states we are not exempt. Matter to be left on agenda.
* Regarding “**background check**” info received by the Board, current Board policy is that every applicant must appear at a board meeting to discuss any background check info received before the application is approved or denied. Dr. Traxler, Dr. Kruse and Dr. Payne will develop criteria regarding the level of severity of background check report info required for the applicant to be required to appear in front of the Board. Also discussed is length of time the background check process with LA State Police/FBI takes for applicants. Dr. Kruse notes “Identico”/ “Identogo” are other companies utilized by some other boards to handle background checks. Ms. Oliver to investigate speed, cost, etc. and report to Board for possible future utilization.

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1. **TESTING** **Committee Report:**

* Motion made by Dr. Martello seconded by Dr. Cavanaugh to hold “executive session” to discuss application of Applicant P-1-W-2022272. Roll call vote: Dr. Rollette – Yes; Anselmo – Yes; Traxler – Yes; Cavanaugh – Yes; Payne – Yes; Kruse – Yes. With 6 yeas, 0 nays, motion carries.

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

Motion made by Dr. Traxler, seconded by Dr. Payne, to accept the application of Applicant P-1-W-2022272. With 6 yeas, 0 nays, motion carries.

* Motion to hold Executive Session to discuss the application of Applicant P-1-P20233350APR. Roll call vote: Dr. Rollette – Yes; Anselmo – Yes; Traxler – Yes; Cavanaugh – Yes; Payne – Yes; Kruse – Yes. With 6 yeas, 0 nays, motion carries.

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

Ms. Oliver notes this applicant did not present to the Board after being properly notified. Motion made by Dr. Cavanaugh, seconded by Dr. Payne, to reject the application of Applicant P-1-P20233350APR as incomplete and no attendance at board meeting. With no objections, motion carries unanimously.

* Ms. Oliver notes **NBCE** will hold its **Part IV** administration in November, 2023. Dr. Martello and Dr. Cavanaugh will participate as “examiners”.
* Ms. Oliver notes 14 exams have been administered since the July 2023 meeting.
* **ADMINISTRATIVE OVERSIGHT Committee:**

Current leave records of **Ms. Hebert-Schmidt** and **Ms. Oliver** since the July 2023 board meeting

were reviewed and approved by Dr. Traxler**,** and the full Board present reviewed and approved the leave and payroll records of all employees Dr. Traxler notes paperwork and leave records are in order and properly documented.

* **OFFICE PERFORMANCE INDICATOR REPORT:** Office activity/work product 07/15/2023 to 10/13/2023:
* Phone calls received: 421
* Licensure Application packets requested & mailed: 12
* New Applications Received w/Fee: 7
* New Applications Ready to Take Test: 1
* New Licenses Issued: 14
* Complaints Filed & Opened: 23
* Complaints closed: 2
* Complaints Pending: 81
* DC license renewals received & processed: 181
* DC license renewals returned as “incomplete” or “missing CE”: 18
* Delinquent license renewal fees paid: 1
* License verifications Requested/Reports Issued Via Mail: -0-
* License verification ordered online: 125
* New X-ray certificates issued: 44
* X-ray certs renewed: 71
* Public records requests: -0-
* Subpoenas received: -0-
* Seminars reviewed: 29
* CE locate requests received: 30
* List requests received and processed: 6
* National licensee alerts received and logged: 10
* Peer Review Requests: -0-
* Dry Needling certificates issued: 1
* Duplicate Licenses Issued: -0-
* Duplicate Xray Certificates Issued: -0-
* License Renewal Cards Purchased: 30
* Blue Books purchased: -0-
* Minutes Subscriptions: -0-
* “Travel to Treat” temporary licenses: 1
* # of Emails Received: 772
* Xerox copies requested: -0-

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* **GENERAL CORRESPONDENCE**:
* None to review.

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* **SEMINAR REVIEW by Dr. Traxler:**

Dr. Traxler reports he has reviewed 29 seminars since the last meeting. One course with program content on “transgender health” is discussed. Motin by Dr. Kruse, seconded by Dr. Payne, to approve the course content. With 5 yeas, 1 nay, motion carries.

**OLD BUSINESS:**

Continued discussion on “**real time license verification**” process. Ms. Oliver tracks the number of requests for comparison/budgeting information.

Board webpage portal progression/updates are needed as follows: calendar update. Ms. Oliver notes the Board calendar was updated earlier.

Regarding review of “**internship eligibility**”, Dr. Kruse notes no new information however requests item to remain on the agenda.

**NEW BUSINESS:**

Request received from **Dennis Gregrory, D.C.,** Clark, MO, for a waiver of his CE requirements due to health conditions. Motion made by Dr. Cavanaugh, seconded by Dr. Rollette, to grant the waiver of CE requirements. With no objections, motion carries unanimously.

Request received from **Dan Wiegand, D.C**., West Monroe, LA, to waive CE requirements due to health conditions. Motion made by Dr. Cavanaugh, seconded by Dr. Traxler to waive the CE requirements. With no objections, motion carries unanimously.

Motion made by Dr. Traxler, seconded by Dr. Cavanaugh, to amend the agenda order to include discussion on items received after agenda was prepared. Roll call vote: Rollette – Yes; Anselmo – Yes; Traxler – Yes; Cavanaugh – Yes; Payne – Yes; Kruse – Yes. With 6 yeas, 0 nays, agenda is amended.

Request received from **Paul Roger, D.C**., Lafayette, LA, to waive CE due to health conditions. Motion made by Dr. Traxler, seconded by Sr. Cavanaugh, to waive the CE requirements for Dr. Roger. With no objections, motion carries unanimously.

Ms. Oliver notes the receipt of the audit report for FY 2022-2023 as prepared by Mr. Michael Glover. Mr. Glover notes the necessary of posting correct budget items in the DOA’s website. Ms. Oliver requests hiring the CPA to do the required financial posting to the Division of Administration’s website for accuracy. This request is approved.

**Upcoming Events:**

* NBCE Part IV Testing, nationwide, 11/11-12/2023.
* Next Board Meeting, 12/14/2023, time to be announced.
* Annual license renewal deadline: 12/31/2023.

Motion made by Dr. Kruse, seconded by Ms. Anselmo, to adjourn. With no objections, the meeting is adjourned at approximately 10:45 a.m. With no objections, motion carries unanimously,

MEETING ADJOURNED 10:45 a.m.