

**IDAHO BOARD OF CHIROPRACTIC PHYSICIANS**  
**Bureau of Occupational Licenses**  
700 West State Street, P.O. Box 83720  
Boise, ID 83720-0063

**Board Meeting Minutes of 10/2/2012**

**BOARD MEMBERS PRESENT:** Larry D. Nelson – Vice-Chair  
Charles H. Coiner  
Mary Jo White  
James E. Hollingsworth  
Michael Troy Henze

**BUREAU STAFF:** Tana Cory, Bureau Chief  
Dawn Hall, Administrative Support Manager  
Jean Uranga, Board Prosecutor  
Lori Peel, Investigative Unit Manager  
Maurie Ellsworth, Legal Counsel  
Marilyn London, Technical Records Specialist

**OTHERS PRESENT:** Travis Broughton, Applicant

The meeting was called to order at 9:00 AM MDT by Larry Nelson, D.C.

**APPROVAL OF MINUTES**

Dr. Hollingsworth made a motion to approve the minutes of May 22, 2012. It was seconded by Dr. White. Motion carried.

**LEGISLATIVE REPORT**

Ms. Cory gave the legislative report updating that the Bureau has been given approval for a new licensing system in conjunction with four other state agencies. The Bureau will be having the kick off meeting October 3, 2012.

**FINANCIAL REPORT**

Ms. Hall gave the financial report, which indicated that the Board has a cash balance of \$132,922.76 as of September 30, 2012.

**RENEWAL CONTRACT**

Ms. Hall presented the Fiscal Year 2013 Renewal Contract. It was moved by Dr. White that the Board approve the Fiscal Year 2013 Renewal Contract and authorize the Board Chair to sign. It was seconded by Mr. Coiner. Motion carried.

## **DISCIPLINARY COMPLAINTS**

Ms. Uranga presented a memo for recommended action on cases CHI-2012-4 and CHI-2013-1. The Board presented its recommendation on case CHI-2012-4.

Ms. Peel presented information to the Board on the complaint process and the steps that are taken when a complaint is received in the Bureau.

It was moved by Dr. White that a warning letter be sent to Respondent in case CHI-2013-1 regarding HIPPA compliance. It was seconded by Dr. Hollingsworth. Motion carried.

## **INVESTIGATIVE REPORT**

Ms. Peel gave the investigative report, which is linked above.

## **OLD BUSINESS**

### **CHIROPRACTIC ASSISTANTS**

Dr. White presented information on the history of the Chiropractic Assistants Program through the Federation of Chiropractic Licensing Boards. The information provided an overview of the educational requirements and the process, which includes an internship and examination. The Board decided to table the discussion and look at it at a future Board meeting.

## **NEW BUSINESS**

### **EXECUTIVE SESSION**

Mr. Coiner made a motion that the Board go into executive session under Idaho Code § 67-2345(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Dr. Henze. The vote was: Dr. White, aye; Dr. Hollingsworth, aye; Dr. Henze, aye; Mr. Coiner, aye; and Dr. Nelson, aye. Motion carried.

Dr. White made a motion to come out of executive session. It was seconded by Dr. Henze. The vote was: Dr. White, aye; Dr. Hollingsworth, aye; Dr. Henze, aye; Mr. Coiner, aye; and Dr. Nelson, aye. Motion carried.

The Board took a 5 minute break.

## **EXECUTIVE SESSION**

Dr. Henze made a motion that the Board go into executive session under Idaho Code § 67-2345(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Mr. Coiner. The vote was: Dr. White, aye; Dr. Hollingsworth, aye; Dr. Henze, aye; Mr. Coiner, aye; and Dr. Nelson, aye. Motion carried.

Mr. Henze made a motion to come out of executive session. It was seconded by Dr. White. The vote was: Dr. White, aye; Dr. Hollingsworth, aye; Dr. Henze, aye; Mr. Coiner, aye; and Dr. Nelson, aye. Motion carried.

## **APPLICATION**

Mr. Coiner made a motion to deny the application of Travis Broughton based on not meeting the qualifications listed in Idaho Code 54-708 (1); 54-709 (b); 54-712 (6) and (15) and Board Rule 100.02.a.i. and the endorsement licensure requirements listed in Idaho Code 54-710 (1); 54-712 (6) and (15); 54-713 (1) and Board Rule 100.02.b(iii) and (iv). It was seconded by Dr. Hense. Motion carried.

## **DISCIPLINARY**

Ms. Peel presented a complaint on case I-CHI-2013-5. It was moved by Mr. Coiner to close case I-CHI-2013-5 and notify complainant that the Board has no jurisdiction over unlicensed practice. It was seconded by Dr. White. Motion carried. The Board further discussed the issues and Mr. Coiner withdrew the motion and Dr. White withdrew the second.

It was moved by Dr. Hollingsworth to close case I-CHI-2013-5 and refer the case to the Kootenai County Prosecutor. It was seconded by Dr. Henze. Motion carried.

## **CORRESPONDENCE**

The Board reviewed a letter from Dennis Harper regarding chiropractor assistants. It was moved by Dr. Hollingsworth that the Board thank Dr. Harper for his letter regarding the chiropractic assistants and the Board will keep his comments in mind. It was seconded by Dr. Henze. Motion carried.

The Board reviewed an informational letter from John Leonesio as an introduction to The Joint...the chiropractic place, a national franchise organization. No response is necessary.

The Board reviewed a letter from Camille Miley regarding manipulation under anesthesia. It was moved by Dr. Hollingsworth that the Board send a letter stating that it would be within the scope of practice in Idaho if it is taught in an accredited chiropractor college with additional training in the specific procedures. It was seconded by Dr. White. Motion carried.

The Board reviewed a letter from Jennifer Mitchell, Arizona State Board of Chiropractic Examiners regarding allowing chiropractors to perform injections of nutraceuticals and/or homeopathics and if any complaints have been filed against chiropractors regarding these types of services. It was moved by Dr. Henze that the Board send a letter quoting the scope of practice Rule 020 and request that Ms. Peel check to see if any complaints have been received regarding these services. It was seconded by Dr. White. Motion carried.

The Board reviewed correspondence from Tim Murbach and Nate Brunhoff regarding scope of practice. It was moved by Mr. Coiner that the Board send letters directing them to the Idaho Laws and Rules regarding scope of practice. It was seconded by Dr. Hollingsworth. Motion carried.

## **CONTINUING EDUCATION COURSES**

The Board reviewed the following continuing education courses:

1. Dr. Samuel Barker – Mid America School of Nurse Practitioners
2. IACP Training on October 20, 2012 – 8 hours
3. IACP – 3 Essential Nutrients – The Anatomy of the Subluxation – 6 hours
4. The Perinatal and Pediatric Practice – 1 hour for each course
5. 983 Behavioral Considerations – 25 hours
6. ICAC 2012 Diverse Seminars – 12 hours
7. Rehabilitation of the Athlete – 1 hour for each course
8. Integrative Myofascial Release – 1 hour for each course
9. Are You Living the Health Illusion – 2 hours

It was moved by Dr. White that the Board approve the listed continuing education courses with the exception of the IACP – 3 Essential Nutrients and The Anatomy of the Subluxation courses pending additional information and the Chair's approval of the information. It was seconded by Dr. Hollingsworth. Motion carried.

## **PEER REVIEW LIAISON**

It was moved by Mr. Coiner that the Board appoint Dr. Hollingsworth as the Peer Review Liaison. It was seconded by Dr. Henze. Motion carried.

## **ELECTIONS**

It was moved by Mr. Coiner to elect Dr. Hollingsworth as Board Chair. It was seconded by Dr. White. Motion carried.

It was moved by Mr. Coiner to elect Dr. Nelson to continue serving as Board Vice-Chair. It was seconded by Dr. Henze. Motion carried.

### **NEXT MEETING**

The next Board meeting is a conference call scheduled for January 17, 2013 at 12:00 p.m. MST.

### **ADJOURNMENT**

Dr. Henze made a motion to adjourn the meeting at 2:15 p.m. DST. It was seconded by Dr. Hollingsworth. Motion carried.

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Larry D. Nelson, Vice-Chair

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Charles H. Coiner

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Mary Jo White

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Tana Cory, Bureau Chief