LA BOARD OF CHIROPRACTIC EXAMINERS

SUMMARY OF MINUTES

**BOARD MEETING – JULY 30, 2015**

Members Present: Dr. Wynn T. Harvey, President; Dr. Ned J. Martello, Vice-President; Dr. Michael Cavanaugh, Dr. Mark B. Kruse; Dr. Joseph E. Turk; Dr. R. Buckley VanBreemen.

Members Absent: Dr. Jon E. Zeagler, Secretary-Treasurer.

Staff Present: Patricia A. Oliver, Executive Director

Shellie Hebert-Schmidt, Administrative Assistant

Legal Counsel: Angelique Freel, Asst. Attorney General.

Audience: None.

Meeting called to order at 8:40 a.m., Dr. Wynn T. Harvey, President, presiding.

The **minutes** of the 04/02/2015 meeting were mailed to all Board members. Motion made by Dr. Cavanaugh, seconded by Dr. Martello, to accept the minutes as prepared. With no objections, motion carries unanimously.

**PUBLIC COMMENT:**

#### None.

**STANDING COMMITTEE REPORTS**

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

**Financial statements** for March, April, May, and June, 2015 were prepared by Ms. Oliver and provided to the Board members. Motion made by Dr. Kruse, seconded by Dr. Cavanaugh, to accept the statements as prepared. With no objections, motion carries unanimously.

**CD report** was given by Ms. Oliver in Dr. Zeagler’s absence – no new info to report.

Due to Dr. Zeagler’s absence, the **expense and expenditure reimbursements** will be held over until the next meeting.

Ms. Oliver notes the **annual audit** work will begin soon since she has received notification from the Legislative Auditor’s Office. This year’s audit work will be conducted by the Legislative Auditor’s assigned staff.

Relative to the Board’s directive to begin researching info for a new **office building purchase** in the future, Ms. Oliver toured a nearby building which is currently for sale, but noted the building was extremely large and not suitable for the Board’s use. More research to follow.

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

Dr. Martello notes no new activity since the last Board meeting.

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

Dr. Harvey notes 2 complaints, **#1117,** **#1134**, are related to website advertising violations. He has secured agreed settlements on each of these complaints for $350.00. Motion made by Dr. Harvey seconded by Dr. Kruse, to accept the settlements as offered. With no objections, motion carries unanimously.

Dr. Harvey notes 2 complaints, **#1130,** **#1142**, are related to newspaper advertising violations. He has secured agreed settlements on each of these complaints for $350.00. Motion made by Dr. Harvey seconded by Dr. Kruse, to accept the settlements as offered. With no objections, motion carries unanimously.

Dr. Harvey notes Complaint # **1177** is regarding an advertising violation that is a repeat violation. He is offering an agreed settlement of $700.00. Motion made by Dr. Harvey, seconded by Dr. Kruse. With no objections, motion carries unanimously.

Dr. Harvey notes 3 complaints, **#1157,** **#1159 and #1170**, are related to delinquent license renewal violations. He has secured agreed settlements on each of these complaints for $500.00. Motion made by Dr. Harvey seconded by Dr. Cavanaugh, to accept the settlements as offered. With no objections, motion carries unanimously.

Dr. Harvey notes 1 complaint, **#1153,** related to delinquent license renewal violations. He has secured agreed settlements on each of these complaints for $350.00. Motion made by Dr. Harvey seconded by Dr. Martello, to accept the settlements as offered. With no objections, motion carries unanimously.

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

No report at this time.

* **LAW & LEGISLATION:**

Ms. Oliver notes the PT Board director and president are supposed to attend today’s meeting at a later time for a discussion of the proposed SCR 19.

Relative to CAL’s **scope of practice** changes, SB 56 by Sen. Dorsey was not successful in the Legislature.

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* **TESTING**:

Relative to **NBCE’s Part IV Exam**, the NBCE has made a petition for 2 board members to participate as “examiners” in the upcoming November offering. Dr. Martello and Dr. Cavanaugh will attend the November exam.

Relative to the **additional offering of the licensure exam**, Ms. Oliver notes there are 13 applicants, however 2 have cancelled. Motion made by Dr. Martello, seconded by VanBreemen, to recess for testing.

With no objections, motion carries unanimously. Testing begins at 9:05 a.m.

------------------Recess

Testing completed and recess concluded at 9:55 a.m. for the licensure exam which was held today.

* **ADMINISTRATIVE OVERSIGHT:**

In Dr. Zeagler’s absence, the **leave records** will be mailed to Dr. Zegaler for his review.

Dr. Harvey notes the “**Administrative Oversight Committee**” discussed the **annual salary review** of Ms. Oliver and Ms. Hebert-Schmidt. The Committee, composed of the president, immediate past president, and the secretary-treasurer, recommends a salary increase for **Ms. Oliver** and **Ms. Hebert-Schmidt** of 4%. Motion made by Dr. Harvey, seconded by Dr. Turk, to grant a 4% salary increase to Ms. Oliver and Ms. Hebert-Schmidt. With no objections, motion carries unanimously.

Dr. Harvey reports he spoke to **Ms. Eddye Boeneke** via telephone about her salary/earning restrictions relative to State Retirement and noted she does not seek an hourly increase at this time.

* **SEMINAR REVIEW by Dr. VanBreemen (Dr. Zeagler’ s absence):**

Ms. Oliver reports Dr. Zeagler had reviewed 64 seminars since the last meeting, however, 6 seminars require full Board review due to all speakers not on post graduate faculty as follows:

Request from **DC Seminars** to review the seminar entitled, “Coding Compliance Documentation in a Chiropractic Practice”. Motion made by Dr. VanBreemen, seconded by Dr. Martello, to approve the seminar for CE credits. With no objections, motion carries unanimously.

Request from **Kineticore** to review the seminar entitled, “Functional Dry Needling”. Motion made by Dr. VanBreemen, seconded by Dr. Turk, to approve the seminar for CE credits. With no objections, motion carries unanimously.

Request received from **NWHSU** to review the seminar entitled, “Hormone Advanced Practice Module” which contains 17.5 hours however no post grad faculty. Motion made by Dr. VanBreemen, seconded by Dr. Martello, to approve the seminar. With no objections, motion carries unanimously.

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* **SEMINAR REVIEW by Dr. VanBreemen (Cont’d.):**

Request received from **NWHSU** to review the seminar entitled, “DeTox Advanced Practice Module”. Motion made by Dr. VanBreemen, seconded by Dr. Cavanaugh, approve the seminar. With no objections, motion carries unanimously.

Request received from **Dr. Ma** to review the seminar entitled, “Integrative Dry Needling for Pain Management and Sports Performance”. Motion made by Dr. VanBreemen, seconded by Dr. Martello, approve the seminar. With no objections, motion carries unanimously.

Request from **CE Seminars** to review the seminar entitled, “Tactical First Aid”. Motion made by Dr. VanBreemen, seconded by Dr. Cavanaugh, to approve the seminar for CE credits. With no objections, motion carries unanimously.

Ms. Oliver notes a request received from ASH relative to live CEUs for webinar attendees for CE credit hours and gives details as provided in the written request. Dr. Kruse would like an inquiry made if a Board member or staff can attend to see the actual procedure/process of the seminar attendance and delivery method. Ms. Oliver will contact the group.

* GENERAL CORRESPONDENCE:

None to discuss.

**OLD BUSINESS:**

Ms. Oliver notes the **FCLB** national conference was held in May in New Orleans, LA. Dr. Kruse, Dr. Martello, Dr. VanBreemen, Dr. Cavanaugh, and Dr. Zeagler were also in attendance. Topics discussed included fraud and abuse, background checks, ethics & boundaries, CE presenters’ credentialing, chiropractic educational programs, regulatory board news, antitrust lawsuit info, etc.

**NEW BUSINESS:**

Ms. Oliver notes the upcoming district **FCLB** meeting for District 3 and 5 will be held September 17-19 to in Providence, RI. Dr. Kruse, Dr. Cavanaugh, Dr. Harvey will attend as state Board representatives. Dr. Martello and Ms. Oliver will attend in duel capacity (state board and board of directors for FCLB). Dr. VanBreemen is uncertain at this time as to his plans. Dr. Turk cannot attend.

Ms. Oliver notes receipt of **contract renewal** paperwork for **Celia Cangelosi,** attorney, for the Board’s disciplinary legal work. The contract terms have changed as follows: $225.00 per hour (allowable rate for years’ experience). All other terms remain as in last year’s contract. Motion made by Dr. Cavanaugh, seconded by Dr. Martello to accept the contract. With no objections, motion carries unanimously.

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Discussion initiated by Dr. Cavanaugh relative to **The Patriot Project** relative to chiropractic treatment of veterans, wounded warriors, etc., and info received on it from the recent FCLB conference. It is suggested perhaps information could be placed in the Board’s annual newsletter about the program and/or a link on our website. Motion made by Dr. VanBreemen, seconded by Dr. Turk, if,approved by Ms. Freel, this info to be included in the newsletter and/or as a link on the Board’s website. With no objections, motion carries unanimously.

Request from **Christus Health of LA**, if there an approved list of exams or treatments. Ms. Oliver instructed to respond there is no list available and refer them to the scope of practice.

Request received from **Gerald Logan, D.C**., New Orleans, LA, to obtain an extension to his original request to obtain CE for the 2015 license renewal. Motion made by Dr. VanBreemen, seconded by Dr. Turk, to grant an additional 90 days to obtain and submit his CE hours. With no objections, motion carries unanimously.

Request from **Ernest Whitman, D.C**., Lake Charles,, LA, regarding the use of the “Ultimate Rife Machine”. Questions regarding what is the Rife Machine – electrical stim treatment machine - Response to be send that “electrical stimulation which is used to improve the functional integrity of the spine and is within the scope of practice.

Request received from **Derek Kolbus, D.C**, Slidell, LA, who attended the FCA 2015 seminar, to accept the hours he obtained for his CE for the 2015 license renewal. Motion made by Dr. Cavanaugh, seconded by Dr. Turk, to accept the hours for 2015 license renewal. With no objections, motion carries unanimously.

Request received from **Jon Roberts, D.C**., Hawi, Hawaii, to extend his CE extension to obtain approved hours for his 2015 license renewal. Motion made by Dr. Martello, seconded by Dr. Kruse, to allow the extension to obtain CE hours until October 31, 2015. With no objections, motion carries unanimously.

Request from **David Horner, D.C**., Many, LA, regarding conducting physicals that include tuberculosis screening. Response will be sent that it is included in the scope of practice.

Request from **Stephanie Griffits, D.C**., Jacksonville, IL, to apply the application fee she submitted for the April exam to the July exam. Motion made by Dr. Martello, seconded by Dr. Kruse, to apply the fee to the July exam. With no objections, motion carries unanimously.

Request from **Katrina Rankins, D.C**., Jacksonville, IL, to apply the application fee she submitted for the July exam to the October exam. Motion made by Dr. Martello, seconded by Dr. Kruse, to apply the fee to the October exam. With no objections, motion carries unanimously.

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Inspection of information received on out of state licensure for applicant. The Board requests an invitation for the applicant to appear at the next Board meeting to provide further information.

Discussion initiated by Dr. Cavanaugh relative to “dry needling” and if a person must be a licensed physician to utilize “dry needling”, i.e such as an intern. The Board notes as long as a person is “certified” in “dry needling”, it can be utilized.

Ms. Oliver notes the annual Board election was not included on the agenda and requests a motion to be made to be in compliance with statutes regarding holding the election at the Board’s July meeting. Motion made by Dr. Cavanaugh, seconded by Dr. VanBreemen, to amend the posted agenda to include the Board’s annual election. Roll call vote: Kruse – Yes; Martello – Yes; Cavanaugh – Yes; Turk – Yes; VanBreemen – Yes; Harvey – Yes. With 6 yeas, 0 nays, agenda is amended.

**Annual Board Elections**:

Dr. Harvey requests nominations for the office of “**secretary-treasurer**”. Dr. VanBreemen nominates Dr. Zeagler. Hearing no other nominations, Dr. Harvey closes the nominations and announces Dr. Zeagler is “secretary-treasurer” by acclamation.

Dr. Harvey requests nominations for the office of “**vice president**”. Dr. Martello nominates Dr. Cavanaugh. Hearing no other nominations, Dr. Harvey closes the nominations and announces Dr. Cavanaugh is “vice president” by acclamation.

Dr. Harvey requests nominations for office of “**president**”. Dr. Harvey nominates Dr. Martello. Hearing no other nominations, Dr. Harvey closes the nominations and announces Dr. Martello is “president” by acclamation.

**Upcoming Events:**

* X-Ray Proficiency Certificate renewal, 07/31/2015
* FCLB District 3 & 5 Conference, Providence, RI, September 17-20, 2015
* Next Board Meeting, 10/15/2015
* Additional offering of the licensure exam, 10/15/2015, time to be announced
* NBCE’s Part IV Exam administration, 11/13-15/2015
* Annual license renewal deadline, 12/31/2015

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

MEETING ADJOURNED AT APPROXIMATELY 11:36 a.m..