



State of California
Edmund G. Brown Jr., Governor

BOARD OF CHIROPRACTIC EXAMINERS PUBLIC SESSION MINUTES

The Department of Consumer Affairs, Headquarters II
1747 N. Market Blvd., Room #186
Sacramento, CA 95834-1924
Security Desk: 916-574-7307
June 5, 2018
9:00 a.m. to 5:00 p.m.
or until completion of business

Board Members Present

Heather Dehn, D.C., Chair
Corey Lichtman, D.C., Vice Chair
Sergio Azzolino, D.C., Secretary
Frank Ruffino

Staff Present

Robert Puleo, Executive Officer
Marcus McCarther, Assistant Executive Officer
Kenneth Swenson, Attorney III
Dixie Van Allen, Staff Services Manager I
Valerie James, Management Services Technician

Call to Order

Dr. Dehn called the meeting to order at 1:00 p.m.

Roll Call

Dr. Azzolino called the roll. All members were present except Dr. McClain. A quorum was established.

Pledge of Allegiance

Mr. Ruffino led the Pledge of Allegiance.

Chair's Report

Dr. Dehn complimented SOLID on their training of True Colors that the Board Members participated earlier in the day. Everyone found it to be extremely helpful. Board committees have been working on respective projects and Dr. Dehn is looking forward to receiving updates in today's Board Meeting. Dr. Dionne McClain, who is not present today, participated in the California Chiropractic Association (CCA) Women's Panel Sports Symposium in April, along with Dr. Hewitt, who organized a panel. All feedback was positive from licensees.

Dr. Dehn reminded Board members of upcoming opportunities for participation, primarily through the upcoming CCA convention and the National Board of Chiropractic Examinations (NBCE).

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Greeting from the Department of Consumer Affairs Executive Office

Patrick Le introduced himself and his participation with the Department of Consumer Affairs. Mr. Le's update to the Board consisted of a personnel announcement, highlighted SOLID and their new additions to the executive level training programs they offer and the Directors' Quarterly Meeting which was held in April. Mr. Le also announced the recent reconvening of the Substance Abuse Coordination Committee, which will examine and determine need for updating the Uniform Standard IV. Lastly, Mr. Le, reminded the Board that required Board Member training is available for the remainder of the year and is required within one year of appointment to the Board.

Approval of February 22, 2018, Board Meeting Minutes

MOTION: DR. AZZOLINO MOVED TO APPROVE THE MINUTES OF THE February 22, 2018 MEETING.

SECOND: DR. LICHTMAN SECONDED THE MOTION

Discussion: Mr. Ruffino noted that on page four, second paragraph, he would like the word "required" to be removed. It should have read "should ask - encourage".

Mr. Ruffino also noted on the fourth paragraph that "expressed disappointment that he was not reelected as Vice Chair", should read "expressed disappointment with the Board's election process prior to election day January 31, 2018". The last sentence of the same paragraph should read, "He believes his efforts were not appreciated", please add "and was disrespected".

Mr. Ruffino noted on page six, paragraph five, "the other board members" should be removed and replaced with "him about his interest in remaining Vice Chair or becoming Board Secretary".

Mr. Ruffino also noted, on page seven, paragraph nine, very last sentence; "agrees with outcome" should be removed. Sentenced should end after the word "process".

Dr. Azzolino offered a correction on page four, paragraph seven; "He shared that he was very disappointed to learn that no other Board Member wanted to assume his current position as Secretary", more accurate to state that "no other Board Member previously expressed interest to want to assume his current position as Secretary".

Dr. Dehn shared that Dr. McClain had left her with some notes regarding grammatical changes of the minutes. Mr. Kenneth Swenson mentioned that if the changes were not substantive, they could be incorporated into the motion of accepting the minutes as verbally amended.

Dr. Azzolino noted on page five, first paragraph, the word "attend" should be replaced with "participate". To read "...opportunity to participate in the meeting".

Mr. Ruffino offered a clarification that the motion to approve the minutes would include these recent corrections. Dr. Dehn confirmed that it would.

VOTE: 4-0 (DR. DEHN-AYE, DR. LICHTMAN-AYE, DR. AZZOLINO-AYE, MR. RUFFINO-AYE,)

MOTION: CARRIED

Executive Officer's Report

A. Administration - Board staffing/organizational chart

Mr. Puleo shared that the Board has two vacant positions. One vacancy is a Staff Services Analyst position for Continuing Education in the licensing unit and an offer has been made. Natalie Boyer is starting in the position on the 18th of June. The other position is the Associate Governmental Program Analyst (AGPA) position for Policy Analyst in the administrative unit. Applications have been received for the AGPA position, the next step would include interviewing the candidates. Mr. Puleo is hopeful to have additional personnel announcements at the next Board Meeting.

Mr. Puleo also congratulated Marcus McCarther in his completion of the DCA's Future Leadership Development Training program.

Mr. Puleo was also reminded that a new Board member has been appointed by the Governor's Office, Thyone Gordon.

B. Budget - Fund condition update

Mr. Puleo introduced DCA's Budget Officer, Mark Ito. Mr. Ito provided a synopsis of the Department's budget process. Mr. Ito reviewed the contents of the Board Fund Condition Report.

C. Licensing - Statistical trend

Mr. Puleo provided an overview of the licensing trends; total licensees in state, licenses issued per month and canceled licenses.

Dr. Azzolino requested data trends relating to the chiropractic profession from around the United States.

Mr. Puleo stated he will provide statistics related to national chiropractic trends at the next Board Meeting. Additionally, he will provide data related to Physical Therapy Board, Medical Board, Nursing Board and Osteopathic Board and the increases or declines in the professions.

D. Enforcement - Statistical trends

Mr. Puleo provided an overview of the enforcement program data; number of complaints received, letters of admonishment, and number of accusations the Board issued.

Ratification of Approved License Applications

MOTION: MR. RUFFINO MOVED TO APPROVE THE LICENSE APPLICATIONS.

SECOND: DR. AZZOLINO SECONDED THE MOTION.

VOTE: 4-0 (DR. DEHN-AYE, DR. LICHTMAN-AYE, DR. AZZOLINO-AYE, MR. RUFFINO-AYE)

MOTION: CARRIED

Ratification of Approved Continuing Education (CE) Providers

MOTION: DR. LICHTMAN MOVED TO APPROVE THE CONTINUING EDUCATION PROVIDERS.

SECOND: DR. DEHN SECONDED THE MOTION.

VOTE: 4-0 (DR. DEHN-AYE, DR. LICHTMAN-AYE, DR. AZZOLINO-AYE, MR. RUFFINO-AYE)

MOTION: CARRIED

Ratification of Denied License Applications in Which the Applicants Did Not Request a Hearing

Dr. Dehn stated there are currently none.

Presentation by Board's Legal Counsel

The Board's Legal Counsel, Kenneth Swenson, offered a presentation to the Board on the Bagley Keene Open Meeting Act. Mr. Swenson used the acronym POPCORN to help highlight key topics from the act.

There was a discussion amongst the Board as to the possibility of having a three-member committee versus the two-member committee that they currently have. Mr. Puleo reminded the Board that due to the current size of the Board and Board Member's schedule availability, it was near impossible to meet all scheduling needs for the various committees. Dr. Dehn noted the ease of operation for the two-member committees.

Mr. Swenson also updated the Board on the Chiropractic Initiative Act. The Act requires the election of officers to occur in January and sets the term of office for one year, from January to January. In the absence of a vacancy the Board cannot recall an officer.

Update, Discussion and Possible Action on Licensing & Continuing Education Committee Meeting Agenda

Dr. Dehn will be commenting on behalf of Dr. McClain. Dr. McClain is the Chair on the Continuing Education (CE) committee. Dr. Dehn proceeded to explain what is proposed for Qualifying Subject Areas and Mandatory Hours as it relates to updating regulations on Licensing and CE.

1. Assessment procedures to include physical, orthopedic and neurologic testing.

Dr. Azzolino encourages the Committee to reinserts the word 'diagnostic' into the subject area. Additionally, he believes 'cardiovascular' should be included.

2. Radiology, including, diagnostic imaging and interpretation.
3. Interpretation of blood and urinalysis test results.

4. Evidence based peer reviewed clinical intervention.

Dr. Azzolino proposed making 'intervention' plural, to read 'interventions'.

5. Chiropractic adjustive techniques or chiropractic manipulation techniques as taught by a Council of Chiropractic Education (CCE) accredited colleges or formerly recognized by CCE accredited colleges.

Dr. Dehn clarified that this does not read that technique has to be taught by a CCE school but that the technique would be one that was taught in a CCE accredited school.

Dr. Azzolino brought up concern of only offering classes through CCE schools. Proposed technique classes offered through other specialty boards.

Mr. Puleo suggested including techniques recognized by other accrediting bodies. Dr. Azzolino mentioned American Board of Chiropractic Specialties, as this would allow the regulation to be sufficiently broad.

Public Comment: Dr. Palmer Peet suggested to have regulation read "techniques that fall within scope of practice".

Board agreed that language would be too broad.

Public Comment: Laurie Isenburg, Director of Continuing Education for Life Chiropractic College West, offered a suggestion that any CE proposal submitted for technique is reviewed by adjustive technique faculty. Faculty will be able to examine and approve any technique course possible.

The Board appreciated the suggestion and are interested in that form of vetting.

Dr. Dehn opened the meeting up to public comment and invited anyone forward who would like to make comment on CE subject areas one through four.

Public Comment: Dr. Eric McKillican, Sacramento chiropractor and faculty at Life Chiropractic College West, suggested including the term subluxation into subject area one.

The Board felt that a chiropractor's review and assessment of the subluxation would occur in an exam of the patients physical, orthopedic or neurologic condition and would not be necessary to include the term subluxation.

Mr. Puleo offered a reminder to the public that if they feel strongly on a particular subject area they are welcome to participate in the formal review process, including public comment, within the regulation process.

Public Comment: Mrs. Isenburg encourages the Board to not draft CE regulations for the lowest common denominator of minimal competency but should be striving for CE that elevates the profession to excellency.

Mr. Puleo appreciated the comment and agrees with it but reminds the Board that by law they can only require minimum competency of practitioners.

Mrs. Isenburg also advised the Board to review the fee structure for CE courses. California is the only state in the United States that requires providers to submit a new application and fee for a single topic that is represented in a class or seminar.

Dr. Dehn shared that this comment is one frequently presented by providers and is something that will be discussed at a CE Committee meeting at a later point.

Mrs. Isenburg also brought up the elimination of Philosophy of Chiropractic as a subject area from the regulations and encouraged the Board to reconsider.

Dr. Dehn stated that would be covered at the end of the discussion.

6. Physical medicine modalities and therapeutic procedures.

Dr. Dehn shared that Dr. McClain had left her with comments on this topic and that her suggestion is to leave number six as physiotherapy, as it is currently written in regulation (please refer to August 9th Board meeting minutes, clarification was made to this comment).

Public Comment: Marcus McCarther, Assistant Executive Officer for Board of Chiropractic Examiners, posed a question for legal counsel, can the Board define physiotherapy in an alternate manner, if it is specifically defined by the Physical Therapy Board?

Mr. Swenson answered that the legislature can change the law it affects but a Board's regulations can not affect another Board's own regulations.

Dr. Azzolino brought up the use of lasers as they relate to physiotherapy care. He encourages using several terms to define the subject area: physical medicine modalities, physiotherapies and therapeutic procedures.

Dr. Dehn confirmed that the recommendation reads "physiotherapy, physical medicine modalities and therapeutic procedures".

7. Current Issues in Public Health.

Public Comment: Dixie Van Allen, Staff Services Manager for Board of Chiropractic Examiners, this topic might still be too broad. Would like to see more defining words or specific precluding items identified in potential courses.

Dr. Dehn agrees with the potential vagueness of this subject matter, we might need more examples of what would present in this area and then can determine what not to include under public health.

Dr. Dehn suggested that the topic would be continued to be under review by the CE committee in an effort to try and define public health.

8. Nutrition.

9. Special population care, which shall include, but not be limited to, geriatric, pediatric, HIV, and transgender care as related to the practice of chiropractic. Instruction in this subject area must be directly related to patient care.

Dr. Dehn shared that Dr. McClain's recommendation to remove special population care all together or keep the language as it currently appears in regulation.

Dr. Azzolino recommends striking 'special population care' as it stigmatizes certain populations and there is no difference in care for any of the above-mentioned groups, specifically HIV and transgender individuals. Dr. Azzolino suggests sensitivity training as opposed to special population care.

Public Comment: Mrs. Isenburg has been involved in the transgender community and feels that the individualized care to particular communities enhances care. There are physical differences that should be acknowledged in the scope of care to the patient.

Dr. Azzolino again feels that sensitivity training would more aptly meet the needs of a diverse patient population.

Dr. Dehn inquired of the Board if this should be a subject matter that is deleted from the regulations or should it be kept as written, and if so, should the wording be changed of 'special population care'.

Dr. Azzolino suggested 'diversity and cross-cultural differences'.

Mr. Puleo suggested 'training and care of patients'. Ensuring that the language speaks directly to sensitivity regarding caring for a patient.

Dr. Dehn will bring the recommendations back to the CE Committee to source out additional language possibilities.

10. Proper and ethical billing and coding, including accurate and effective record keeping and documentation of evaluation, treatment and progress of a patient. This is not to include practice building or patient recruitment/retention or business techniques or principles that teach concepts to increase patient visits or patient fees per case.

Dr. Lichtman suggested adding a portion regarding SOAP notes and proper electronic medical records (EMR) notes.

Mr. Puleo stated that the law does not specifically require SOAP notes, which has been a cause of concern for enforcement cases. He believes the opportunity to address these concerns are in this section of the law.

Dr. Dehn mentioned that the Committee would try to incorporate those two items into the language of the regulation.

11. Ethics and law: including but not limited to: truth in advertising; professional boundaries; mandatory reporting requirements for child abuse/neglect, elder abuse/neglect, and spousal or cohabitant abuse/neglect; and review of the specific laws, rules and regulations related to the practice of chiropractic in the State of California.

Dr. Azzolino brought up his concern that there is no mandatory reporting for spousal abuse. It would potentially create a HIPPA violation and circumvent the patient's relationship.

Mr. Puleo informed the Board the staff had researched the topic and created a cheat sheet for

all the laws applicable to chiropractic and they are indeed mandatory reporters for all three categories listed in the regulation.

Dr. Azzolino is curious to know what the Medical Board's stance is on reporting spousal abuse. He encourages the Board to vet this particular item thoroughly.

Public Comment: Mrs. Van Allen questioned the staff's ability to deny a course, specifically in Workers Compensation, but since it often falls under Ethics and Law, it would be upheld.

Dr. Azzolino suggested auditing those classes more rigorously, as they don't specifically fall under a chiropractic patient model but still heavily influence the profession.

Mrs. Van Allen proposed that the Board accept licensees completing CE hours in Workers Comp, or something similar, but that the Board does not approve these courses.

The Board discussed several options related to additional courses offered through other medical boards.

Dr. Dehn clarified Dr. Azzolino's recommendation that if the Board does not approve Workers Compensation topics, the Board would have no way of determining the quality of instruction through the Department of Industrial Relations. This topic will be further reviewed by the Committee. Dr. Dehn and Dr. Azzolino also discussed the potential option of granting the schools with an expedited approval process, pending a review of their vetting process for Workers Compensation courses.

Public Comment: Dr. McKillican brought forward a question regarding the change for mandatory hours up to 6 hours for topics 9, 10, 11 and 12.

Dr. Dehn spoke on behalf of the Committee, that it was their intention to ensure licensees take classes specific to record keeping, ethics and law and sexual boundaries. That, currently, licensees can take a 6 hour course under ethics and law and they would not be required to take a course in the other subject matters. Which the Board deems very important.

Dr. McKillican clarified that he would be required to attend 2 hours of training under ethics and law, sexual boundaries and record keeping. He believes as an ethical practitioner, he would be subject to additional training time in areas he has never violated.

Dr. Azzolino suggested adopting the program DCA offers through Solid, for sexual harassment training, for all of California licensees. Also, he proposed reducing mandated hours in those three subject areas to one hour each.

Dr. Dehn offered to suggest to the CE Committee to change the mandatory hours from two to one hour.

The Board discussed the possibility of changing the language to include sexual harassment versus boundaries. The Board does not regulate sexual harassment but it does prohibit sexual relationships with staff. Further Board discussion of having sexual boundaries and sexual harassment as two separate but equally required training areas.

Mr. Swenson suggested 'sexual harassment and misconduct prevention' as language for the regulation but the DCA training through SOLID is specifically set up under the Fair Employment

and Housing Act, which has a different obligation for office staff than medical providers.

12. Sexual Boundaries between doctors and patients, including but not limited to misconduct or harassment between a licensee, patient, and staff.

13. Cardiopulmonary resuscitation, basic life support and use of an automated external defibrillator (*Note: This will probably be addressed elsewhere in the CE Regs).

14. Basic Sciences

Dr. Dehn acknowledged that this topic was included after the CE Committee meeting and is defined as anatomy, histology, neurology, physiology, nutrition, pathology, biochemistry or toxicology.

Dr. Azzolino suggested removing this topic as these basic science principles could potentially fall under another subject matter already identified.

The Board discussed several examples of courses under this topic and how the language would best identify the needs of a chiropractor. Suggested to include 'anatomy and physiology as related to clinical practice'. Suggested to include neurology.

Dr. Dehn stated that she will bring the suggestions of the Board and the public back to the Committee for further review.

Dr. Dehn finished the segment with a discussion regarding Philosophy of Chiropractic, it is not currently included in the proposed regulations, as it is a topic that is often abused as a catch all of course topics.

Public Comment: Dr. McKillican shared that he is diplomate in philosophy and would very much like to offer his services to the Board to define and determine what should constitute a philosophy course.

Dr. Dehn continued with a brief review of the proposed mandated hours for CE and that Dr. McKillican's concern regarding the amount of hours is duly noted. This will continue to be reviewed at the Committee level.

Dr. Lichtman suggested that for the first four mandatory hours listed in assessment and diagnostic procedures (Qualifying Subject Area #1), he would like to see the mandatory hour expanded to radiology and interpretation of blood and urinalysis test results (Qualifying Subject Areas #1-3).

Update, Discussion and Possible Action on Enforcement Committee Meeting Agenda

Dr. Azzolino updated the Board on the Expert Witness process. The Committee has reviewed the entire Expert Witness program, expert selection process, minimum monthly hours of practice for the experts, minimum years of practice to participate and have explored the option of having the expert witnesses submit a writing sample that specifically draws upon a real enforcement case.

Dr. Azzolino asked for clarification from Mr. Puleo regarding whether or not cited licensees are receiving a letter with all the rules and regulations. Mr. Puleo stated that they are not currently, but at the closure of the complaint, they do receive the regulations and are encouraged to maintain their understanding of the law. Dr. Azzolino suggested that this should occur prior to the closure of a complaint and he would like it to occur when the complaint is filed.

Dr. Azzolino reported that the Enforcement Committee recommended that a statement of qualification be required from expert witness applicants, as well as a sample report. Additionally, the Committee suggested screening by staff of the potential expert witness.

Dr. Dehn suggested allowing the expert witness candidates to view previous disciplinary cases and compose their own reports.

Mr. McCarther clarified that the Committee will identify a baseline case for applicants to review, that would be typical of the enforcement cases they would review.

Update, Discussion and Possible Action on Government & Public Relations Committee Meeting Agenda

Dr. Dehn updated the Board that at the May 21st, 2018 Committee meeting, members discussed and approved the inclusion of sections into the Board Member Administrative Procedure Manual (BMAPM) referring to the role of Board Officers, Bagley-Keene Open Meetings Act, periodic fee audits, and clarification regarding when strategic planning should take place.

Mr. Ruffino recommended on page eight, the duties listed under the Board Chair, language should be included that the Chair “with Board concurrence” can appoint committees. Another item for correction, under the Vice Chair section, should change the word “president’s” to “chair’s”.

Mr. Ruffino also noted under the Chair’s responsibilities, “Board Members” should be included in the following sentence: “Verifies accuracy and approves timesheets. Approves travel and sign travel expense claims for the EO”.

Mr. Ruffino noted on page 18, Communication Between Officers, potentially violated the Bagley-Keene Act. Mr. Puleo suggested that this passage does not refer that the Chair, Vice-Chair and Secretary are in communication with each other but that they must individually have a timely response to Board matters.

Mr. Swenson confirmed that Board Members can discuss the agenda, planning, and coordination of meetings but not the policy decisions that would take place at the meetings.

Mr. Ruffino identified another area of correction on page 10, under Agenda Items. Mr. Ruffino would like the first sentence to include that the Secretary may also receive agenda items for future Board Meetings. Also, Mr. Ruffino questioned whether the Board was satisfied with the third paragraph under this section.

On page 18, Mr. Ruffino specified under Committee Appointments, that ‘with Board approval’ be included in the first sentences of the second paragraph.

Mr. Puleo reminded the Board that they can vote on any of these suggestions for change, individually or as a whole.

Dr. Dehn would like clarification from Mr. Ruffino, did he wish to have something added to page 18 regarding Board communication not violating the Bagley-Keene Act? Mr. Ruffino responded, yes, he believes adding a sentence of clarification would be helpful.

Dr. Azzolino added that the distribution of responsibilities is very weighted under the Chair. He would like to see language added to allow some of the roles broken up among the other Board Members or that the Board Chair coordinates with who would be the most qualified person to handle those responsibilities. Dr. Azzolino would also like to have mentees trained in these capacities, to maintain a succession plan.

Dr. Azzolino recommended that outside of the Chair signing Board letters, the other duties could be facilitated through the Board Chair and assigned to other Board Members.

Mr. Puleo suggested that the proposed changes be taken back to Committee for further review. Mr. Puleo recommended that each Board Member individually submit their recommended changes to him. Mr. Puleo will submit the document to all Board Members and ensure that each Member's changes are identified.

The Board acknowledged that they would provide Mr. Puleo with their individual changes to the BMAPM document, and further review by the Government and Public Relations Committee would not be required.

Dr. Dehn wanted to take the opportunity to point out to the Board, that on page 24, additional language was added under Strategic Planning section. And under the Periodic Fee Audit section new language was added that was previously recommended by the full Board. She appreciates their review of these two sections.

Mr. Puleo reminded the Board that it would be prudent to motion to table this discussion and carry it forward to the next meeting.

MOTION: DR. AZZOLINO MOVED TO TABLE DISCUSSION REGARDING THE BOARD MEMBER ADMINISTRATIVE PROCEDURE MANUAL UNTIL THE NEXT BOARD MEETING. SECOND: MR. RUFFINO SECONDED THE MOTION.

VOTE: 4-0 (DR. DEHN-AYE, DR. LICHTMAN-AYE, DR. AZZOLINO-AYE, MR. RUFFINO-AYE)

MOTION: CARRIED

Dr. Dehn introduced the next item from the Committee, as Procedures for Electing Officers, including staff recommendations for nomination procedures.

Mr. Puleo reminded the Board, that one of these options would potentially become included into the BMAPM, should the Board approve one.

Mr. Ruffino posed a question to the Board, inquiring who consisted of the 10 programs that were utilized in the review process to develop these suggestions. Mr. Puleo responded that they were other Department of Consumer Affairs regulatory Boards that were reviewed.

Mr. Ruffino asked the DCA representative, Patrick Le, what guidelines the Department had regarding Board's election processes.

Mr. Le responded that DCA defers to each Board to determine how they individually choose to hold their election processes.

Mr. Ruffino stated that prior to the election day was an item of concern and one that needed to be addressed. He wished to move forward from that point and to suggest fair processes going forward for the Board.

Mr. Ruffino posed a question to Mr. Puleo, whether in his research he came across policy relating to staff involvement in the election process. Mr. Puleo responded that in some instances the Executive Officer can send out a memo to the Board in advance of the meeting, or in some instances the Executive Officer asked for nominations to be submitted in advance of the meeting. Mr. Ruffino appreciated Mr. Puleo's research into the election processes.

Mr. Ruffino made a recommendation to the Board to include a sentence about staff involvement, whether staff should play a role, or not, and consequences thereof. And he would also like language added regarding the campaigning and soliciting of Board Member's votes by phone, in terms of what is permissible or not.

Mr. Ruffino went on to suggest that, while he did not have specific verbiage, he felt language should be included that prohibited staff involvement in the election process.

Mr. Puleo and Mr. Ruffino discussed past elections.

Dr. Azzolino interjected to suggest that staff should not make recommendations for Board Members. He also stated that should the language need to be greatly altered, it might be best to hold off on a decision until a later Board Meeting.

Dr. Dehn suggested that much like the recommendations for the BMAPM, Board Members should submit language for changes regarding the election process document, so that further review and discussion can occur at the next full Board Meeting.

Dr. Azzolino suggested a statement be included to the election process document that the individual nominating themselves should submit a statement of qualifications.

Mr. McCarther responded that that suggestions had been reviewed and agreed upon by the Committee but had been erroneously left out of this document. Dr. Azzolino thanked Mr. McCarther for the update.

Dr. Azzolino posed a question to the Board, about what would be an appropriate amount of time to submit the statements to the Board. Mr. Puleo responded that it would be at the Board's preference to determine a time frame but that it potentially limits flexibility and decision making on part of the Board Members in the nomination process.

The Board discussed several options available to them within the election process document.

Dr. Azzolino proposed to the Board, that with two members absent they should abstain from voting and conduct the review at a later time, when the other members are present.

Dr. Dehn suggested narrowing down the potential options at the present meeting and potentially conducting the vote later.

The Board discussed the merits of having a thorough discussion with the two Board Members absent.

Mr. Ruffino suggested having the Chair appoint a nomination committee, that could make recommendations for nominees. Dr. Azzolino questioned if the size of the Board would preclude a successful committee. The success of such a committee was discussed.

Mr. Swenson recommended that the Board move to table the discussion regarding nomination and election procedures and discuss it at the next full Board Meeting.

**MOTION: MR. RUFFINO MOVED TO TABLE DISCUSSION REGARDING ELECTION PROCEDURES UNTIL THE NEXT BOARD MEETING.
SECOND: DR. AZZOLINO SECONDED THE MOTION.**

**VOTE: 4-0 (DR. DEHN-AYE, DR. LICHTMAN-AYE, DR. AZZOLINO-AYE, MR. RUFFINO-AYE)
MOTION: CARRIED**

Dr. Dehn introduced the next topic of the Committee, SB 1480 (Hill) Professions and vocations.

**MOTION: DR. AZZOLINO MOVED TO SUPPORT SB 1480 (HILL) PROFESSIONS AND VOCATIONS.
SECOND: DR. LICHTMAN SECONDED THE MOTION.**

**VOTE: 4-0 (DR. DEHN-AYE, DR. LICHTMAN-AYE, DR. AZZOLINO-AYE, MR. RUFFINO-AYE)
MOTION: CARRIED**

Dr. Dehn introduced topic SB1448 (Hill) Probation status: disclosure.

**MOTION: DR. AZZOLINO MOVED TO SUPPORT SB 1448 (HILL) PROBATION STATUS: DISCLOSURE.
SECOND: DR. DEHN SECONDED THE MOTION.**

**VOTE: 4-0 (DR. DEHN-AYE, DR. LICHTMAN-AYE, DR. AZZOLINO-AYE, MR. RUFFINO-AYE)
MOTION: CARRIED**

Dr. Dehn introduced the final topic, AB 2138 (Chiu) Denial of application: revocation or suspension of licensure: criminal conviction.

Mr. Puleo offered an overview; the bill creates barriers for those wishing to enter a licensed profession, who have been previously incarcerated. The Boards currently have very thorough processes regarding vetting applicants and their past convictions, as they relate to their profession.

Mr. Puleo noted that the bill, as printed, will be changing. He recommends that the Board continue to watch this bill and continue to work with the authors office to facilitate any concerns.

**MOTION: DR. AZZOLINO MOVED TO WATCH AB 2138 (CHIU) DENIAL OF APPLICATION: REVOCATION OR SUSPENSION OF LICENSURE: CRIMINAL CONVICTION.
SECOND: MR. RUFFINO SECONDED THE MOTION.**

VOTE: 4-0 (DR. DEHN-AYE, DR. LICHTMAN-AYE, DR. AZZOLINO-AYE, MR. RUFFINO-AYE)

MOTION: CARRIED

Update, Discussion and Possible Action on Pending Rulemaking:

Mr. McCarther stated that there have not been any updates, however, the application for regulation is close to the 30-day deadline for approval or disapproval. He is hopeful for a response soon.

Dr. Dehn posed a question regarding whether the Consumer Protection Enforcement Initiative (CPEI) was still with Department of Consumer Affairs.

Mr. McCarther responded that CPEI and Delegation for Authority were submitted to Legal Counsel. Once an approval or disapproval has been granted on the application regulation, attention will be turned to the CPEI and Delegation for Authority.

Mr. Puleo reminded the Board that there is a staff member focused on assisting with these regulations. Also, as the Policy Analyst position is still vacant, Mr. McCarther has been assisting with two positions.

The Board congratulated Mr. McCarther on his dedication to the Board.

Public Comments For Items Not On The Agenda

There were none

Future Agenda Items

Mr. Ruffino suggested adding two pieces of legislature to the agenda. First, the Louisiana House bills 748 and 372 related to limiting certifications; and Missouri House bill 1500.

Mr. Puleo will research these topics.

Mr. Ruffino put forward another suggestion for the agenda, establishing a special committee of the Board to open the Chiropractic Act of 1922.

Mr. Ruffino also suggested providing meeting materials to the Board well in advance of a full Board Meeting. He proposed agenda materials be provided to the Board 15 working days prior to the Board Meeting.

Mr. Puleo mentioned that because the agenda is publicized 10 days prior to a Board Meeting, it would be unlikely that agenda material would be able to be furnished prior to the finalized agenda.

Mr. Ruffino would like this topic added to the agenda to explore the possibilities.

Mr. Ruffino also suggested a 30-day maximum time frame for receiving Board Meeting minutes after a meeting.

Mr. Ruffino would also like committee compositions and a roster of committees to be provided. He also requested to be added to the Government Affairs Committee as a member.

Adjournment

Dr. Dehn adjourned the meeting at 6:25pm.

(ATTACHMENT A)

Approval by Ratification of Formerly Approved License Applications
January 1, 2018 and March 31, 2018

Name (First, Middle, Last)			Date Issued	DC#
Artin		Balalian	1/4/2018	34087
Bryan		Abasolo	1/11/2018	34088
Sang	Do	Lee	1/16/2018	34089
Michelle	Christine	Hoinsky	1/19/2018	34090
Kylie	Lynn	Hunsaker	1/19/2018	34091
Alexa	Kristina	Chilian	1/23/2018	34092
Daniel	Christopher	Kimbley	1/23/2018	34093
Sayed	Naweed	Miry	1/23/2018	34094
Milan	John	Anderson	1/25/2018	34095
Hannah	Elizabeth	Flammang	1/29/2018	34096
Leana		Liu	1/29/2018	34097
Lucas		Melendez	1/29/2018	34098
Scott	Andrew	Carlton	2/1/2018	34099
Michelle	Nicole	Green	2/1/2018	34100
Ledia		Mati	2/1/2018	34101
Daniel	Patrick	Miller	2/1/2018	34102
Alex	Jordan	Silver	2/1/2018	34103
Brandon	Steven	Slaugh	2/1/2018	34104
Morgan	Fredrick	Smith	2/1/2018	34105
Juan	Jesus	Villa	2/1/2018	34106
Trevor	Guida	Wendel	2/1/2018	34107
Elizabeth	Anne	Williams	2/1/2018	34108
Kody	Takeo	Fudenna	2/5/2018	34109
Patrick		Karamkhodian	2/5/2018	34110
Kristin	Victoria	Palase	2/5/2018	34111
Rhett	William	Adams	2/5/2018	34112
Raymond	Michael	Pulmano	2/5/2018	34113
Georgina		Villa Escobedo	2/5/2018	34114
Li		Yin	2/5/2018	34115
Tayte		Hines	2/8/2018	34116
Corey	L. D.	Cook	2/8/2018	34117
Julia	Michelle	Culbertson	2/8/2018	34118
William	Park	Goodman	2/8/2018	34119
Shayna	Chrystine	Guitare	2/8/2018	34120
Shayda		Kianfar	2/8/2018	34121

Keith	A	Kowalczyk	2/8/2018	34122
Sheena	S	Lee	2/8/2018	34123
Veronica	Lynne	Wilkins	2/8/2018	34124
Alexandra	Nicole	Andersson	2/8/2018	34125
Shane	Pitman	Kelly	2/8/2018	34126
Sean	Thompson	Woolery	2/8/2018	34127
Tina		Noorishad	2/9/2018	34128
Tess	Alexis	Noriega	2/9/2018	34129
Justin	Wade	Dean	2/21/2018	34130
Michael	William	Hinderman	2/21/2018	34131
Colton	Christopher	King	2/21/2018	34132
Kimberley	Alexandra	Maugeri	2/21/2018	34133
Michelle Rae	Nunez	Pascal	2/21/2018	34134
Taylor	Raymond	Pascal	2/21/2018	34135
Kaci	Tristan	Madden	2/23/2018	34136
Kushalmeet	Kaur	Pawar	2/23/2018	34137
Kristopher	Michael	Birkeland	2/23/2018	34138
David	Randolph	Holmes	2/23/2018	34139
Stephanie		Chen	2/26/2018	34140
Andrew	Benjamin	Curcuru	2/26/2018	34141
Ryan	Tucker	Mijares	2/26/2018	34142
Theodore	John	Thatcher	2/28/2018	34143
Adrian	Ventura	Villalba	2/28/2018	34144
Nicholas	Steven	Berglund	2/28/2018	34145
Hoi	Fan	Poon	2/28/2018	34146
Sura		Al-Shibib	3/2/2018	34147
Chase	Michael	Parlett	3/2/2018	34148
Satin	Ashlee	Perez	3/2/2018	34149
Joshua	Insoo	Choi	3/5/2018	34150
Bryanna	Renee	Esquivel	3/5/2018	34151
Jennifer	Elizabeth	Drumm	3/5/2018	34152
Nalani	Ashley	Camat	3/7/2018	34153
Garik		Mananian	3/7/2018	34154
Joseph	Anthony	Mattina	3/7/2018	34155
Ha	Khanh	Truong	3/7/2018	34156
Ramneek	Singh	Bhogal	3/8/2018	34157
Amy	Christine	McLane	3/8/2018	34158
David	Daniel	Pretzinger	3/8/2018	34159
Aaron	B	Schneider	3/8/2018	34160
Erica	Louise	Smith	3/8/2018	34161
Dane	Colby	Wimmer	3/14/2018	34162

Jeffrey	Joe Dack Wing	Wong	3/14/2018	34163
Dennis	Matthew	Hatch	3/15/2018	34164
Charlie		Khong	3/15/2018	34165
Scott	Edward	Kolofer	3/15/2018	34166
Diana	Therese	Leon	3/15/2018	34167
Zachary	Edward	Uhler	3/15/2018	34168
Alexander	Joshua	Peters	3/19/2018	34169
Andrea	Carolina	Furst	3/19/2018	34170
Ruben	Ryan	Quinonez	3/19/2018	34171
Amanda	Dawn	Lux Hein	3/19/2018	34172
Daniel		Demerjian	3/19/2018	34173
David	Joseph	Gilligan	3/21/2018	34174
Trevor	Ives	MacLeod	3/21/2018	34175
Monique	Marlene	Andrews	3/21/2018	34176
Brenna	Kathleen	Erickson	3/21/2018	34177
Veronique	Emma	Wagner	3/22/2018	34178
Lisa	Anne	Parissi	3/22/2018	34179
Marco	Antonio	Ruvalcaba	3/22/2018	34180
Kristen	Lee	Kozasky	3/22/2018	34181
Michael	Joseph	Pierce	3/27/2018	34182
Mandice	Myrsha	Williams	3/27/2018	34183
Shelley	Micheline	Pinard	3/29/2018	34184
Alexis	Pouran	Jahangiri	3/29/2018	34185
Kellen	Douglas	Otte	3/29/2018	34186

(ATTACHMENT B)

Pending Ratification to Approve for New Continuing Education Providers

CONTINUING EDUCATION PROVIDERS	DATE
1. <u>Michelle A. Largent, D.C.</u>	<u>06/05/18</u>
2. <u>Michael J. Hollis</u>	<u>06/05/18</u>
3. <u>Jonathan Brand</u>	<u>06/05/18</u>
4. <u>Stephanie Libs, D.C.</u>	<u>06/05/18</u>
5. <u>David Goldeen</u>	<u>06/05/18</u>
6. <u>Dirk A. Farrell, D.C.</u>	<u>06/05/18</u>
7. <u>Barbara Berkeley, D.C.</u>	<u>06/05/18</u>
8. <u>Jess P. Armine, D.C.</u>	<u>06/05/18</u>
9. <u>Frank Springob, D.C.</u>	<u>06/05/18</u>
10. <u>Thomas Bynes, DC</u>	<u>06/05/18</u>
11. <u>Donald Baune</u>	<u>06/05/18</u>
12. <u>Diane Waye- Stretching by the Bay</u>	<u>06/05/18</u>
13. <u>Aspine Health Group, Inc.</u>	<u>06/05/18</u>
14. <u>Dr. Calvin B. Ross</u>	<u>06/05/18</u>
15. <u>Russell Whitten DC</u>	<u>06/05/18</u>
16. <u>TTAPS</u>	<u>06/05/18</u>
17. <u>Nevada Chiropractic Council</u>	<u>06/05/18</u>
18. <u>DJO, LLC</u>	<u>06/05/18</u>
19. <u>Jeffrey A. Finnigan</u>	<u>06/05/18</u>
20. <u>QNRT Professional Association</u>	<u>06/05/18</u>
21. <u>Nourish Nutrition, Inc</u>	<u>06/05/18</u>