LA BOARD OF CHIROPRACTIC EXAMINERS

SUMMARY OF MINUTES

**BOARD MEETING – april 21, 2022**

Members Present: Dr. Mark B. Kruse, President; Dr. Michael R. Cavanaugh, Vice-President; Dr. Ned J.

Martello, Secretary-Treasurer; Dr. Kelleigh A. Payne; Dr. Denise Rollette;

Dr. Michael Traxler.

Members Absent: Ms. Peggy Anselmo.

Staff Present: Patricia A. Oliver, Executive Director.

Legal Counsel: Madeline Carbonnette, Asst. Attorney General.

Audience: Debbie Moore, D.C., Picayune, MS; Tim Chittom, CAL, Baton Rouge, LA.

Meeting called to order at 8:37 a.m., Dr. Mark B. Kruse, President, presiding.

The **minutes** of the 01/20/2022 meeting were mailed to all Board members. Dr. Kruse would like to change the wording relative to “**background checks**” to remove “suggestions by the FBI” wording. Motion made by Dr. Kruse, seconded by Dr. Payne, to approve the minutes as edited. With no objections, motion carries unanimously.

Dr. Kruse announces new procedure relative to “**release of minutes**” to the public in that the minutes will be sent to the full board only in draft form then released and later ratified at the next available meeting.

**PUBLIC COMMENT:** None received.

**INTEGRITY CHECK:** None..

**STANDING COMMITTEE REPORTS**

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

Relative to **Complaint # 1485**, Dr. Cavanaugh offers an “agreed settlement” for $250.00 for possible advertising violations. Motion made by Dr. Cavanaugh, seconded by Dr. Martello to accept the agreed settlement as discussed. With no objections, motion carries unanimously.

Relative to “**delinquent license renewals**”, Ms. Oliver directed to set up complaint files for each licensee. Dr. Rollette will assist Dr. Cavanaugh in the processing of each complaint as directed by Dr. Kruse.

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

**Financial statements** for January, February and March 2022 were prepared by Ms. Oliver and provided to the Board. Motion made by Dr. Martello, seconded by Dr. Cavanaugh, to accept the **financial statements** as prepared. With no objections, motion carried unanimously.

**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. Payne, to accept the log as presented. With no objections, motion carries unanimously.

**CD report:**  No new activity.

Relative to the **‘deposit trends”** report, Ms**.** Oliver updated the chart with new info since the last board meeting and provided a copy to all Board members.

Relative to “**Financial Planning**”, no new information from Dr. Kruse, but keep on the agenda.

Review of the **budget** prepared by Mr. Barry Delery, CPA. Ms. Oliver notes the “consumer price index” currently is 8.25%. Motion made by Dr. Cavanaugh, seconded by Dr. Payne, to accept the budget draft as prepared and presented. With no objections, motion carries unanimously.

* **PEER REVIEW COMMITTEE REPORT by Dr. Martello:** No new requests have been received.
* **STANDARDS & PRACTICES by Dr. Traxler:** No information to discuss.

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* **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. She reports all Ethics certificates have been received.

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. She reports that all staff members have completed the training however all board member vouchers have not been received to date.

Relative to “**background check**” suggestions, Dr. Cavanaugh removes the item from future agendas.

Ms. Oliver reminds all board members of new annual requirement which is CYBER training.

1. **TESTING** **Committee Report** **by Ms. Oliver:**

Ms. Oliver notes **testing procedures** utilized as result of pandemic requirements and restrictions for meetings and testing offerings will continue to be utilized until further notice as discussed with Dr. Kruse and Dr. Cavanaugh. 10 applications were received for the April administration. Results to be provided at later date when finalized.

Regarding **NBCE Part IV,** Dr. Martello and Dr. Cavanaugh will be participating as “examiners” for the upcoming Part IV Exam in May, 2022.

Ms. Oliver states one licensure application needs review due to background report information received. Motion made by Dr. Cavanaugh, seconded by Dr. Martello, to hold an “executive session” to discuss the background report of **Applicant P1-L-42022**. Roll call vote: Rollette – Yes; Martello – Yes; Traxler – Yes Cavanaugh – Yes; Payne – Yes; Kruse – Yes. With 6 yeas, 0 nays, motion carries,

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

Motion made by Dr. Martello seconded by Dr. Traxler, to allow **Applicant P1-L-42022** to sit for the next available exam. With no objections, motion carries unanimously.

* **ADMINISTRATIVE OVERSIGHT:**

Current leave records of **Ms. Hebert-Schmidt** and **Ms. Oliver** since last board meeting were reviewed and approved by Dr. Martello**,** and the full Board present reviewed and approved the leave records of both employees as well as payroll info. Dr. Martello notes all paperwork and leave records are in order and documented. Motion made by Dr. Martello, seconded by Dr. Traxler, to accept the records as presented. With no objections, motion carries unanimously.

* **OFFICE PERFORMANCE INDICATOR REPORT:** Office activity/work product 01/20/2022 – 04/06/2022:
* Phone calls received: 344
* Licensure Application packets requested & mailed: 22
* New Licenses Issued: 7
* Complaints Filed & Opened: 14
* Complaints closed: 5
* DC license renewals received & processed: 19 ( $3800.00)
* DC license renewals returned as “incomplete” or “missing CE”: -0-
* Delinquent license renewal fees paid: 12
* License verifications processed: 207 (⁓$11.385.00)
* New X-ray certificates issued: 37 ($2775.00)
* X-ray certs renewed: -0-
* Public records requests: -0-
* Subpoenas received: -0-
* Seminars reviewed: 46 (~$3450.00)
* CE locate requests received: 12
* List requests received and processed: 16
* National licensee alerts received and logged: 2
* Peer Review Requests: -0-
* Dry Needling certificates issued: -0-
* Duplicate Licenses Issued: 1
* Duplicate Xray Certificates Issued: -0-
* Travel to Treat temporary license: -0-
* License Renewal Cards Purchased: 4
* Seminars posted to webpage: 46
* Blue Books purchased: -0-
* “Travel to Treat” temporary licenses: -0-
* # of Emails Received: 313

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* **GENERAL CORRESPONDENCE**:

Ms. Olver notes receiving information from Palmer that its FLA campus is closing in near future.

* **SEMINAR REVIEW by Dr. Martello:**

Dr. Martello reports he has reviewed 52 seminars since the last meeting and 14 are pending review. No seminars submitted require full board review at this time.

**OLD BUSINESS:**

None currently.

**NEW BUSINESS:**

Request received from **FCLB** for the Board’s “**delegate**” and “**alternate**” for this year’s conference. Dr. Kruse named Dr. Martello as “delegate” and Dr. Payne as “alternate.

Request received from **NBCE** for the Board’s “**delegate**” and “**alternate**” for this year’s meeting. Dr. Kruse named himself as “delegate” and Dr. Payne as “alternate”.

Dr. Kruse brings info for discussion on **chiropractic franchise** program in Walmart. How can can this be

regulated if needed? Are there facility issues, documentation issues, etc. This item for next meeting’s agenda.

Presentation of the 2022-23 **x-ray proficiency certificate renewal form** by Ms. Oliver. Motion by Dr. Cavanaugh, seconded by Dr. Payne, to approve the form as presented. With no objections, motion carries unanimously.

Request from **Michael Taylor, D.C**., Shreveport, LA, regarding collaboration between the chiropractors and the nurse practitioners. Discussion of draft of a declaratory statement. This matter is under advisement per Dr. Kruse. This will be on kept on the agenda for next meeting (old business).

Request received from **Susan Schoonmaker, D.C**., Clearwater, FL, to waive the CE requirements or accept the hours she obtained. Motion by Dr. Martello, seconded by Dr. Kruse, to waive the CE hours and impose the delinquent penalty. With no objections, motion carries unanimously.

Ms. Oliver notes items received after the agenda was prepared that require Board attention. Motion made by Dr. Traxler, seconded by Dr. Martello, to amend the agenda to include items received after agenda preparation. Roll call vote: Martello – Yes; Traxler – Yes; Cavanaugh – Yes; Payne – Yes; Rollette – Yes; Kruse – Yes. With 6 yeas, 0 nays, motion carries unanimously, and agenda is amended.

Dr. Kruse notes he received a petition for a declaratory statement from CAL regarding **“treatment and manipulation of infants and small children**” and that BCBS will not reimburse for those services. Ms. Oliver instructed to place this request on the next meeting’s agenda to comply with the Administrative Procedures Act regarding deadline for filling requests for declaratory statements.

Request received from **Gendia Bonvillion, D.C**., River Ridge, LA, to waive the delinquent license renewal fee due to health issues. Motion made by Dr. Traxler, seconded by Dr. Rollette, to waive the delinquent fee. With 6 yeas, 0 nays, motion carries unanimously.

Request from **Alaina Wischmeyer, D.C**., Covington, LA, to sit for the exam outside the testing time window. Ms. Oliver explains that the 30-day state law for eligibility notification must be followed. Motion made by Dr. Cavanaugh, seconded by Dr. Martello, to allow Dr. Wischmeyer to sit for the mail-in exam with the correct notification rules to be followed. With 6 yeas, 0 nays, the motion carries unanimously.

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**Upcoming Events:**

* NBCE Part IV Testing, nationwide, 05/13-15/2022.
* Next Board Meeting, 07/21/2022, time to be announced.
* Board Licensure Exam: 07/21/2022 (additional offering)
* Xray Proficiency Certificate Holder annual renewal deadline: 07/31/2022
* Annual license renewal deadline: 12/31/2022

Motion made by Dr. Cavanaugh, seconded by Dr. Martello, to adjourn. With no objections, meeting is adjourned at approximately 10:57 a.m.. With no objections, motion carries unanimously,

MEETING ADJOURNED 10:57 a.m.