



AMENDED AGENDA

NOTICE OF TELECONFERENCE BOARD MEETING

October 29, 2020
9:00 a.m. to 4 p.m.
or until completion of business

Notice of Teleconference Meeting Held Under Executive Order N-29-20 (3/17/20)

FOR PUBLIC COMMENT, PLEASE LOG ON TO THIS WEBSITE:

<https://dca-meetings.webex.com/dca-meetings/onstage/g.php?MTID=e253d193bf469bd003c1bfd3cd0922a8e>

The preferred audio connection is via mobile phone. The phone number and access code will be provided as part of your connection to the meeting. When signing into the WebEx platform, participants may be asked for their name and email address. Participants who choose not to provide their names will be required to provide a unique identifier, such as their initials or another alternative, so that the meeting moderator can identify individuals who wish to make public comment. Public comments will be limited to 2 minutes per person unless, in the discretion of the Board or circumstances require a shorter period. Members of the public will not be permitted to "yield" their allotted time to other members of the public to make comments.

Important Notices to the Public: The Board of Chiropractic Examiners will hold this meeting via WebEx – access information is provided above. General instructions for using WebEx are attached to the agenda. A person who needs a disability-related accommodation or modification to participate in the meeting may make a request by contacting the Board at (916) 263-5355 or e-mail chiro.info@dca.ca.gov or send a written request to the Board of Chiropractic Examiners, 901 P Street, Suite 142A, Sacramento, CA 95814. Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodation.

AGENDA

1. **Open Session** – Call to Order & Establishment of a Quorum

David Paris, D.C., Chair
Dionne McClain, D.C., Vice Chair
Frank Ruffino, Secretary
Sergio Azzolino, D.C.
Heather Dehn, D.C.
Laurence Adams, D.C.

2. **Chair's Report**

Update on the Chair's Activities and Board's accomplishments and/or goals

- 3. Approval of July 16, 2020 Board Meeting Minutes**
- 4. Ratification of Approval of License Applications**
- 5. Ratification of Denied License Applications in Which the Applicants Did Not Request a Hearing**
- 6. Ratification of Approved Continuing Education Providers**
- 7. Nomination of Board Officers for 2021. The Board will Initiate Nomination Procedures for Board Officer Positions: Chair, Vice Chair, and Secretary.**
Board members can either self-nominate or nominate other members. Voting will take place at the first meeting in 2021.
- 8. Executive Officer's Report**
 - A. Administration - Board staffing/organizational chart
 - B. Budget - Fund condition update
 - C. Licensing - Statistical trends
 - D. Enforcement - Statistical trends
 - E. Information Technology (IT) Update

-----**15 Minute Break**-----

- 9. Update, Review, Discussion and Possible Action on Long-Term Healing Arts Programs Licensing Trends**
- 10. Update, Review, Discussion and Possible Action on Licensing & Continuing Education Committee Meeting Agenda**
Board may act on any item on the attached Licensing & Continuing Education Committee meeting agenda.
- 11. Update, Discussion and Possible Action on Enforcement Committee Meeting Agenda**
Board may act on any item on the attached Enforcement meeting agenda.

-----**1 Hour Lunch Break**-----

- 12. Update, Review, and Possible Action on Revisions to AB 2138 Regulatory Language**
- 13. Update, Discussion and Possible Action on Pending Rulemaking:**

- A. Denial of Application: Revocation or Suspension of Licensure
- B. Revisions to Curriculum Requirements and Approval of Programs (16 CCR Sections 330 - 331.16)
- C. Continuing Education Requirements (CE Provider and Course Approval)/Mandatory
- D. Probation Status Disclosure
- E. Delegation of Authority to the Assistant Executive Officer
- F. Consumer Protection Enforcement Initiative (CPEI)
- G. Revisions to BCE Disciplinary Guidelines & Uniform Standards for Substance Abusing Licensees
- H. Sponsored Free Health Care Events - Repeal 16 CCR Section 309-309.4
- I. Cardiopulmonary Resuscitation (CPR) Certification for All Licensees
- J. Chiropractic Records Retention/Disposition of Patient Records Upon Closure of Practice on Death/Incapacity of Licensee Amend or Repeal 16 CCR Section 354- Successful Examination (Obsolete provision)

14. Review, Discussion and Possible Action to Schedule End-of-Year Board Meeting

15. Review, Discussion and Possible Action Regarding the Proposed 2021 Board Meeting Schedule

16. Public Comment for Items Not on the Agenda

Note: The Board may not discuss or take action on any matter raised during this public comment section that is not included on this agenda, except to decide whether to place the matter on the agenda of a future meeting. [Government Code Sections 11125, 11125.7(a).] Public comment is encouraged; however, if time constraints mandate, comments may be limited at the discretion of the Chair.

17. Future Agenda Items

Note: The Board may not discuss or take action on any matter raised during this public comment section that is not included on this agenda, except to decide whether to place the matter on the agenda of a future meeting. [Government Code Section 11125.]

-----**15 Minute Break**-----

18. Closed Session

The Board will meet in Closed Session to:

- A. Receive Advice from Legal Counsel Pursuant to California Government Code Sections 11126(e) and 139361.1 Regarding Hugh Lubkin, D.C. v. Board of Chiropractic Examiners Workers' Compensation Case No. ADJ7361379

19. Closed Session

Open Session: Announcements Regarding Closed Session

20. Adjournment

In accordance with Executive Order N-29-20, no physical location is available for observation and public comment, so please plan to attend the meeting telephonically. Meetings of the Board of Chiropractic Examiners are open to the public except when specifically noticed otherwise in accordance with the Open Meeting Act. Public comments will be taken on agenda items at the time the specific item is raised. The Board may take action on any item listed on the agenda, unless listed as informational only. All times are approximate and subject to change. Agenda items may be taken out of order to accommodate speakers and to maintain a quorum. The meeting may be cancelled without notice. For verification of the meeting, call (916) 263-5355 or access the Board's Web Site at www.chiro.ca.gov.

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HOW TO – Join – DCA WebEx Event

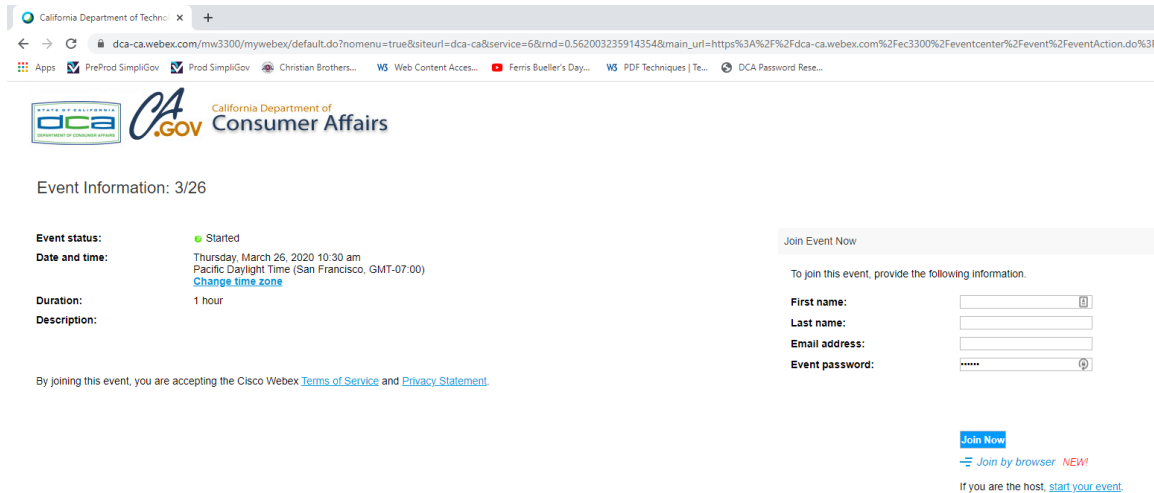
The following contains instructions to join a WebEx event hosted by the Department of Consumer Affairs (DCA).

NOTE: The preferred audio connection to our event is via telephone conference and not the microphone and speakers on your computer. Further guidance relevant to the audio connection will be outlined below.

1. Navigate to the WebEx event link provided by the DCA entity (an example link is provided below for reference) via an internet browser.

Meeting link: <https://dca-ca.webex.com/dca-ca/onstage/g.php?MTID=ec77d62510c83c2eb832acdb14f0fcc24>

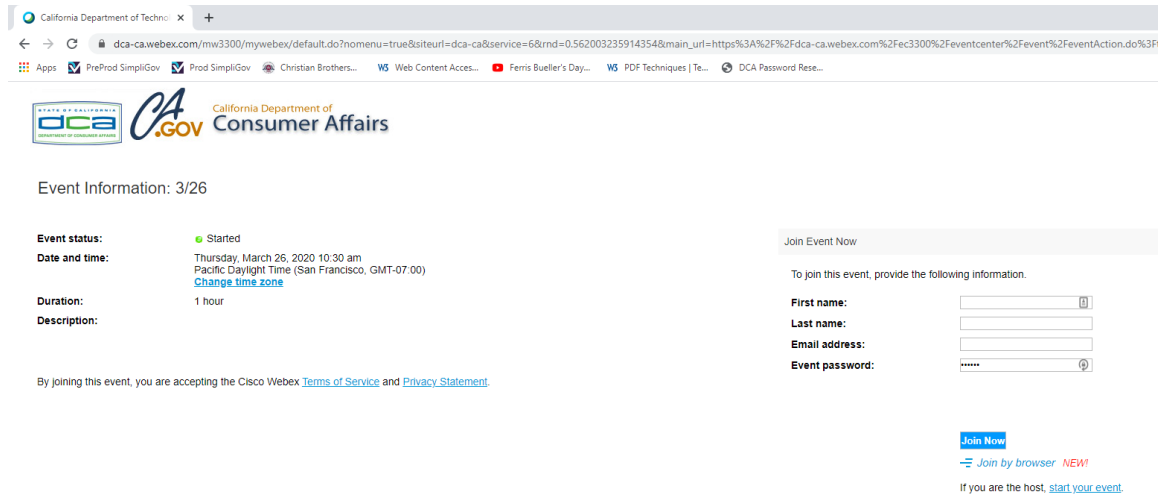
Event number: 145 078 4099
Event password: BCE71620
Audio conference: +1-415-655-0002 (Access code: 145 078 4099)



2. The details of the event are presented on the left of the screen and the required information for you to complete is on the right.

NOTE: If there is a potential that you will participate in this event during a Public Comment period, you must identify yourself in a manner that the event Host can then identify your line and unmute it so the event participants can hear your public comment. The 'First name', 'Last name' and 'Email address' fields do not need to reflect your identity. The department will use the name or moniker you provide here to identify your communication line should you participate during public comment.

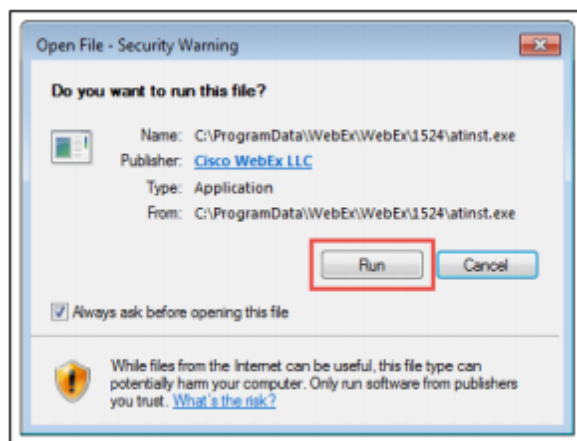
HOW TO – Join – DCA WebEx Event



3. Click the 'Join Now' button.

NOTE: The event password will be entered automatically. If you alter the password by accident, close the browser and click the event link provided again.

4. If you do not have the WebEx applet installed for your browser, a new window may open, so make sure your pop-up blocker is disabled. You may see a window asking you to open or run new software. Click 'Run'.



Depending on your computer's settings, you may be blocked from running the necessary software. If this is the case, click 'Cancel' and return to the browser tab that looks like the window below. You can bypass the above process.

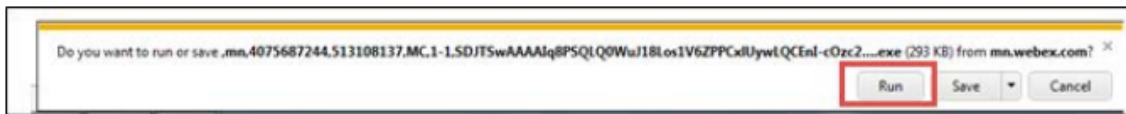
HOW TO – Join – DCA WebEx Event

Starting Webex...



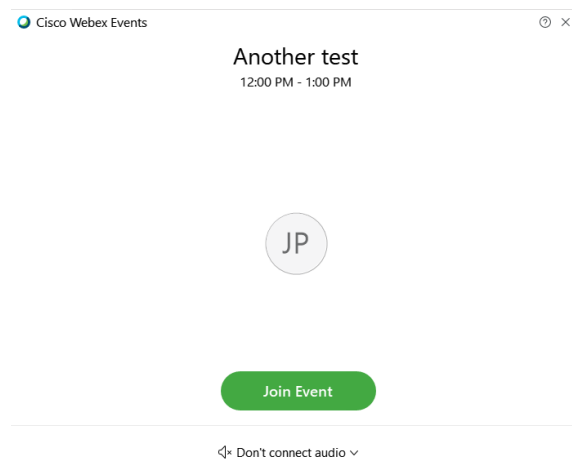
Still having trouble? [Run a temporary application](#) to join this meeting immediately.

- 5. To bypass step 4, click 'Run a temporary application'.
- 6. A dialog box will appear at the bottom of the page, click 'Run'.



The temporary software will run, and the meeting window will open.

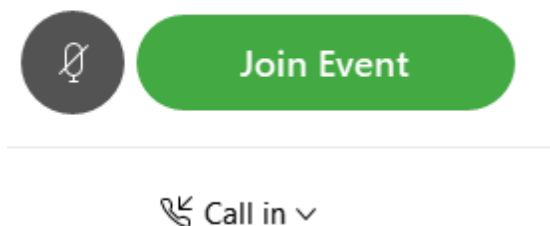
- 7. Click the audio menu below the green 'Join Event' button.



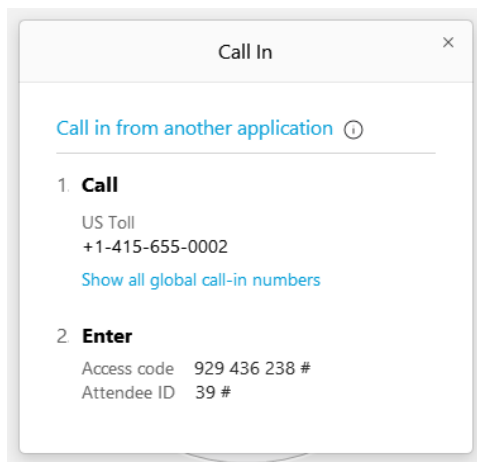
- 8. When the audio menu appears click 'Call in'.

HOW TO – Join – DCA WebEx Event

9. Click 'Join Event'. The audio conference call in information will be available after you join the Event.



10. Call into the audio conference with the details provided.

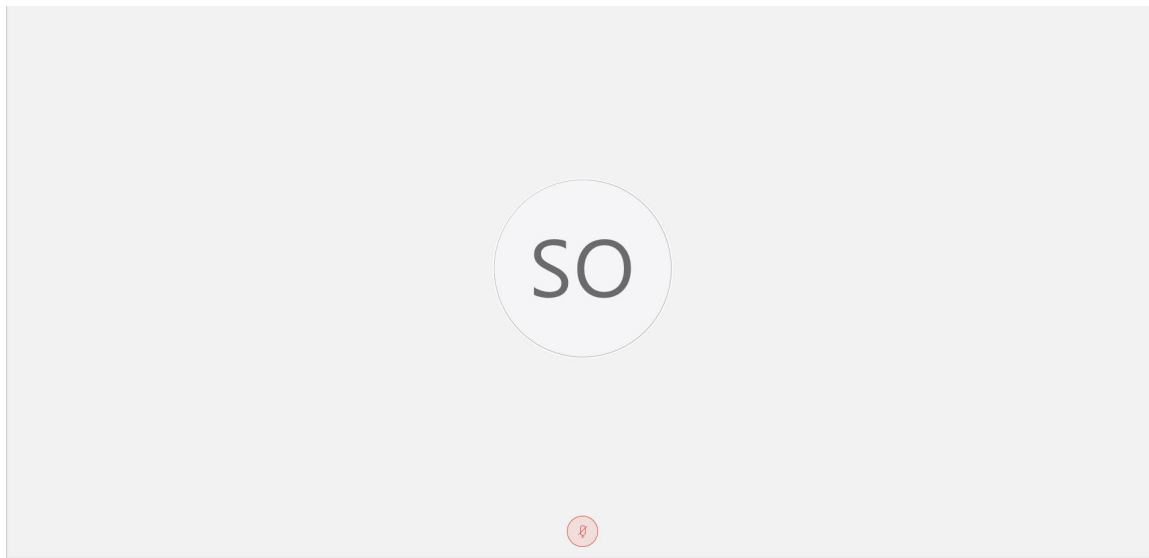


NOTE: The audio conference is the preferred method. Using your computer's microphone and speakers is not recommended.

HOW TO – Join – DCA WebEx Event

Once you successfully call into the audio conference with the information provided, your screen will look like the screen below and you have joined the event.

Congratulations!

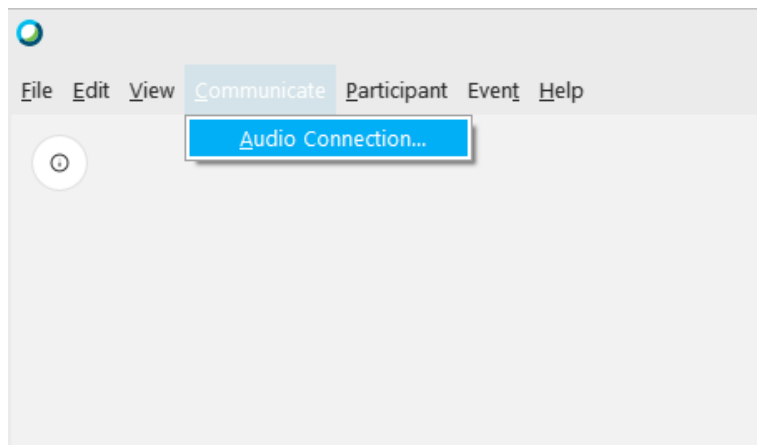


NOTE: Your audio line is muted and can only be unmuted by the event host.

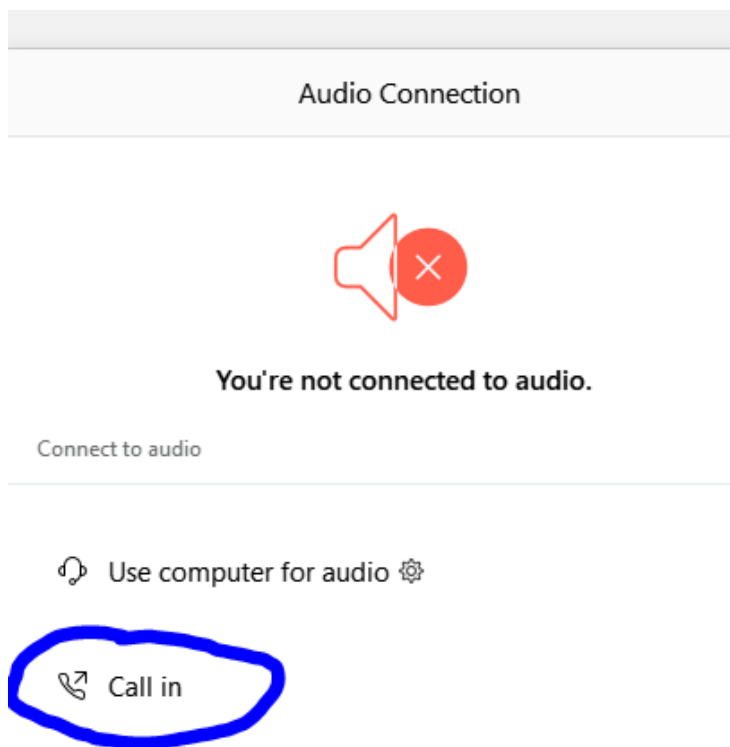
If you join the meeting using your computer's microphone and audio, or you didn't connect audio at all, you can still set that up while you are in the meeting.

Select 'Communicate' and 'Audio Connection' from top left of your screen.

HOW TO – Join – DCA WebEx Event



The 'Call In' information can be displayed by selecting 'Call in' then 'View'



You will then be presented the dial in information for you to call in from any phone.

HOW TO – Join – DCA WebEx Event Participating During a Public Comment Period

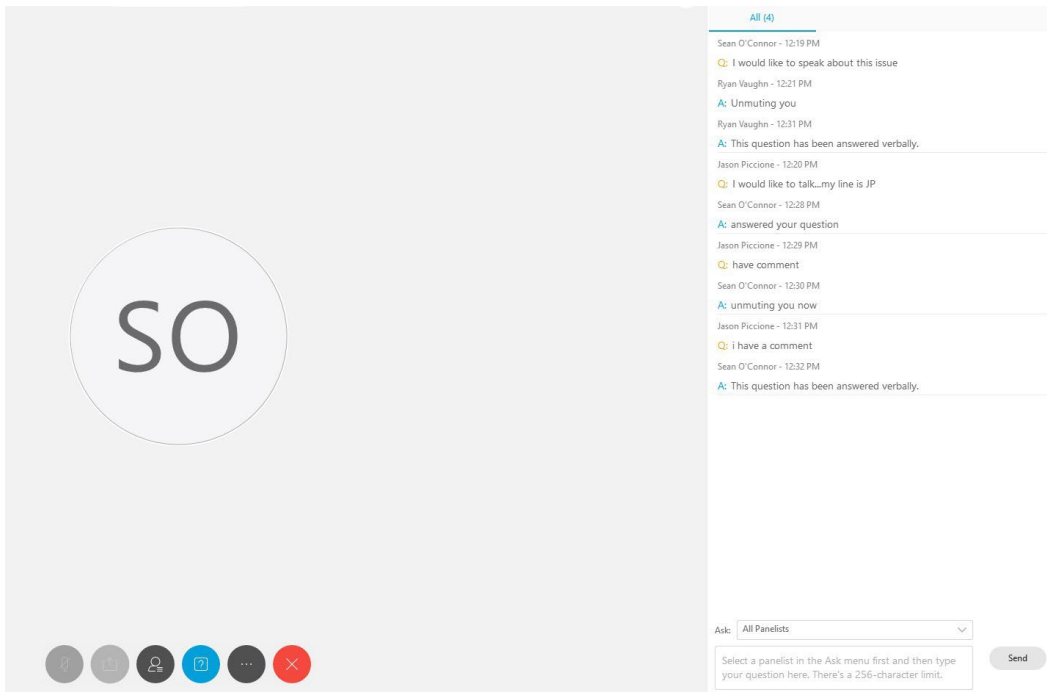
At certain times during the event, the facilitator may call for public comment. If you would like to make a public comment, click on the 'Q and A' button near the bottom, center of your WebEx session.



This will bring up the 'Q and A' chat box.

NOTE: The 'Q and A' button will only be available when the event host opens it during a public comment period.

HOW TO – Join – DCA WebEx Event



To request time to speak during a public comment period, make sure the ‘Ask’ menu is set to ‘All panelists’ and type ‘I would like to make a public comment’.

Attendee lines will be unmuted in the order the requests were received, and you will be allowed to present public comment.

NOTE: Your line will be muted at the end of the allotted public comment duration. You will be notified when you have 10 seconds remaining.