

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 5/10/2013

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

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Jean Uranga, Board Prosecutor
Maurie Ellsworth, Legal Counsel
Roger Hales, Attorney

OTHERS PRESENT: Jason West, D.C.
Alan Fox, D.C.
Tony Smith, Benton and Ellis
Ryan Fitzgerald, IACP

The meeting was called to order at 9:00 AM MDT by James E. Hollingsworth, D.C.

APPROVAL OF MINUTES

Dr. Henze made a motion to approve the minutes of January 17, 2013. It was seconded by Mr. Coiner. Motion carried.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. She said that any new law changes would need to be submitted by August 1, 2013 and any rule changes submitted by the third week of August of 2013.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board has a cash balance of \$137,390.27 as of April 30, 2013.

DISCIPLINE

Ms. Uranga presented a memorandum regarding case number CHI-2013-3. Mr. Coiner made a motion to close case CHI-2013-3. It was seconded by Dr. Nelson. Motion carried.

Ms. Uranga presented a Stipulation and Consent Order in case CHI-2006-4. Dr. Nelson made a motion to approve the Consent Order and allow the Board Chair to sign on behalf of the Board. It was seconded by Dr. White. Motion carried.

Dr. Nelson made a motion to give the authority to Dr. Hollingsworth to approve the ethics course in case CHI-2006-4. It was seconded by Mr. Coiner. Motion carried

INVESTIGATIVE REPORT

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

FOR BOARD DETERMINATION

Dr. Nelson made a motion to approve the Bureau's recommendation and authorize closure in case I-CHI-2011-10. It was seconded by Dr. Henze. Motion carried.

Dr. White made a motion to approve the Bureau's recommendation and authorize closure in case I-CHI-2013-2. It was seconded by Dr. Nelson. Motion carried.

MEMORANDUM

Ms. Peel presented a memorandum on continuing education audit case CHI-2013-4. Mr. Coiner made a motion to deny the request in case CHI-2013-4. It was seconded by Dr. Henze. Motion carried.

OLD BUSINESS

HISTORY OF RULE 020

Mr. Hales presented information to the new Board members on the history of Rule 020. He explained the process that took place from the year 2006 until Rule 020 was implemented in April 2008. He discussed the controversies with the scope of practice and legend drugs or prescription drugs. Dr. West also addressed the Board about the history and stated that the Board of Medicine investigation into his practice has been informally resolved based upon the Board of Medicine's letter to his attorney to the effect "if his practice involves vitamins we don't care." Board Member Dr. Henze requested a copy of the letter. Mr. Fitzgerald, representing the Chiropractic Association, explained that Rule 020 is

an expansion of Idaho Code 54-704 and provides that Chiropractors can practice using clinical nutritional methods in all their forms. Dr. Nelson moved that the practice of chiropractic includes prescription rights for clinical nutritional methods that includes vitamins and minerals within the scope of practice, but excludes pharmaceuticals that are designated as controlled substances. Motion died for lack of a second.

Dr. White moved that the Board appoint a sub-committee of Dr. Nelson and Dr. Henze with the help of Dr. West to work on language to clarify the Chiropractic laws and rules. It was seconded by Dr. Henze. Motion carried. Mr. Coiner requested that the information from the sub-committee be reviewed by legal counsel before it is brought to the next Board meeting.

NEW BUSINESS

APPLICATIONS

The application process was reviewed and discussed regarding the reference forms that are required as part of the application material. It was moved by Mr. Coiner that the reference forms be included on the web as part of the application and it is the responsibility of the applicant to have them completed and returned with the application. It was seconded by Dr. Nelson. Motion carried.

CORRESPONDENCE

The Board reviewed correspondence from a chiropractor regarding online continuing educations that are live sessions. The Board directed a letter be sent quoting the continuing education Rule 350 .03 that allows only six hours for online courses.

The Board reviewed correspondence from a chiropractor student. The Board requested additional information.

The Board reviewed correspondence from the Veterinary Medicine Board regarding veterinary orthopedic manipulation. The Board directed Ms. Cory to contact the Executive Director and answer the questions.

The Board reviewed correspondence from the American Chiropractic Board of Sports Physicians regarding the Board's rules and regulations on managing athletes returning to play from concussions. Mr. Coiner moved that the Bureau respond to the letter stating that there are no specific rules in the Idaho Chiropractic Practice Act that address concussions and refer to Idaho Code 54-704. It was seconded by Dr. Henze. Motion carried.

The Board reviewed correspondence and information from a chiropractor requesting that the Board consider recognizing and licensing the professional

degree of Doctor of Integral Medica and Dynamic of Integral Medica. Mr. Coiner moved that the Board send a letter and include the State of Idaho Chiropractic Physician statues and rules. It was seconded by Dr. Henze. Motion carried.

CONTINUING EDUCATION COURSES

It was moved by Dr. Nelson that the Board approve the continuing education course, "Overview of CAM for Primary Care Practitioners, Part I" for 18 hours. It was seconded by Dr. White. Motion carried.

It was moved by Dr. Nelson to approve the continuing education course, "Chiropractic Treatment of Arthritic Conditions" for 15 hours. It was seconded by Mr. Coiner. Motion carried.

It was moved by Dr. Nelson to approve the continuing education course, "The Human Spine Structural Alignment in Health * Disease" for 2 hours. It was seconded by Dr. Henze. Motion carried.

It was moved by Dr. White to approve continuing education for the Idaho Association Chiropractor Physicians Annual Convention for 18 hours. It was seconded by Dr. Nelson. Motion carried.

It was moved by Dr. Nelson to approve the continuing education course, "Advanced Clinical Nutritional Methods" for 4 hours. It was seconded by Dr. White. Motion carried.

It was moved by Dr. White to approve the continuing education course, "Palouse Clearwater Medical Conference" for 15 hours. It was seconded by Mr. Coiner. Motion carried.

It was moved by Dr. Nelson to approve the continuing education for the "2013 California Chiropractic Annual Convention & Exposition" for 54 hours. It was seconded by Dr. Henze. Motion carried.

PEER REVIEW COMMITTEE

The Board reviewed an application from Dr. Geff Anderson for the 2013 Peer Review Committee. Dr. Henze moved to add Dr. Anderson to the 2013 Peer Review Committee. It was seconded by Dr. Nelson. Motion carried.

NEXT MEETING was scheduled for July 26, 2013 at 9:00 A.M. MDT.

ADJOURNMENT

Mr. Coiner made a motion to adjourn the meeting at 12:10 P.M. It was seconded by Dr. Nelson. Motion carried.

James E. Hollingsworth, D.C., Chair

Michael Troy Henze, D.C.

Charles H. Coiner

Mary Jo White, D.C.

Larry D. Nelson, D.C.

Tana Cory, Bureau Chief