

**GEORGIA BOARD OF CHIROPRACTIC EXAMINERS**  
**Board Meeting Minutes**  
**Professional Licensing Boards**  
**237 Coliseum Drive, Macon, GA**  
**Friday, November 3, 2017 – 9:00 a.m.**

The Georgia Board of Chiropractic Examiners met on Friday, November 3, 2017. 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  
Dr. Joe Krzemien, D.C., Board Member  
Dr. David Wren, D.C., Board Member

**Administrative Staff Present**

Kathy Osier, Licensing Supervisor

**Administrative Staff Absent**

Adrienne Price, Executive Director  
Michelle Foster, Board Support Specialist

**Board Members Not Present**

Emily Campbell, Consumer Member

**Attorney General's Office Present**

D. Williams-McNeely, Senior Assistant Attorney General

**Visitors Present**

Valerie Smith, Executive Director, Georgia Chiropractic Association (GCA)  
Michael Craig

**Call To Order:** Dr. Watkins established a quorum of the Board was present called the meeting to order at 9:09 a.m.

**OPEN SESSION**

**Agenda** The Board accepted the agenda as presented.

**Open Session Minutes**

**1. September 8, 2017 Board Meeting Minutes**

Dr. Alpert motioned, Dr. Krantz seconded and the Board voted unanimously in favor of the motion to approve the September 8, 2017 open session Board meeting minutes as presented.

**2. October 6, 2017 Investigative Committee Minutes**

Dr. Krantz motioned, Dr. Krzemien seconded and the Board voted unanimously in favor of the motion to approve the October 6, 2017 investigative committee minutes as presented.

**Licenses to Ratify September 1, 2017 – October 28, 2017 Ratification List – Modalities & Reinstatements**

Dr. Alpert motioned, Dr. Krantz seconded and the Board voted unanimously in favor of the motion to ratify the licenses by application and by reinstatement that were issued in accordance with Board Rules and Policies, between Board meetings.

**Petition for Rule Variance**

**1. Rule Variance – BR 100-2-.09(4) – Christopher Andreone**

Dr. Alpert motioned, Dr. Krantz seconded and the Board voted unanimously in favor of the motion to grant the variance of BR 100-2-.09(4) based on submission of sufficient evidence to substantiate a unique, substantial hardship.

**Open Records Request - John Berberian**

Dr. Krantz motioned, Dr. Alpert seconded and the Board voted unanimously in favor of the motion to deny the request to release the application file(s) of John Berberian and approve the release of any public information as is allowed by law.

### **Executive Director's Report – A. Price**

The Executive Director's report presented the Board with statistical data relevant to the processing of applications, the number of active and inactive licensees and complaints/compliance matters. Kathy Osier reported for Ms. Price that the Board Rule addressing licensure during declared natural disasters and emergencies has been addressed with NBCE in light of the potential displacement of chiropractors due to Hurricane Irma. Ms. Osier stated that Ms. Price contacted NBCE regarding waiving their fees for submitting the score reports to the Board and a mechanism for them to submit the reports electronically rather than by snail mail. She continued that presently NBCE cannot address the fee question until a process of electronic submissions of score reports is in place.

Ms. Osier shared that the Board received an invitation from FCLB to attend meetings that they host on various dates in different locations. Since the state does not cover any expenses for these meetings, the Board asked the ED to contact FCLB regarding a program to waive any fees for attending the meetings and conferences. Currently, the only voucher or waiver program that FCLB offers is for board administrators to attend the annual conference.

Dr. Alpert motioned, Dr. Krantz seconded and the Board voted unanimously in favor of the motion for Ms. Price to contact FCLB to ask for a waiver for the registration fee for a Board member to attend the 2018 FCLB Annual Meeting.

Dr. Alpert motioned, Dr. Krzemien seconded and the Board voted unanimously in favor of the motion for Ms. Price to apply for the Board Administrator waiver and attend the 2018 FCLB Annual Meeting.

Dr. Alpert motioned, Dr. Krantz seconded and the Board voted unanimously in favor of the motion for Ms. Price to contact FCLB regarding the Board Administrator having voting rights at the Annual Meeting and to notify the Board via email concerning the information received.

Dr. Alpert motioned, Dr. Krantz seconded and the Board voted unanimously in favor of the motion to accept the Executive Director's Report as presented.

### **Board President's Report – Dr. M. Watkins, D.C.**

Dr. Watkins shared with the Board that she taught Law and Rules at the GCA Conference and the course was very well accepted. She expressed appreciation to Ms. Price for assisting her in updating the presentation.

### **Miscellaneous Discussion**

Ms. Smith addressed the Board asking if a Board member would volunteer to present the course at the GCA Spring Conference June 8, 2018 in Savannah, Georgia at 8:00 a.m. She also wanted to recognize Dr. Wren for receiving the GCA Lifetime Achievement Award. The Board congratulated Dr. Wren for being recognized.

### **Board Member Elections**

#### **1. Board Chairperson**

Dr. Wren motioned, Dr. Alpert seconded and the Board voted unanimously in favor of the motion to re-elect Dr. Mary Watkins as the Board's Chair.

#### **2. Vice Chairperson**

Dr. Wren motioned, Dr. Alpert seconded and the Board voted unanimously in favor of the motion to re-elect Dr. Andrew Krantz as the Board's Vice Chairperson.

#### **3. Continuing Education Cognizant**

Dr. Wren motioned, Dr. Alpert seconded and the Board voted unanimously in favor of the motion to re-elect Dr. David Wren as the Board's Education Cognizant.

#### **4. Complaints/Disciplinary Cognizant**

Dr. Wren motioned, Dr. Alpert seconded and the Board voted unanimously in favor of the motion to re-elect Dr. Andrew Krantz as the Board's Complaint/Disciplinary Cognizant.

Dr. Alpert motioned, Dr. Krantz seconded, and the Board 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. Mary Watkins, Dr. Andrew Krantz, Dr. David Wren, Dr. Joe Krzemien and Dr. Robert Alpert.

At the conclusion of Executive Session of Friday, November 3, 2017, 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 Session Minutes

#### **1. September 8, 2017 Board Meeting Executive Minutes**

Dr. Wren motioned, Dr. Krzemien seconded and the Board voted unanimously in favor of the motion to approve the September 8, 2017 executive session Board meeting minutes as presented.

#### **2. October 6, 2017 Executive Investigative Committee Minutes**

Dr. Alpert motioned, Dr. Krzemien seconded and the Board voted unanimously in favor of the motion to approve and the October 6, 2017 executive investigative committee minutes as presented.

### Attorney General's Office Report – D. Williams-McNeely

Dr. Krantz motioned, Dr. Wren seconded and the Board voted unanimously in favor of the motion to accept the Attorney General's report as presented.

### **Chiro Disclosure**

Dr. Krzemien motioned, Dr. Wren seconded and the Board voted unanimously in favor of the motion to adopt the Notice of Disclosure of Interests for Chiropractic Examiners as required by O.C.G.A. § 43-1B-5.

### Investigative Committee Report – Dr. Krantz, D.C.

Dr. Wren motioned, Dr. Krzemien seconded and the Board voted unanimously in favor of the motion to accept the following recommendations made in Executive Session.

- |                   |   |
|-------------------|---|
| <b>CHIR180007</b> | Table pending proof of successful completion of a refresher course taken at an accredited chiropractic college or university. |
| <b>CHIR150019</b> | Notify Respondent of CE deficiency to allow for compliance with Board Order.  |
| <b>CHIR160052</b> | Close the case with no action.  |
| <b>CHIR170047</b> | Refer to the Attorney General's Office for a Hearing for Revocation or Voluntary Surrender.                                   |
| <b>CHIR180001</b> | Schedule an Investigative Interview. Obtain prior Board actions against Respondent for review.                                |
| <b>CHIR180006</b> | Refer to Investigations. Schedule Investigative Interview with each chiropractor associated with facility.                    |

### Miscellaneous Executive Discussion

Dr. Watkins addressed the Board regarding Board Rule changes voted on in May and the timeframe with which they will be approved. Ms. Osier reported that the Board Rules have been sent to the Governor's Office and there is no estimated date of approval available.

Dr. Watkins expressed concern regarding Board members being educated on proper policies and procedures to follow as Board members. She inquired if there is a short course to educate members on conversations they can have with Respondents with open complaints. Ms. Williams-McNeely recommended the members receive a new Board member orientation packet and that she can walk the members through the document at the next meeting January 12, 2018. The Board members accepted the recommendation.

### Applications

- Application 2676367** Dr. Wren motioned, Dr. Krzemien seconded and the Board voted unanimously in favor of the motion to refer to the Attorney General's Office for a Private Consent Agreement for Licensure to require submission of proof of compliance with Board Order from Washington and that all conditions of the Order have been satisfied.
- Application 2696419** Dr. Wren motioned, Dr. Alpert seconded and the Board voted unanimously in favor of the motion to issue the license.
- Application 2696425** Dr. Wren motioned, Dr. Krzemien seconded and the Board voted unanimously in favor of the motion to issue the license with a Letter of Concern regarding alcohol history.
- Application 2697473** Dr. Krantz motioned, Dr. Krzemien seconded and the Board voted unanimously in favor of the motion to issue the license with a Letter of Concern regarding criminal history.

**Reactivation**

- Application 2658017** Dr. Alpert motioned, Dr. Krantz seconded and the Board voted unanimously in favor of the motion to reactivate the license.

**Reinstatements**

- Application 2674709** Dr. Alpert motioned, Dr. Krzemien seconded and the Board voted unanimously in favor of the motion to refer to Legal Services for a Public Consent Agreement for Reinstatement of Licensure with a fine of \$1000 for unlicensed practice from January 1, 2017 – May 18, 2017 to be paid in full prior to Reinstatement of Licensure with three (3) years' probation. Renewal of license required by the last day of December in even number years, regardless of date of Reinstatement of Licensure. CE hours submitted to satisfy the terms of the order cannot be used to meet the CE requirements for the 2018 biennium. Flag for CE audit.
- Application 2685039** Dr. Wren motioned, Dr. Alpert seconded and the Board voted unanimously in favor of the motion to schedule an Investigative Interview.
- Application 2686914** Dr. Alpert motioned, Dr. Krantz seconded and the Board voted unanimously in favor of the motion to refer to Legal Services for a Public Consent Agreement for Reinstatement of Licensure with a fine of \$1000 for unlicensed practice from January 1, 2017 – July 28, 2017 to be paid in full prior to Reinstatement of Licensure with three (3) years' probation. Renewal of license required by the last day of December in even number years, regardless of date of Reinstatement of Licensure. CE hours submitted to satisfy the terms of the order cannot be used to meet the CE requirements for the 2018 biennium. Flag for CE audit.

**Renewal/Arrest**

- Application 161509** Dr. Alpert motioned, Dr. Krzemien seconded and the Board voted unanimously in favor of the motion to notify applicant of the option to voluntarily withdraw application for renewal to allow license to lapse because of a felony conviction. Withdrawal must be submitted in writing to the Board office within seven (7) days of notification. If no response is received, renew the license and refer to Attorney General's Office for a Hearing for Revocation of Licensure or Voluntary Surrender.

**Adjournment** With there being no additional business to discuss, the meeting adjourned at 11:57 a.m.

**Minutes recorded by:** Kathy Osier, Licensing Supervisor  
**Minutes reviewed and edited by:** Kathy Osier, Licensing Supervisor & Adrienne Price, Executive Director  
**Minutes approved on:** January 12, 2018

**DR. MARY WATKINS, D.C.**  
**BOARD CHAIR**

**MS. ADRIENNE PRICE**  
**EXECUTIVE DIRECTOR**