LA BOARD OF CHIROPRACTIC EXAMINERS

SUMMARY OF MINUTES

**BOARD MEETING – april 12, 2012**

Members Present: Dr. R. Buckley VanBreemen, Secretary-Treasurer; Dr. David Barczyk; Dr. Wynn Harvey; Dr. Ned Martello; Dr. Jon E. Zeagler

Members Absent: Dr. Mark Kruse, President; Dr. Michael Cavanaugh, Vice President.

Staff Present: Patricia A. Oliver, Executive Director

Legal Counsel: Angelique Freel, Asst. Attorney General

Audience: Bud Oliver & Shirley Oliver, Baton Rouge, LA

Meeting called to order at a.m., Dr. R. Buckley VanBreemen, Secretary-Treasurer, presiding.

The **minutes** of the 01/19/2012 meeting were mailed to all Board members. Motion made by Dr. Zeagler, seconded by Dr. Barczyk, to approve the minutes as received. With no objections, motion carries unanimously.

**PUBLIC COMMENT:**

#### None

**STANDING COMMITTEE REPORTS**

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

**Financial statements** for January and February 2012 were prepared by Ms. Oliver and provided to the Board members. Motion made by Dr. Barczyk, seconded by Dr. Harvey, to accept the statements. With no objections, motion carries unanimously.

**CD report** was given by Dr. VanBreeman. xxxxxxx’s,

Request received from LA Office of State Auditor to renew the contract for the Board’s required **annual audit** with the current firm. Motion by Dr. Barczyk, seconded by Dr. Harvey, to renew the contract. With no objection, motion carries unanimously.

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

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

Relative to **Complaint #981** regarding advertising “free”, motion made by Dr. Harvey, seconded by Dr. Martello, to accept an agreed settlement of $350.00. With no objections, motion carries. Also Dr. Harvey informs the Board he has two informal hearings today.

**Recess @ 9:00 am for additional offering of the licensure exam.**

**Board meeting resumes at 9:44 a.m.**

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

No current activity at this time.

* **LAW & LEGISLATION:**

Ms. Oliver notes SB 631 by Senator Long, the Board’s proposed legislation to authorize the Board to request fingerprinting and background checks of all licensure applicants and applicants for license renewal, passed favorably out of the Senate Commerce Committee on xxxxxxx. Ms. Oliver testified on the Board’s behalf. Ms. Oliver will research State Police on procedures for collecting finger prints and the fee method.

Ms. Oliver notes the new law requiring a bachelor’s degree for all applicants has affected approximately 5 potential reciprocity applicants who did not have an undergraduate degree. Ms. Freel and Dr. Barczyk will draft new language to take into consideration reciprocity applicants.

* **TESTING:**

4 applicants presented this morning for testing. Results to be announced in approximately 7 days. Next exam is scheduled for July xx, 2012.

Relative to the NBCE Part IV exam, Dr. Zeagler would like to participate at the xxxxxSt. Louis, MO site in November, 2012. Dr. Cavanaugh and Dr. Martello will be participating as “examiners” at the Life College site in May, 2012.

* ADMINISTRATIVE OVERSIGHT COMMITTEE by Dr. VanBreemen:

Dr. VanBreemen has reviewed the time records for Ms. Oliver and Ms. Hebert-Schmidt and reports all records are in order.

* **GENERAL CORRESPONDENCE:**

Correspondence received from FCLB relative to an election to be held at the upcoming FCLB national conference for District V assistant director. Dr. Martello will be nominated for that position.

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

Dr. VanBreemen informed the Board he has reviewed 57 seminars since the last Board meeting, however, there are 11 seminars requests requiring full Board review:

1. “*2012 ACBSP Chiropractic Sports Science Symposium*” sponsored by University of Western States Chiropractic College, contains speakers not on post graduate faculty. Motion made by Dr. VanBreemen, seconded by Dr. Zeagler, to accept the seminar for continuing education. With no objections the motion carries unanimously.
2. *“Clinical Documentation, Coding and Risk Management*”, sponsored through the Chiropractic Association of Louisiana with speakers not on post graduate faculty. Motion made by Dr. VanBreemen, seconded by Dr. Zeagler to the seminar for continuing education. With no objections, motion carries unanimously.
3. “*Establishing Documentation Standards, Medicare A to Z. Medicare Adjusting, RM, Ethics, Coding in the Chiropractic Office & Acupuncture”*, sponsored through Texas Chiropractic Association containing speakers not on post-grad faculty. Motion made by Dr. VanBreemen, seconded by Dr. Zeagler, to accept the seminar for continuing education. With no objections, the motion carries unanimously.
4. *“OSCIPA Spring 2012 Relicensing Seminar*”, sponsored through Oklahoma State Chiropractic Association contains speakers not on post-grad faculty. Motion made by Dr. VanBreemen, seconded by Dr. Zeagler to accept the seminar for continuing education. With no objections, the motion carries unanimously
5. “*Physiological Therapeutics for the Chiropractic Office*”, sponsored through Michigan Association of Chiropractic contains speakers not on post-grad faculty. . Motion made by Dr. VanBreemen, seconded by Dr. Zeagler. With no objections, the motion carries unanimously.
6. “*New Mexico Chiropractic Association 2012 Annual Convention*”, sponsored by the New Mexico Chiropractic Association contains speakers not on post grad faculty. Motion made by Dr. VanBreemen, and seconded by Dr. Zeagler, with no objections, the motion carries unanimously.
7. “*Active Care Rehab*”, sponsored by the Michigan Association of Chiropractic. This one is being brought to the board’s attention due to the speakers not on post grad faculty. Motion made by Dr. VanBreemen, seconded by Dr. Zeagler. With no objections, the motion carries unanimously.

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**SEMINAR REVIEW by Dr. VanBreemen (cont’d.)**

1. “*Insurance Claim Practice, the Current Culture in the Insurance Industry*”, sponsored by the Chiropractic Association of Louisiana contains speakers not on post grad faculty. Motion made by Dr. VanBreemen, seconded by Dr. Zeagler. With no objections, the motion carries unanimously.
2. “*Fibromyalgia Syndrome Muscle Pain & Dysfunction*”, sponsored by Mississippi Chiropractic Association, contains speakers not on post grad faculty. Motion made by Dr. VanBreemen, seconded by Dr. Barczyk. With no objections, the motion carries unanimously.
3. *“Risk Management Record Keeping & Beyond*”, sponsored by Chiropractic Association of Louisiana speakers not on a post grad faculty. Motion made by Dr. VanBreemen, seconded by Dr. Barczyk to approve the seminar for continuing education. With no objections, motion carries unanimously.
4. “*Building the Ultimate Back from Rehabilitation to High Performance*”, sponsored by Higher Power Training speakers are not on post grad faculty. Motion made by Dr. Zeagler, seconded by Dr. Barczyk, that more info is needed before approval can be given. With no objections, the motion carries unanimously.

* **OLD BUSINESS:**

Scanning / CE Attendance Monitoring: Ms. Oliver hands out updates of all the states and their process of CE monitoring. Dr. VanBreemen requests this matter be “tabled” for at next meeting when the full Board is in attendance.

Ms. Oliver notes **Dr. Damon Cormier**, xxxxxxx, LA and **Dr. Ed Chauvin**, Abbeville, LA are present. Motion made by Dr. Barczyk, seconded by Dr. Zeagler, to change the order of the posted agenda to allow Dr. Chauvin and Dr. Cormier to present and discuss their request relative to “**Quantum Neurology**” technique. With no objections, motion carries unanimously.

Presentation by Dr. Chris Cormier and Dr. Ed on “Quantum Neurology” technique, requesting if the Board would consider this for CE credits. The Board advised them more info is needed in writing and also the procedures for submitting a seminar to the Board for CE must be followed.

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**xxxxxBoard office Building:** Ms. Oliver informs the board that she and Angelique Freel, atty. has met with Mr. David Henderson, Bond Commision attorney relative to steps needed to purchase an office for the Board. The next step needed is for the Board to formally make an offer to the current owner. Dr. Martello notes the availability of an informal appraisal he can request. Motion made by Dr. Barzyk, seconded by Dr. Harvey, to give Dr. Martello the authority to offer $285,000 and the mobility to go up to $300,000 with Dr. Martello’s securing of informal inspection information before the offer is made. With no objections, the motion carries unanimously.

The Board discusses the financial aspect of paying for the building. Motion made by Dr. Harvey, seconded by Dr. Barczyk, make a down payment between $60,000 to $80,000 and secure a mortgage for the balance. With no objections, the motion carries unanimously.

Additional news letter – Ms. Oliver discusses the content of the news letter. The board would like to hold off in sending it out until September. They would like to add new items once legislation is over.

* **NEW BUSINESS:**

Dr. Zeagler advises the board that the **Veterinary Board** has promulgated rules that require a veterinarian be on site in order for a chiropractor to treat an animal. This action was contrary to conversation and correspondence initially received from the Vet Board. Dr. Zeagler would like to gather the agendas from the Vet Board meetings to see when this action transpired. Ms. Freel stated that she would like to see the correspondence that was received from the Veterinary Board. It was requested that this be tabled till next meeting waiting for the new information.

Request received from **Garrett B. Bardin, D.C,** xxxxxxxx, xx, for license reinstatement. Ms. Oliver notes all fees, paperwork and CE hours have been received. Motion made by Dr. Harvey, seconded by Dr. Martello to reinstate Dr. Bardin’s license. With no objections the motion carries.

Request received from **Eric Snipes, D.C.**, xxxxx, xx, for license reinstatement. Ms. Oliver notes Dr. Snipes has submitted the paperwork and fees due, but is waiting on CE vouchers needed. Motion made by Dr. Harvey, seconded by Dr. Zeagler, to grant the reinstatement upon receipt at the Boadr office of all necessary CE hours. With no objections, the motion carries unanimously.

**Justin Walbom, D.C**. – has requested to accept CE hours that he took this 2012 year for his 2012 license renewal. Motion made by Dr. Harvey to accept and seconded by Dr. Zeagler, with no objections the motion carries.

**Elizabeth Fontenot, D.C**. - has requested the board to waiver her risk management requirements for the upcoming 2013 license renewal. Motion made to accept by Dr. Harvey and seconded by Dr. Martello, with 2 ayes and 1 nay, the motion carries.

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Dr. Zeagler requested to put risk management waivers on the next meeting’s agenda.

**Asghar Mortagi, D.C.** – has requested the board to waive his risk management requirements for the upcoming 2013 license renewal. Motion made by Dr. Harvey to accept and seconded by Dr. Martello, with 2 yes and 1 nay the motion carries.

**Michael Fontenot, D.C**. – has requested the board to waive his risk management requirement for the upcoming 2013 license renewal. Motion made by Dr. Harvey and seconded by Dr. Martello, with 2 yes and 1 nay the motion carries.

**Rowan Clark** – has requested the board to accept the hours she has presented to receive her x-ray certification. She is lacking hours, due to her being in the military and she was not able to take entire course. Motion made by Dr. Zeagler to accept contingent that she passed the written part. Seconded by Dr. Harvey with no objections the motion carries.

**Ammitai Worob, D.C**. – has requested a travel to treat license. Motion made by Dr. Harvey to accept, contingent on we receive all supporting documents. Seconded by Dr. Zeagler, with no objections the motion carries.

**Kathryn Phelan** – has requested a travel to treat license. Motion made by Dr. Harvey to accept, contingent on we receive all supporting documents. Seconded by Dr. Zeagler, with no objections the motion carries.

Motion made by Dr. Harvey to amend agenda for additional items that need discussing. Seconded by Dr. Martello, with no objections the motion carries.

Ms. Oliver did roll call. Dr. R.Buckley VanBreemen, Dr. Wynn Harvey, Dr. Jon Zeagler and Dr. Ned Martello.

Angelique Freel, District Attorney General’s Office

**Charles Guarisco, D.C**. – submitted request to get a refund for his late fee on his license renewal. Board advised Ms. Oliver to let him know that we are not allowed to issue refunds, it is in our statutes.

**Jason Maggio, D.C**. – requested that the board accept his continuing education hours that he received this 2012 year to go towards his 2012 license renewal. Motion made by Dr. Harvey and seconded by Dr. Martello, with no objections the motion carries.

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**Jason Pellegrin, D.C**. – submitted an inquiry if it was within the scope of practice a chiropractor could make house calls. The board advises to let him know that it is within the scope.

**Charles Deese, D.C.** – submitted documentation of a continuing education course that he took, and wanted to get approval from the board. The board advised Ms. Oliver that he must have the sponsor submit a CE Seminar packet.

Ms. Oliver informs board that the next scheduled board meeting will be held on June 14, 2012

Motion made by Dr. Zeagler to adjourn meeting at 12:03pm, with a second by Dr. Harvey and no objections the motion is carried.