

BOARD OF CHIROPRACTIC

Open Session Minutes

July 14, 2020

1:47 pm to 3:00 pm

VIRTUAL MEETING NOTICE

Due to the COVID-19 pandemic, all board meetings will be held virtually during the declared public health emergency.

Information on how to access the public portion of the meeting is listed below:

Join by Web

<https://dcnet.webex.com/dcnet/j.php?MTID=m3a2de06af40f8ed9d27ca05e464e36e5>

Join by Phone

Call-in Number: 1-650-479-3208

Access Code: 160 005 5215

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)	
Marsha Johnson (MJ)	
Stephanie Johnson, DC (SJ)	
BOARD STAFF:	
Frank Meyers, JD – Executive Director	
Mary Harris – Health Licensing Specialist	
Angela Braxton – Health Licensing Specialist	
Charles Annor – Health Licensing Specialist	
Emilia Moran – Investigator	
LEGAL STAFF:	
Ajay Gohil, Esq. – Board Attorney Advisor	
Suzanne Fenzel, Esq. – Board Attorney Advisor	

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-20-07-01
ALL

INTRODUCTIONS

- A. BOARD MEMBERS**

- B. BOARD STAFF**

APPROVAL OF MINUTES, CONSENT AGENDA AND STAFF REPORTS

OS-20-07-02
ALL

BOARD/DEPARTMENT REPORT

A. BOARD CHAIR’S REPORT

FCLB Meetings

District meetings are still plan for Meeting in November

B. EXECUTIVE DIRECTOR’S REPORT

i. COVID-19 Update(s)

The Executive Director provided an update on the District’s responses to COVID-19.

ii. Executive Director Update

The Department is still working to re-certify the Executive Director position, which must be completed before posting. Mr. Meyers will provide an update once received.

iii. Licensure Census

The Executive Director provided an update on the current licensure census in the District, as follows:

	Active
ANCILLARY PROCEDURES - AC	2
ANCILLARY PROCEDURES - PT	78
CHIROPRACTOR	<u>113</u>
Total	193

C. BOARD ATTORNEY’S REPORT

	<p>i. FCLB Meetings & Scholarships</p> <p>The Board Attorney asked the Chairperson whether FCLB would be allowing those who were granted a scholarship for travel to this years District III meeting to utilize that scholarship to next year? Concerns were specifically raised with the upcoming meeting in Miami, which is experience a large spike in COVID-19 cases.</p> <p>The Board Chair stated she would review this matter with the full FCLB at their upcoming meeting.</p>	
<p>OS-20-07-03 ALL</p>	<p><u>OPEN SESSION MINUTES</u></p> <p>Board Action: Consideration of the Open Session minutes from the May 12, 2019 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 Dr. Johnson.</p> <p>Dr. Klein, Dr. Johnson, Ms. Johnson, Ms. Burris, and Dr. Vanterpool 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

OS-20-07-04 ALL	<p><u>DRY NEEDLING</u></p> <p>Board Action: To review the various documents compiled by legal staff regarding dry needling.</p> <p>Background: The Board has previously discussed whether the practice of dry needling is within the scope of practice of chiropractors in the District. As part of this discussion, legal staff were asked to research the topic, including how other jurisdictions have addressed dry needling. In response, legal is providing the following documents for Board review:</p> <ol style="list-style-type: none">1. State Survey re: Dry Needling;2. Current DC law re: chiropractic scope of practice; and3. Current Maryland law re: dry needling. <p>This information is being provided for Board review.</p> <p>Motion: Ms. Nija Chapel, Legal Intern, presented on the research she had done regarding dry needling. The Board then discussed what were their options for next steps, including whether a policy would be doable?</p> <p>1st motion made by Dr. Klein to have legal draft a policy re: dry needling for presentation at the September 2020 meeting. Seconded by Dr. Johnson.</p> <p>2nd motion made by Dr. Klein to draft a policy re: the practice of telehealth. Seconded by Dr. Johnson.</p> <p>Dr. Klein, Dr. Johnson, Ms. Johnson, Ms. Burris, and Dr. Vanterpool voted in favor of the motion. The motion passed unanimously.</p>	FM
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The Open Session Minutes continue on the next page with 'Motion to Close'.

MOTION TO CLOSE

OS-20-07-
05
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 Ms. Burris to go into closed session. Seconded by Dr. Johnson.

Dr. Klein, Dr. Johnson, Ms. Johnson, Ms. Burris, and Dr. Vanterpool 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-20-03-
09
ALL

MOTION TO ADJOURN

Board Action:

To adjourn the meeting.

Background:

At the end of every meeting 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. Johnson.

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

This ends the Open Session Minutes.