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GEORGIA BOARD OF CHIROPRACTIC EXAMINERS
Board Meeting Minutes
Professional Licensing Boards
237 Coliseum Drive, Macon, GA
Friday, November 4, 2016 – 9:00 a.m.

The Georgia Board of Chiropractic Examiners met on Friday, November 4, 2016. The following members were present.

Board Members Present

Dr. Mary Watkins, D.C., Chairperson
Dr. Andrew Krantz, D.C., Vice Chair
Dr. Robert Alpert, D.C., Board Member

Administrative Staff Present

Adrienne Price, Executive Director, via teleconference
Kathy Osier, Licensing Supervisor
Michelle Foster, Board Support Specialist

Attorney General's Office Present

D. Williams-McNeely, Senior Assistant Attorney General

Board Members Not Present

Dr. Joe Krzemien, D.C., Board Member
Emily Campbell, Consumer Member
Dr. David Wren, D.C., Board Member

Visitors Present

Carley Sharec – Georgia Chiropractic Association

Call To Order: Dr. Watkins established a quorum of the Board was not present and as a result the members present proceeded with the agenda as a Committee of the Board. The Committee was called to order at 9:04 a.m.

OPEN SESSION

Agenda

The Committee recommended to accept the agenda as presented with the noted corrections.

Open Session Minutes

1) September 16, 2016 Board Meeting Minutes

The Committee recommended accepting the September 16, 2016 open session board meeting minutes as presented.

2) October 18, 2016 Teleconference Meeting Minutes

The Committee recommended accepting the October 18, 2016 open session teleconference meeting minutes as presented.

3) October 21, 2016 Investigative Committee Meeting Minutes

The Committee recommended accepting the October 21, 2016 open session investigative committee meeting minutes as presented.

Licenses to Ratify September 9, 2016 – October 28, 2016 and Modalities & Reinstatements

The Committee recommended ratifying the licenses by application and by reinstatement that were issued in accordance with Board Rules and Policies between Board Meetings.

Correspondence – Michael A. Bruno – Is it in the Scope of Chiropractic to complete a U.S. Army Functional Capacity Certificate Form and Survey?

The Committee recommended sending the writer a no legal advice response letter and refer the writer to the scope of practice in the practice act, specifically O.C.G.A. § 43-9-1 and O.C.G.A. § 43-9-16.

Discussion – Potential Legislation for 2016-2017 Regular Session of the General Assembly

1) Georgia Chiropractic Association (GCA) – Carly Sharec

- a) Legislative Conference Update - Ms. Sharec remarked that she did not have any information to report about the most recent GCA Legislative Conference but she is sure that Valerie Smith will be able to provide the Board with information during the next board meeting.
- b) Status of Exemptions for Chiropractic Review Agents - Ms. Sharec shared with the Board that the Georgia Chiropractic Association is currently working with the Insurance Commissioner's Office to see if they can add exemptions for Chiropractic Review Agents to their statute.

The Committee recommended accepting Ms. Sharec's report regarding Georgia Chiropractic Association as information.

2) Consider adding language requiring a complete application for the renewal of a license

Ms. Price reminded Dr. Watkins that she requested that this topic be added to the agenda based upon the realization that the statute does not accurately reflect the renewal application process. Dr. Watkins indicated that she would like to discuss this further and would like the Board to consider updating that information if they should open the practice act for amends. Assistant Attorney General D. Williams-McNeely suggested that if the Board desires to update this portion of the statute that they may want to consider reviewing the entire statute in order to attempt to update language in other areas of the statute that could use updating.

Executive Director's Report – A. Price

Executive Director's report presented the Board with statistical data relevant to the processing of applications and complaints/compliance matters which have occurred since the last meeting. Ms. Price informed the Board that their renewal period began on October 5, 2016. She also shared with the Board that there was an issue with the recent Engineer and Land Surveyor renewals which caused unnecessary HOLDS to be placed on the licenses and the renewals had to be re-generated on October 19, 2016. She indicated that this does not appear to be a problem with their renewals but she will continue to monitor the process.

Dr. Krantz asked if licenses that have holds placed on their license are given priority when processing. Ms. Price shared that during the renewal period staff prints out a daily Hold Report. The Hold Report contains a listing of all Chiropractic licenses which currently have a hold placed on them. The report is processed in the order in which the name is listed on the report. Ms. Price informed the Board that in fairness to all applicants/licensees all information is processed in order of receipt. She further advised that in order to ensure timely processing of the renewals that it is best for licensees to not wait until the last minute to renew their licenses. Dr. Watkins asked Ms. Sharec if she could place something in the Georgia Chiropractic Association Newsletter instructing Georgia Chiropractors not to wait until the last minute to renew their license. Dr. Krantz expressed that he understands the process but did wish that there was some way that individuals with unintentional holds on their licenses to be given priority in processing. Ms. Price informed him that there is no way to do this as the staff cannot surmise if the hold is legitimate until they open every single one and the opening of each hold is done in report order.

The Committee recommended accepting the Executive Director's Report as presented.

Board President's Report – Dr. M. Watkins

1) Presentation of Georgia Board of Chiropractic Examiners Board Update of October 21, 2016 -

Dr. Watkins informed the Board that she had recently taught a Jurisprudence Course during the Georgia Chiropractic Association Annual Fall Conference. She shared that the presentation was well received and that attendees especially liked the information on how applications are processed. She also shared that she was approached after the meeting by some of the attendees who thanked her for providing the course and shared with her that they now had a better understanding because a lot of information was explained. Dr. Watkins expressed appreciation for the Power Point presentation done by Executive Director, Adrienne Price, stating it was extremely helpful.

2) Dr. Watkins and Dr. Alpert to participate in the November 11-13, 2016 NBCE IV Exam -

Dr. Watkins notified the Board that she and Dr. Alpert will be proctors for the NBCE IV Exam scheduled for November 11-13, 2016 at Life University.

The Committee recommended accepting the Board President's Report as presented

Chiropractic Examiners IC Meeting Dates

The board members and staff reviewed the tentative dates for the Chiropractic Examiners Investigative Committee Meetings for 2017 as follows:

Chiropractic Examiners IC 9:00 a.m. Macon, GA
Friday, February 3rd
Friday, April 7th
Friday, June 2nd
Friday, August 4th
Friday, October 6th
Friday, December 8th

The Committee recommended accepting the Chiropractic Examiners IC Meeting Dates as presented.

Dr. Krantz motioned and Dr. Alpert seconded and the committee voted to enter into Executive Session in accordance with O.C.G.A. § 43-1-2(k) (1) (2), O.C.G.A. § 50-14-2(1), O.C.G.A. § 43-1-2(k) (4), O.C.G.A. § 43-1-19 (h) (2) & (4) to receive and review information pertaining to applications, complaints, and to receive the Assistant Attorney General's and Investigative Committee reports. Voting in favor of the motion were those present who included Dr. Watkins, Dr. Krantz and Dr. Alpert.

At the conclusion of Executive Session of Friday, November 4, 2016, Dr. Watkins declared the meeting to be "open" pursuant to the open and public Meeting Act O.C.G.A. § 50-14-1 et seq. No votes were obtained during Executive Session.

OPEN SESSION

Executive Minutes

1) September 16, 2016 Executive Session Board Meeting Minutes

The Committee recommended accepting the September 16, 2016, executive session board meeting minutes as presented.

2) October 18, 2016 Teleconference Executive Session Minutes

The Committee recommended accepting the October 18, 2016 executive session teleconference minutes as presented.

3) October 21, 2016 Investigative Committee Minutes

The Committee recommended accepting the October 21, 2016 executive session investigative committee minutes as presented.

Attorney General's Report

The Committee recommended accepting the Attorney General's Report as presented.

Cognizant's Report – Dr. Krantz

The Committee recommended accepting the following recommendations made in executive session:

CHIR160030 Notify respondent of items needed to complete IC review: Lease agreement and updated signage removing "Physical Therapy" from the door and must submit proof of CE completion to support attestation of completion of all CE in the online renewal. Once the respondent has provided the requested information, close the case with strongly worded letter of concern to review the laws, rules and policies of the Board noting that submission of a false statement in the renewal of licensure is a violation of Board rules.

CHIR150059 Continue monitoring Respondent J.P.K. during probation period for compliance with the current Board Order and close the case concerning the aiding and abetting allegations on Respondent D.S.
CHIR160067 Close the case with no action.
CHIR160048 Close the case with no action.
CHIR160053 Close the case with no action.
CHIR160066 Refer the Respondent back to the original Board Order for direction regarding the continuing education requirements as it is to be taken as outlined in the order.
CHIR170003 Close case with a letter of concern to provide records as outlined in Board rules.

Application(s) For Board Review

The Committee recommended accepting the following recommendations made in executive session:

K.M.B. Issue the license.
J.C. Issue the license with a letter of concern regarding criminal history.
E.G.R. Accept the transcript and issue the license.

Reinstatement(s)

C.G.B. Issue the license.
K.D. Table discussion and request applicant to provide certified court documents to include any charges, indictments, pleas, settlements and final disposition relevant to the 03/25/2006 arrest.
E.G. Table discussion and request applicant to provide certified copy of disciplinary actions from the Arizona State Board.
D.D.H. Table discussion pending the outcome of the investigation into unlicensed practice.
J.L.L. Table discussion pending the outcome of the investigation into unlicensed practice.

Renewal(s)

S.J.L. Refer to Legal Services for a Private Consent Order for Renewal of Licensure with a fine of \$500 for failure to complete continuing education in accordance with BR 100-5-.02.

Ms. Price left the meeting at 10:45 a.m.

Miscellaneous Executive Discussions

Dr. Watkins indicated that since Dr. Alpert did such a great job with reviewing some of the rules, she would like to know if he would volunteer to review and amend Board Policies 4 and 5 as it relates to requirements for reinstatement and reactivation as well as review and recommend updates to the Chiropractic Practice Act. Dr. Alpert volunteered to conduct the review.

Adjournment With there being no further business to discuss the meeting was adjourned at 10:53 a.m.

Minutes recorded by: Michelle Foster, Board Support Specialist
Minutes reviewed and edited by: Kathy Osier, Licensing Supervisor & Adrienne Price, Executive Director
Minutes approved on: 11-23-16

DR. MARY WATKINS, D.C.
BOARD CHAIR

MS. ADRIENNE PRICE
EXECUTIVE DIRECTOR