

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 7/26/2013

BOARD MEMBERS PRESENT: James E. Hollingsworth, D.C. - Chair
Charles H. Coiner
Mary Jo White, D.C.
Kathleen McKay, D.C.

BOARD MEMBERS ABSENT: Michael Troy Henze, D.C.

BUREAU STAFF: Tana Cory, Bureau Chief
Jean Uranga, Board Prosecutor
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, Legal Counsel

OTHERS PRESENT: Ryan Fitzgerald, IACP
Tony Smith, Benton and Ellis

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

APPROVAL OF MINUTES

Mr. Coiner made a motion to approve the minutes of May 10, 2013. It was seconded by Dr. White. Motion carried.

FINANCIAL REPORT

Ms. Cory gave the financial report, which indicated that the Board has a cash balance of \$136,636.23 as of June 30, 2013. Mr. Coiner moved to approve the financial report. It was seconded by Dr. White. Motion carried.

CONTRACT RENEWAL

Ms. Cory presented the 2014 Contract Renewal. It was moved by Mr. Coiner that the Board approve the 2014 Contract Renewal and authorize the Chair to sign on behalf of the Board. It was seconded by Dr. White. Motion carried.

DISCIPLINE

Ms. Uranga presented a memorandum regarding case numbers CHI-2013-5, and CHI-2013-6. Dr. White moved that the Board close case CHI-2013-5. It was seconded by Dr. McKay. Motion carried. After discussion, the Board gave recommendations for appropriate discipline for case CHI-2013-6.

INVESTIGATIVE REPORT

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

Ms. Peel presented a Notice of Violation and Continuing Education Settlement Order in case CHI-2013-4. Dr. White made a motion to approve the Continuing Education Settlement Order and allow the Chair to sign on behalf of the Board. It was seconded by Dr. McKay. Motion carried.

Ms. Peel presented a payment extension request in case CHI-2006-4. Dr. McKay recused herself from discussion. Mr. Coiner moved to deny the request and have the Bureau send a letter to the respondent requesting that they comply with the payment terms listed in the Final Order within 30 days of the letter, or it will be sent to collections. There was no second' so the motion died. The Board further discussed the request. Mr. Coiner moved to deny the request and have the Bureau send a letter to the respondent requesting that they comply with the payment terms listed in the Final Order within 30 days of the letter, or it will be sent to collections. It was seconded by Dr. White. Motion carried.

NEW BUSINESS

FEDERATION OF CHIROPRACTOR LICENSING BOARDS

Dr. White attended the FCLB May 4, 2013 meeting in San Francisco, California. She reported that this was a very informative meeting. FCLB provides many services that are not being utilized by all licensing boards. The Chiropractic Clinical Assistants Certification is now in place. There is an Ethics and Boundaries Examination available, which the Board might consider to use for disciplined chiropractors. The 2014 FCLB meeting will be in Myrtle Beach, South Carolina.

The Board requested that Dr. White bring a report on the Clinical Assistants Certification and Ethics and Boundaries Examination to the next Board meeting for discussion.

CORRESPONDENCE

The Board reviewed an e-mail from a chiropractor asking if chiropractors are allowed to perform truck driver's physicals for the Department of Transportation. Dr. White moved that the Bureau send a letter and direct them to review the

Federal Motor Carriers Safety Administration regulations. It was seconded by Dr. McKay. Motion carried.

The Board reviewed correspondence from two chiropractors requesting information on the scope of practice. Mr. Coiner moved that the Bureau direct them to the State of Idaho Chiropractic Physician statutes and rules and if there are any other questions that they should contact their own legal counsel for advice. It was seconded by Dr. White. Motion carried.

The Board reviewed a letter from a chiropractor regarding a conflict with Blue Cross of Idaho that is affecting their ability to practice and order supplies. Dr. White moved that the Bureau send a letter stating the Board discussed their letter and request that the Board be kept informed of the progress with Blue Cross of Idaho. There was no second, and the motion died. Mr. Coiner moved to respond to the chiropractor's letter that the Board discussed the letter and that they should contact the Idaho Association of Chiropractic Physicians regarding the problems. No second. The Board further discussed the letter. Mr. Coiner moved that the Board respond to the chiropractor's letter that the Board discussed the letter and that they should contact the Idaho Association of Chiropractic Physicians for their consideration. Dr. White seconded. Motion carried.

CONTINUING EDUCATION COURSES

Dr. White moved to approve a seminar titled, "Spine Exam" for 6 hours. It was seconded by Dr. McKay. Motion carried.

It was moved by Dr. McKay to approve a seminar titled, "McKenzie Institute" for 26 hours. It was seconded by Dr. White. Motion carried.

It was moved by Dr. White to approve a seminar titled, "The Functional Foot and its Impact on the Lower Extremity" for 15.5 hours. It was seconded by Dr. McKay. Motion carried.

EXECUTIVE SESSION

Dr. White 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. McKay, aye; Mr. Coiner, aye; and Dr. Hollingsworth, aye. Motion carried.

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

APPLICATION

Mr. Coiner moved that the Board table the application for 901066378 pending receipt of meeting the requirements under Rule 100.02.a.i. It was seconded by Dr. McKay. Motion carried.

CONTINUING EDUCATION AUDITS

The Board reviewed continuing education audits.

NEXT MEETING was scheduled for October 25, 2013 at 9:00 AM MDT.

ADJOURNMENT

Mr. Coiner made a motion to adjourn the meeting at 12:37 PM MDT. It was seconded by Dr. McKay. Motion carried.

James E. Hollingsworth, D.C., Chair

Michael Troy Henze, D.C.

Charles H. Coiner

Mary Jo White, D.C.

Kathleen McKay, D.C.

Tana Cory, Bureau Chief