

**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 3/11/2016**

**BOARD MEMBERS PRESENT:** Mary J White, DC - Chair  
Kathleen J McKay, DC  
Herbert W Oliver, DC  
John Downey, DC

**BOARD MEMBERS ABSENT:** Charles H Coiner

**BUREAU STAFF:** Tana Cory, Bureau Chief  
Dawn Hall, Administrative Support Manager  
Marcie Rightnowar, Appeals/Hearings Coordinator  
Maurie Ellsworth, General Counsel

**OTHERS PRESENT:** Ryan Fitzgerald, Idaho Association of  
Chiropractic Physicians

The meeting was called to order at 11:03 AM MST by Mary J White, DC.

Dr. McKay made a motion to amend the agenda to allow for the Idaho Association of Chiropractic Physicians' (IACP) presentation of HB593. It was seconded by Dr. Oliver. Motion carried.

Dr. Downey joined the meeting at 11:15 AM MST.

**FINANCIAL REPORT**

Ms. Hall gave the financial report, which indicated that the Board had a negative cash balance of (\$53,664.27) as of 2/29/2016. The Board discussed its financial position and fees. Ms. Cory said that HB593 presented by the IACP will need to have the financial impact statement revised to include the cost of the formulary committee. She said the financial impact could be covered with a fee increase. Ms. Hall said she will work on a proposal for a fee increase.

**APPROVAL OF MINUTES**

Dr. Oliver made a motion to approve the minutes of 1/29/2016. It was seconded by Dr. McKay. Motion carried.

## **DISCIPLINE**

Ms. Uranga presented a memorandum regarding case number CHI-2016-4. After discussion, the Board gave recommendations for appropriate discipline.

Ms. Uranga presented a Stipulation and Consent Order in case CHI-2014-1. Dr. Oliver 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. Downey. Motion carried.

Ms. Uranga presented a Stipulation and Consent Order in case CHI-2014-2. Dr. Oliver 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. McKay. Motion carried.

Ms. Uranga presented a Stipulation and Consent Order in case CHI-2016-2. Dr. McKay 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. Oliver. Motion carried.

## **INVESTIGATIVE REPORT**

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

## **OLD BUSINESS**

To Do List – The Board reviewed the to do list.

Dr. White asked that Peer Review be included on the agenda for the next meeting and have the Bureau invite Dr. Mayo to the next face-to-face meeting (either in-person or via remote setup in Idaho Falls). Mr. Ellsworth reviewed the rules regarding Peer Review. Dr. White asked Dr. Oliver to work with Dr. Mayo and Mr. Ellsworth on the Peer Review law and rules prior to the next Board meeting.

Dr. White asked the Board to review the statute in its entirety prior to the next Board meeting, at which time the Board will review the laws to see if there is antiquated language.

## **LEGISLATIVE REPORT**

Ms. Cory gave the legislative update. She said that the proposed legislation regarding the scope of practice was presented in the House and Senate Committees. She said it passed in the Senate and House Health & Welfare Committee but was returned to the House Health & Welfare Committee from the House.

## **NEW BUSINESS**

### **HB593 – IDAHO ASSOCIATION OF CHIROPRACTIC PHYSICIANS (IACP) BILL**

Mr. Fitzgerald reviewed the IACP's proposed legislation that was submitted as HB593. He said that Representative Wood will work with the IACP over the next few months and with other interested parties (i.e. Idaho Medical Association and Idaho State Board of Pharmacy) on the proposed legislation regarding the scope of practice to present to the 2017 Legislature. The Board had suggestions regarding the wording of the formulary section of the IACP's proposed legislation. Mr. Fitzgerald thanked the Board and said he will keep the Board up to date on the process and revisions of the proposed legislation over the next few months. Ms. Cory reviewed the financial impact statement for HB593 and said that there will be a financial impact, specifically regarding the development of the formulary board. She said that she and Ms. Hall would assist the IACP in rewriting the financial impact statement.

### **ETHICS & BOUNDARIES ASSESSMENT SERVICES (EBAS) TRAINING PRESENTATION**

Dr. White reviewed the establishment of EBAS and its purpose. The Board viewed the PowerPoint presentation for the Ethics and Boundaries Essay Examination. The presentation is located at the following website: <http://www.ebas.org/agency-information/board-presentation-material/>.

### **CORRESPONDENCE: NATIONAL BOARD OF CHIROPRACTIC EXAMINERS (NBCE)**

The Board reviewed the correspondence and no action was taken.

### **EXECUTIVE SESSION**

Dr. Downey made a motion that the Board go into executive session under Idaho Code § 74-206(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. Oliver. The vote was: Dr. White, aye; Dr. McKay, aye; Dr. Downey, aye; and Dr. Oliver, aye. Motion carried.

Dr. McKay made a motion to come out of executive session. It was seconded by Dr. Oliver. The vote was: Dr. White, aye; Dr. McKay, aye; Dr. Downey, aye; and Dr. Oliver, aye. Motion carried.

## **APPLICATIONS**

Dr. Oliver made a motion to approve the following for licensure pending a passing score on the Special Purposes Exam for Chiropractic (SPEC) and receipt of transcripts to be reviewed and approved by the Chair:

DCA-1714 Troy David Eldridge

It was seconded by Dr. McKay. Motion carried.

## **CE AUDIT REVIEW**

The Board reviewed the annual CE audits.

## **CE COURSES**

The Board reviewed the continuing education courses.

**NEXT MEETING** was scheduled for June 3, 2016 at 11:00 AM MDT.

## **ADJOURNMENT**

Dr. McKay made a motion to adjourn the meeting at 2:15 PM MST. It was seconded by Dr. Oliver. Motion carried.

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Mary J White, DC, Chair

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Kathleen J McKay, DC

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Herbert W Oliver, DC

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Charles H Coiner

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John Downey, DC

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Tana Cory, Bureau Chief