

BOARD OF CHIROPRACTIC

Open Session Minutes

January 8, 2019

1:30 pm to 3:00 pm

BOARD MISSION STATEMENT:

“To **serve** and **protect** the public and ensure high standards of chiropractic care and professionalism through best practices in regulation, education, and outreach.”

The Open Session Minutes continue on the next page with the ‘Board Meeting Participants’.

MEETING PARTICIPANTS:

BOARD MEMBERS:	
Keita Vanterpool, DC (KV)	
Justin Klein, DC (JK)	
Heather Burris (HB)	
BOARD STAFF:	
Frank Meyers, JD – Executive Director	
Mary Harris – Health Licensing Specialist	ABSENT
Angela Braxton – Health Licensing Specialist	
Charles Annor – Health Licensing Specialist	
Emilia Moran – Investigator	ABSENT
Diane Moore – IT Support	ABSENT
LEGAL STAFF:	
Ajay Gohil, Esq. – Board Attorney Advisor	
Suzanne Fenzel, Esq. – Board Attorney Advisor	ABSENT

The Open Session Minutes continue on the next page with the ‘Call to Order’.¹

¹ The order in which the following agenda items are listed does not necessarily reflect the order in which the items were discussed during the meeting.

CALL TO ORDER

OS-19-01-01 ALL	<u>INTRODUCTIONS</u> A. BOARD MEMBERS B. BOARD STAFF	
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APPROVAL OF MINUTES, CONSENT AGENDA AND STAFF REPORTS

OS-19-01-02 ALL	<u>BOARD/DEPARTMENT REPORT</u> A. BOARD CHAIR'S REPORT i. Annual Meeting This year's annual meeting is May 1 - 5, 2019 in Mission Bay, CA. Dr. Vanterpool announced she is running for Treasurer at that meeting, and distributed her letter of intent to the members for input. ii. Fall Meeting The fall district meeting is scheduled for October 3 – 6, 2019 in Jersey City, NJ. iii. Stark Law Dr. Vanterpool brought up questions re: Stark Law and how referrals are made. Mr. Gohil, legal counsel to the Board, mentioned various safe harbors that exist but that Stark Law is federal in nature and not necessarily in the scope of the Board's authority. Mr. Gohil stated he would research the DC regulations governing referalls and provide that information to the Board. B. EXECUTIVE DIRECTOR'S REPORT i. Renewal Update The Executive Director provided an update on the status of the 2018 renewal cycle. ii. Licensure Census The Executive Director provided an update on the current licensure census in the District. C. BOARD ATTORNEY'S REPORT	
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	<ul style="list-style-type: none"><li data-bbox="509 142 1312 331"><p>i. 2019 Meeting Dates The Board Attorney informed the Board that he posted the notice of this year’s Board meetings in the DC Register. The website has also been updated with the meetings schedule.</p><li data-bbox="509 373 1312 562"><p>ii. FCLB Board Attorney Section The Board Attorney announced that he is now the co-chair for the FCLB Board Attorney section. An upcoming session will include discussion of state regulations of CBD production and CBD oils.</p><li data-bbox="509 604 1312 793"><p>iii. Proposed Statute Change The Board Attorney distributed a copy of the previously approved draft language changing the scope of practice for Chiropractors. This was for informational purposes only.</p><li data-bbox="509 835 1312 1423"><p>iv. Sports Medicine Licensure Clarity Act of 2017 The recent FAA reauthorization Act of 2018 included a change affecting multi-jurisdictional practice – the Sports Medicine Licensure Clarity Act of 2017. This bill extends the liability insurance coverage of a state-licensed medical professional to another state when the professional provides medical services to an athlete, athletic team, or team staff member pursuant to a written agreement. Prior to providing such services, the medical professional must disclose to the insurer the nature and extent of the services. This extension of coverage does not apply at a health care facility or while a medical professional licensed in the state is transporting the injured individual to a health care facility.</p><p>This item was for informational purposes only.</p>	
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<p>OS-19-01-03 ALL</p>	<p><u>OPEN SESSION MINUTES</u></p> <p>Board Action: Consideration of the Open Session minutes from the November 13, 2018 meeting.</p> <p>Background: The Open Session Minutes are a record of the Board’s past meeting(s), describing the events, list of attendees, a statement of the issues considered and related responses or decisions of the Board.</p> <p>Motion: Motion made by Dr. Klein to approve the minutes. Seconded by Ms. Burris.</p> <p>Dr. Vanterpool, Dr. Klein and Ms. Burris voted in favor of the motion. The motion passed unanimously.</p>	<p>FM</p>
<p>OS-19-01-04 ALL</p>	<p><u>OPEN CONSENT AGENDA</u></p> <p>Board Action: Consideration of the current January 9, 2019, Open Consent Agenda items for purposes of review and/or ratification of Board actions taken since the last Board meeting.</p> <p>Background: The Open Consent Agenda is a record of the decisions and/or actions taken by the Board or its staff since the last meeting of the Board.</p> <p>Motion: Motion made by Dr. Klein to approve the Open Session Consent Agenda. Seconded by Ms. Burris.</p> <p>Dr. Vanterpool, Dr. Klein and Ms. Burris voted in favor of the motion. The motion passed unanimously.</p>	<p>FM</p>

The Open Session Minutes continue on the next page with ‘Misc. Items for Discussion’.

MISC. ITEMS FOR DISCUSSION

<p>OS-19-01-05 ALL</p>	<p><u>JURISPRUDENCE EXAMINATION TESTING DATES</u></p> <p>Board Action: To discuss whether the current quarterly cycle for the jurisprudence exam should be changed to allow for more frequent testing dates.</p> <p>Background: Currently the Board of Chiropractic holds the jurisprudence examination on ever other meeting of the Board (i.e., quarterly). Recently Dr. Klein asked whether the jurisprudence examination should be held more frequently, so as to prevent any undue delays in the licensure process? Applicants waiting for the jurisprudence exam can obtain a provisional license, however these applicants must first be licensed in another jurisdiction.</p> <p>Motion: Motion made by Dr. Klein to allow the jurisprudence exam to be given at all scheduled meetings of the Board. Seconded by Ms. Burris.</p> <p>Dr. Vanterpool, Dr. Klein and Ms. Burris voted in favor of the motion. The motion passed unanimously.</p>	<p>FM</p>
<p>OS-19-01-06 ALL</p>	<p><u>PROPOSED CHANGES TO ACUPUNCTURE REGULATIONS</u></p> <p>Board Action: To review the proposed changes to existing acupuncture regulations for Chiropractors.</p> <p>Background: The Board of Chiropractic previously approved a request from the Board of Medicine to modify their acupuncture regulations to ensure consistency in training requirements for all acupuncture practitioners in the District. The proposed changes are being presented for review.</p> <p>Motion: Motion made by Dr. Klein to approve the language. Seconded by Ms. Burris.</p> <p>Dr. Vanterpool, Dr. Klein and Ms. Burris voted in favor of the motion. The motion passed unanimously.</p>	<p>AG</p>

The Open Session Minutes continue on the next page with 'Motion to Close'.

MOTION TO CLOSE

OS-19-01-07
ALL

MOTION TO CLOSE

Board Action:

To go into closed session to discuss confidential matters as permitted in DC Official Code § 2-575(b).

Background:

Pursuant to DC Official Code § 2-575(b), the Board may move into the Closed Executive Session portion of the meeting to discuss the following:

1. To consult with an attorney to obtain legal advice and to preserve the attorney-client privilege between an attorney and a public body, or to approve settlement agreements pursuant to § 2-575(b)(4)(a);
2. Preparation, administration, or grading of scholastic, licensing, or qualifying examinations pursuant to section § 2-575(b)(6);
3. To discuss disciplinary matters pursuant to section § 2-575(b)(9);
4. To plan, discuss, or hear reports concerning ongoing or planned investigation of alleged criminal or civil misconduct or violations of law or regulations, if disclosure to the public would harm the investigation pursuant to section § 2-575(b) (14).

Motion:

Motion made by Dr. Klein to go into closed session. Seconded by Ms. Burris.

Dr. Vanterpool, Dr. Klein and Ms. Burris voted in favor of the motion. The motion passed unanimously.

The Open Session Minutes continue on the next page with ‘Motion to Adjourn’.

MOTION TO ADJOURN

OS-19-01-08
ALL

MOTION TO ADJOURN

Board Action:

To adjourn the meeting.

Background:

At the end of every a meeting the a motion to adjourn must be made in open session to close out the business of the Board.

Motion:

Motion made by Ms. Burris to adjourn the meeting. Seconded by

Dr. Vanterpool, Dr. Klein and Ms. Burris voted in favor of the motion. The motion passed unanimously.

This ends the Open Session Minutes.