LA BOARD OF CHIROPRACTIC EXAMINERS

SUMMARY OF MINUTES

**BOARD MEETING – JANUARY 27, 2011**

Members Present: Dr. Michael Cavanaugh, President, Dr. Mark Kruse, Vice President; Dr. Ned Martello; Dr. R. Buckley VanBreemen; Dr. Wynn Harvey; Dr. Jon Zeagler; Dr. David Barczyk.

Members Absent: None

Staff Present: Patricia A. Oliver, Executive Director

Legal Counsel: Angelique Freel, Attorney General, Attorney General’s Office, Baton Rouge, LA.

Audience: Jeff Salczenko, D.C., Houston, TX

Meeting called to order at 8:55 a.m., Dr. Michael Cavanaugh, President, presiding.

The **minutes** of the 12/09/2010 meeting were mailed to all Board members. Motion made by Dr. Zeagler, seconded by Dr. Barczyk, to accept the minutes. With no objections, motion carries unanimously.

**PUBLIC COMMENT:**

#### None

**STANDING COMMITTEE REPORTS**

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

**Financial statements** for November and December 2010 were prepared by Ms. Oliver and provided to the Board members. Motion made by Barczyk, seconded by Dr. Kruse, to accept the statements. With no objections, motion carries unanimously.

**CD report** was given by Dr. VanBreemen, noted that he would like to do more research for other options to place the funds in before he decides if he is going to renew the CD that has recently matured.

Relative to the recent **audit report**, Mr. Rob Furman, Auditor, was asked to attend the meeting, however he had a scheduling conflict and will attend the April 2011 meeting.

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

No activity to report at this time.

1. **COMPLAINT COMMITTEE REPORT by Dr. Harvey**:

Dr. Harvey reported that he has several complaints in motion, but nothing finalized at this time.

Dr. Barczyk prepared the “**practice alert**” info for our webpage relative to “patient solicitation”. Ms. Oliver has posted it on the webpage.

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* **STANDARDS & PRACTICES report by Dr. Kruse**:

No activity at this time.

**RECESS AT 9:10 A.M. FOR LICENSURE EXAM**

**BACK IN SESSION AT 10:05 A.M.**

* **LAW & LEGISLATION:**

**Ethics / Sexual Misconduct draft language** prepared by Ms. Freel**.**

Motion made by Dr. Kruse, seconded by Dr. Zeagler, to accept language presented with minor correction. With no objections, motion carries unanimously.

Motion made by Dr. Harvey, seconded by Dr. Kruse to amend the agenda to allow **Dr. Jeff Salczenko** to address the Board to discuss his license application. Roll call vote: Cavanaugh – Yes; Harvey – Yes; Martello – Yes; Zeagler – Yes; Barczyk – Yes; VanBreemen – Yes; Kruse – Yes. With 7 yeas, 0 nays, motion carries unanimously.

Dr. Jeff Salczenko is seeking application for licensure. After lengthy discussion with Dr. Salczenko, a motion was made by Dr. Harvey, seconded by Dr. Zeagler, to hold an “executive session”. Harvey – Yes; Martello – Yes; Zeagler- Yes; Kruse – Yes; Barczyk – Yes; VanBreemen – Yes; Cavanaugh – Yes;. With 7 yeas, 0 nays, motion carries unanimously. Ms. Freel asked Dr. Salczenko if he was agreeable with the Board going into executive session, he stated yes. He was asked to step out into the reception area.

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

**Back in Regular Session @ 11:03 AM**

The Board told Dr. Salzenko that his application request will be denied at this time for the following reason(s): 1. The past conviction for the type of crime that was committed. 2. The question of “good moral character”. 3. The information he provided last time in regards to delinquency of “child support” payments and money owed to Federal and State Government. A motion was made by Dr. Martello, seconded by Dr. Barczyk, to deny his request at this time. With 6 yeas, 0ne nay, the motion is carried.

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Motion made by Dr. VanBreemen, seconded by Dr. Harvey, to amend the agenda for Ms. Freel to speak about the “corporate practice of medicine” . Roll call vote: Harvey – Yes; Martello – Yes; Zeagler – Yes; Barczyk – Yes; VanBreemen – Yes; Cavanaugh – Yes; Kruse – Yes. With 7 yeas, 0 nays, agenda is amended.

Angelique Freel, was notified by someone inquiring about the Board’s position on “corporate practice of medicine”. She referred him to the applicable laws and rules. The Board will work on a statement, and Angelique will notify the party as such.

* **GENERAL CORRESPONDENCE:**

XXXXxxxxXXXXXX Notice received from **NBCE** relative to their upcoming testing schedule for the year. Further, Ms. Oliver informed the board that the NBCE has introduced a new testing format for the Ethics & Boundaries exam. They also sent out a list of dates of all the upcoming exams this year, and are requesting members for the Part IV exam in May. Dr.

Cavanaugh expressed interest in going. Also Dr. Zeagler would like to go

To the testing that will be held in November at Logan College. Ms. Oliver informed the Board Dr. Ned Martello was named “delegate” and Dr. Wynn Harvey was named “alternate”, and if anyone else is interested that she we will need to know ASAP to make arrangements.

* **ADMINISTRATIVE OVERSIGHT:**

Dr. VanBreemen reviewed hours for Ms. Oliver and Ms. Schmidt and everything is in order.

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

Upon his review, they were 4 seminars that did not meet all of the criteria, and needed to have the full board’s approval.

Request received from the Florida Chiropractic Association for the seminar entitled, “FCA Fall Convention” wherein all speakers were not on post graduate faculty. Motion made by Dr. VanBreemen, seconded by Dr. Kruse to accept. With no objections, motion carries.

Request received from Texas Chiropractic Association for a CE program entitled “Foot Knee Pelvis Symposium” wherein all speakers were not on post-graduate faculty. Motion made by Dr. VanBreemen, seconded by Dr. Harvey to accept. With no objections, the motion carries unanimously.

Request received from the International Chiropractic Pediatric Association for a program entitled “ICPA 180 Certification Program” wherein all speakers were not on post-graduate faculty. Motion made by Dr. VanBreemen, seconded by Dr. Harvey to accept. With no objections, the motion carries unanimously.

Request received from CAL for approval for a program entitled “X-Ray Proficiency and Safety for the Chiropractic Assistant” wherein all speakers were not on post-graduate faculty. Motion made by Dr. VanBreemen, seconded by Dr. Kruse to accept. With no objections, motion carries unanimously.

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**OLD BUSINESS**

Relative to “owning or building a board office”, Ms. Oliver was informed by Kathy Chittom that they have a new building being built across from her office, and wanted the board to know in case they were interested.

Dr. Harvey informed the board that he has been working with a realtor looking at various properties around the area that are currently available for sale. Ms. Oliver has investigated those properties suggested.

**NEW BUSINESS:**

**100 Hour Certification & 300 Hour Specialty Register Programs - Dr. Kruse**

Dr. Kruse suggests to the Board that they modify the criteria for the certification needed for the Board to recognize someone on Specialty Register. He would like to modify D-1 and A-3 of the statutes, it should read in addition that all material must be authorized, viewed and approved by the Board. Motion made by Dr. Kruse, seconded by Martello, to accept the changes as presented. With no objections, the motion carries unanimously.

**Michael Keogh, D.C.**, Port Allen, LA, sent in a request to have the Board to allow him to change his status from “Inactive” to “Active”. Motion made by Dr. Kruse, seconded by Dr. Zeagler to grant the request. With no objections, the motion carries unanimously.

**Dennis Gregory, D.C.** xxxxxxxxxx, xx, sent in a request to have the Board waive his risk management requirements for the 2011 renewal. Motion made by Dr. Zeagler, seconded by Dr. Martello, to grant the waiver request. With no objections, motion carries unanimously.

**Anthony Bastecki, D.C., Lexington, KY,** sent in a request to have the Board waive his risk management requirements for the 2011 renewal. Motion made by Dr. Harvey, seconded by Dr. Barczyk, to waive the RM requirements. With no objections, motion carries unanimously.

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**Stuart White, D.C.**, xxxxxxx, xx, sent in a request to have the Board waive his risk management requirements for the 2011 renewal. Motion made by Dr. Harvey, seconded by Dr. Kruse, to waive the requirements. With no objections, motion carries unanimously.

**Douglas Stakes, D.C., xxxxxxxx, xx,** sent in a request to waive his risk management requirements for the 2011 renewal. Motion made by Dr. VanBreemen, seconded by Dr. Kruse, to grant the request. With no objections, motion carries unanimously.

**Edward Group, D.C., xxxxxxxxx, xx,** sent in a request to waive his risk management requirements for the 2011 renewal. Motion made by Dr. VanBreemen, seconded by Dr. Barczyk, to grant the request. With no objections, motion carries unanimously.

**Kevin Cox, D.C., xxxxxxxxx, xx,** requested that the delinquent renewal fee be waived for his 2011 renewal due to illness and financial hardship. Motion made by Dr. Harvey, seconded by Dr. Martello, to grant the delinquent renewal fee waiver. With no objections, motion carries unanimously.

**Jeff Marston, D.C. , xxxxxxxx, xx,** sent in a request to have his license renewal delinquent fee waived for the 2011 renewal. Motion made by Dr. Zeagler, seconded by Dr. Kruse, to deny the delinquent fee waiver. With 5 yeas, 2 nays, motion carries.

**Harvey Nicaud, D.C., xxxx, xx,** sent in a request to have his license renewal delinquent fee waived for the 2011 renewal. Motion made by Dr. Kruse, seconded by Dr. Zeagler, to deny the delinquent waiver request. With 6 yeas, 1 nay, motion carries.

**Troy Beaucoudray, D.C, xxxxxxxx, xx,**. sent in a request for the Board to accept his Medical school Neurology Board review course as his 2011 CE requirements. Motion made by Dr. Harvey, seconded by Dr. Kruse to accept and seconded by Dr. Kruse. With 5 yeas, 1 nay, motion carries.

**Richard Myers, D.C., xxxxx, xx,** sent in a request to have the CE hours he submitted for the 2011 renewal is accepted. Motion made by Dr. Kruse, seconded by Dr. Barczyk, to accept and seconded by Dr. Barczyk, with no objections the motion carries.

**John Spencer, D.C**., Baton Rouge, LA, requested an extension to obtain the CE Hours needed for the 2011 renewal. Motion made by Dr. Harvey, seconded by Dr. Kruse, to grant a 3 month extension. With no objections, the motion carries unanimously.

**Jason Maggio, D.C., xxxx, xx,** requested an extension to obtain the CE Hours needed for the 2011 renewal. Motion made by Dr. Zeagler, seconded by Dr. Harvey to grant extension for 90 days plus pay the delinquent fee. With no objections, motion carries unanimously.

**Jeffrey Hamilton, D.C.**, xxxxxx, xx, sent in a request to have an extension to obtain 2 CE hours that he is lacking for the 2011 renewal. Motion made by Dr. VanBreemen, seconded by Dr. Harvey, to waive the 2 hours needed. With no objections, motion carries unanimously.

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**Teresa DeJournette, D.C., xxxxxxx, xx,** sent in a request to have her “inactive” license renewal fee waived for the 2011 renewal due to physical illness and financial hardship. Motion made by Dr. Zeagler, seconded by Dr. VanBreemen, to waive the inactive renewal fee. With no objections, motion carries unanimously.

xxxxxxxxxxzzzMotion made by Dr. Kruse to amend the Agenda for items that came in after the Agenda was posted. Seconded by Dr. Zeagler, with no objections the motion carries.

**Ben Savoie, D.C**. sent in advertisement ad for the Board to look at. Motion made to accept Ad, and seconded by Dr. Kruse for the purpose for further discussion. Dr. Zeagler withdrew his motion, and Dr. Harvey stated to the Board that he will contact Dr. Savoie and walk him thru the advertisement process.

**Eugene Rizzo, D.C.** sent in a request to have his license reinstated. Motion made to allow Dr. Rizzo to reinstate his license upon completion of his CE hours by and seconded by Dr. Barczyk, with no objections the motion carries.

Ms. Oliver informs everyone that the next Board Meeting is April 14, 2011

Motion made to adjourned meeting by Dr. Barczyk, and seconded by Dr. Kruse with no objections the meeting is adjourned at approximately 12:36pm