LA BOARD OF CHIROPRACTIC EXAMINERS

SUMMARY OF MINUTES

**BOARD MEETING – January 21, 2016**

Members Present: Dr. Ned J. Martello, President; Dr. Michael Cavanaugh, Vice-President; Dr. Jon E. Zeagler, Secretary-Treasurer; Dr. Wynn T. Harvey; Dr. Joseph E. Turk; Dr. R. Buckley VanBreemen.

Members Absent: Dr. Mark B. Kruse.

Staff Present: Patricia A. Oliver, Executive Director

Judy K. Sanchez, Administrative Assistant

Legal Counsel: Angelique Freel, Asst. Attorney General.

Audience: None.

Meeting called to order at 8:44 a.m., Dr. Ned J. Martello, President, presiding.

The **minutes** of the 12/10/2015 meeting were mailed to all Board members. Motion made by Dr. Cavanaugh, seconded by Dr. Zeagler, 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 statement** for December 2015 was prepared by Ms. Oliver and provided to the Board members. Motion made by Dr. Cavanaugh, seconded by Dr. Harvey, to accept the statement as prepared. With no objections, motion carries unanimously. Dr. Harvey would like Ms. Oliver to compare license renewal stats for 2014, 2015 and 2016 and provide report at next Board meeting.

**CD report** Dr. Zeagler notes 4 CDs will be maturing in February. CD rates will be investigated so that the best available rate will be utilized.

All Board members present reviewed each **expense and expenditure reimbursement** expense since the December 10, 2015 Board meeting as well as all bank statements and signed each cover sheet.

**“Performance Indicator”** report compiled with info since last Board meeting was provided to Board members for review.

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

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

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

Dr. Harvey notes massages are being given by DC’s utilizing “massage chairs”. More info to follow.

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

No report at this time and Dr. Kruse is absent as well.

* **LAW & LEGISLATION:**

Relative to exemptions in LA Statutes regarding expungement of records, R.S. 44.9.G and disclosure of arrests, etc., Ms. Freel has researched the statutes. She provides language which can be utilized should the Board wish to be included in the statutes regarding disclosure requirements by licensees. Dr. Zeagler will contact Senator Long about this proposal.

Continued report by Dr. Martello on meetings he attended as Board representative to the **Physical Therapy Patient Access Review Committee**. He has secured a copy of the report prepared to be sent to the Legislature. Dr. Martello may attend the Legislative Committee hearing in future to testify and provide information.

* **TESTING**:

Relative to **NBCE’s Part IV Exam,** it will be held across the country May 13-15, 2016. Dr. Martello and Dr. Cavanaugh plan on attending as LA’s Board representatives.

The **Biannual licensure exam** was held earlier today with 7 applicants. Results will be available in approximately one week.

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* **ADMINISTRATIVE OVERSIGHT:**

Dr. Zeagler notes review of Ms. Hebert-Schmidt and Ms. Oliver’s **leave records** and further, the full Board present reviewed and approved the leave records of both employees as well as payroll info for all 3 employees.

Ms. Oliver welcomes back **Ms. Judy Sanchez**, former Board part time employee, who is assuming **Ms. Hebert-Schmidt**’s duties while she is recuperating from surgery.

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* **SEMINAR REVIEW by Dr. Zeagler:**

Ms. Oliver reports Dr. Zeagler had reviewed 12 seminars since the last meeting; however 5 additional seminars require full Board review as follows:

Request from **University of Western States** to review the seminar entitled, “Fascial Distortion Model” due to “no post grad faculty”. Motion made by Dr. Zeagler, seconded by Dr. VanBreemen, to approve the seminar for CE credits. With no objections, motion carries unanimously.

Request from **LUCP** to review the seminar entitled, “Chiropractic Assistant X-ray Proficiency” due to “no post grad faculty”. Motion made by Dr. Zeagler, seconded by Dr. Turk, to approve the seminar. With no objections, motion carries unanimously.

Request from **Northwestern Health Sciences University** to review the seminar entitled, “Functional Medicine” due to “no post grad faculty”. Motion made by Dr. Zeagler, seconded by Dr. Harvey, to approve the seminar for CE credits. With no objections, motion carries unanimously.

Dr. Zeagler requests if Ms. Oliver can modify the **Board’s webpage** relative to “seminars” to list seminars by month date as well as seminar sponsor.

Relative to “**CE hour vouchers**”, Ms. Oliver notes a situation she has discovered wherein licensees are being charged for CE vouchers through some type of CE voucher broker/company. It is discussed that a notice could be sent out to all seminar sponsors stating it is expected that each attendee will receive at least one CE voucher included in the course registration fee. This matter to be placed on next meeting’s agenda.

* GENERAL CORRESPONDENCE:

None to discuss.

**OLD BUSINESS:**

Continued discussion on **FCLB’s “PACE**” program which is relative to CE programs. More info was received as requested from FCLB regarding credentialing process etc., however, the Board would like specific info on the fee schedule utilized. Ms. Oliver will request the information. Matter to be placed on next meeting’s agenda.

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Dr. Martello notes that Dr. Cavanaugh has been appointed to the FCLB’s “Resolution and Bylaws” Committee.

**NEW BUSINESS:**

Request received from **Stephen Falls, D.C**., Slidell, LA, if “cupping techniques” are within the scope of practice. Ms. Oliver directed to respond that “cupping techniques” are within the scope.

Request received from **FCLB** for designation of the Board’s “delegate” and “alternate”. Dr. Martello appoints Dr. Cavanaugh as “delegate” and Dr. VanBreemen as “alternate”.

Request received from **NBCE** for designation of the Board’s “delegate” and “alternate”. Dr. Martello appoints Dr. VanBreemen as “delegate” and Dr. Cavanaugh as “alternate”.

Dr. Zeagler notes he would like to attend the June meeting as LA’s representative to the NBCE’s “test writing committee”.

Request received from **Shane Russell, D.C**., Monroe, LA, to waive the delinquent fee he was assessed because the seminar he attended was not approved. Motion made by Dr. Zeagler, seconded by Dr. Harvey, to deny the request to waive the delinquent fee. With 4 yeas, and 1 nay, motion carries.

Request received from **Lance Baye, D.C**., Lockport, LA, who was unable to receive a CE voucher due to voucher broker which was utilized by CE sponsor was not reachable before 12/31, is requesting a waiver of the delinquent fee. Motion made by Dr. Zeagler, seconded by Dr. VanBreemen to waive the delinquent fee. With no objections, motion passes unanimously.

Request received from **Joe Halkovic, D.C**., Bogalusa, LA, who submitted an incomplete license renewal form, to waive the delinquent renewal fee. Motion made by Dr. Cavanaugh to deny the request. Motion dies for “lack of a second”. Motion made by Dr. Harvey, seconded by Dr. VanBreemen, to deny the request but renew the license with 12/31/2015 date. With no objections, motion carries unanimously.

Request received from **Melissa Hoffmann, D.C**., Mandeville, LA, who submitted an incomplete license renewal form, to waive the delinquent renewal fee. Motion made by Dr. Harvey, seconded by Dr. Turk, to deny the request but renew the license with 12/31/2015 date. With no objections, motion carries unanimously.

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Request received from **Brian Hasse, D.C**., Houston, TX, who submitted an incomplete license renewal form, to waive the delinquent renewal fee. Motion made by Dr. VanBreemen, seconded by Dr. Harvey, to deny the request but renew the license with 12/31/2015 date. With no objections, motion carries unanimously.

Request received from **J. Michael Flynn, D.C**., Houma, LA, who submitted an incomplete license renewal form, to waive the delinquent renewal fee. Motion made by Dr. Harvey, seconded by Dr. Turk, to deny the request but renew the license with 12/31/2015 date. With no objections, motion carries unanimously.

Request received from **Thomas Barnett, D.C**., Houston, TX, who submitted an incomplete license renewal form, to waive the delinquent renewal fee. Motion made by Dr. Harvey, seconded by Dr. Cavanaugh, to deny the request but renew the license with 12/31/2015 date. With no objections, motion carries unanimously.

Request received from **Ben Tekippe, D.C**., New Orleans, LA, who submitted an incomplete license renewal form, to waive the delinquent renewal fee. Motion made by Dr. Harvey, seconded by Dr. Cavanaugh, to deny the request but renew the license with 12/31/2015 date. With no objections, motion carries unanimously.

Ms. Oliver notes items received for Board review which were not include on the posted agenda due to late receipt of items. Motion made by Dr. Zeagler, seconded by Dr. Cavanaugh, to amend the posted agenda to include those items. Roll call vote: Cavanaugh – Yes; Zeagler – Yes; VanBreemen – Yes; Harvey – Yes; Turk – Yes; Martello – Yes. With 6 yeas, 0 nays, agenda is amended.

Request received from **Angela Sonnier, D.C**., Vinton, LA, who submitted an incomplete license renewal form, to waive the delinquent renewal fee. Motion made by Dr. Harvey, seconded by Dr. Zeagler, to deny the request and reinstate the licensed on the initial date of receipt – January 7, 2016 – for the license fee to be paid immediately and 30 days to pay the delinquent fee. With no objections, motion carries unanimously.

Request received from **Katie Carpenter, D.C**., Mandeville, LA, who submitted an incomplete license renewal form, to waive the delinquent renewal fee. Motion made by Dr. Harvey, seconded by Dr. VanBreemen, to deny the request but renew the license with 12/31/2015 date. With no objections, motion carries unanimously.

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Request received from **Brandon Venden, D.C**., Shreveport, LA, who submitted an incomplete license renewal form, to waive the delinquent renewal fee. Motion made by Dr. Harvey, seconded by Dr. Cavanaugh, to deny the request but renew the license with 12/31/2015 date. With no objections, motion carries unanimously.

Request received from **Anthony Fenoli, D.C**., Olla, LA, who submitted an incomplete license renewal form, to waive the delinquent renewal fee. Motion made by Dr. Harvey, seconded by Dr. Cavanaugh, to deny the request but renew the license with 12/31/2015 date. With no objections, motion carries unanimously.

Request received from **Robert Zahn, Jr**., Frisco, TX, for an extension to obtain approved CE for the 2016 renewal. Motion made by Dr. Zeagler, second by Dr. Cavanaugh, to grant the extension to February 24, 2016 with renewal and delinquent fees due. With no objections, motion carries unanimously.

Request received from **Jon Zeagler, D.C**., Natchitoches, LA, who submitted an incomplete license renewal form, to waive the delinquent renewal fee. Motion made by Dr. VanBreemen, seconded by Dr. Harvey, to deny the request but renew the license with 12/31/2015 date. With no objections, motion carries unanimously.

Request from **Everett Johnson, DC,** Irving, TX, for a temporary practice privilege/travel to treat license for the upcoming ATMOS Energy program. Motion made by Dr. Zeagler, seconded by Dr. Harvey, to grant the license. With no objections, motion carries unanimously.

Request from **Hamid Sadri, DC**, Decatur, GA, for a temporary practice privilege/travel to treat license for the upcoming   
Active Release Technique seminar in New Orleans, LA. Motion made by Dr. Zeagler, seconded by Dr. Harvey, to grant the license. With no objections, motion carries unanimously

Request received from **Richard Volgraf, D.C**., Newton, PA, to apply the application fee he submitted for the January exam to the upcoming April 2016 exam. Motion made by Dr. Harvey, seconded by Dr. Cavanaugh, to allow the fee to be utilized for the January 2016 exam. With no objections, motion carries unanimously.

**Upcoming Events:**

* Next Board Meeting, 04/14/2016.
* Additional offering of licensure exam, 04/14/2016, time to be announced
* X-Ray Proficiency Certificate holders’ annual renewal deadline, 07/31/2016.
* Annual license renewal deadline, 12/31/2016.

Motion made by Dr. Cavanaugh, seconded by Dr. Harvey, to adjourn. With no objections, motion carries unanimously.

MEETING ADJOURNED AT APPROXIMATELY 12:29 p.m.