



BOARD OF CHIROPRACTIC EXAMINERS MEETING MINUTES

October 26-27, 2022

In accordance with the statutory provisions of Government Code section 11133, the Board of Chiropractic Examiners (Board) met via teleconference/Webex Events with no physical public locations on October 26-27, 2022.

Board Members Present

David Paris, D.C., Chair
Laurence Adams, D.C., Vice Chair
Rafael Sweet, Secretary
Janette N.V. Cruz
Pamela Daniels, D.C.

Staff Present

Kristin Walker, Executive Officer
Dixie Van Allen, Licensing & Administration Manager
William Walker III, Enforcement Manager
Amanda Ah Po, Enforcement Analyst
Tammi Pitto, Enforcement Analyst
Sabina Knight, Board Counsel, Attorney III, Department of Consumer Affairs (DCA)

Wednesday, October 26, 2022

1. Open Session – Call to Order / Roll Call / Establishment of a Quorum

Dr. Paris called the meeting to order at 9:07 a.m. Mr. Sweet called the roll. All members were present, and a quorum was established.

2. Petition Hearings for Reinstatement of Surrendered License

Administrative Law Judge (ALJ) Coren D. Wong presided over the following petition hearings before the Board:

- A. Annie My Tran, License No. DC 30508, Case No. AC 2017-1131
- B. Jeffrey Richard Marrs, License No. DC 24168, Case No. AC 2013-957
- C. Brent Anthony Hill, License No. DC 18107, Case No. AC 2013-974

Deputy Attorney General (DAG) Jeff Stone appeared at the hearings on behalf of the people of the State of California.

3. Petition Hearing for Reinstatement of Revoked License

ALJ Wong presided over the following petition hearing before the Board:

- Carlos Van Darrell Seals, License No. DC 10652, Case No. AC 2017-1133

DAG Stone appeared at the hearing on behalf of the people of the State of California.

4. Petition Hearing for Reinstatement of Surrendered License and Reduction in Penalty

ALJ Wong presided over the following petition hearing before the Board:

- Andrea Jonquil Bradshaw, License No. DC 24091, Case No. AC 2014-999

DAG Stone appeared at the hearing on behalf of the people of the State of California.

5. Closed Session

The Board met in closed session to:

- A. Deliberate and vote on disciplinary matters, including the above petitions, pursuant to Government Code section 11126, subdivision (c)(3); and
- B. Confer with and receive advice from legal counsel regarding *Elizabeth Acosta v. Board of Chiropractic Examiners*, Los Angeles County Superior Court, Case No. BC698162, pursuant to Government Code section 11126, subdivision (e).

6. Reconvene to Open Session and Recess Until October 27, 2022, at 9:00 a.m.

The Board returned to open session at 6:45 p.m. and recessed until Thursday, October 27, 2022, at 9:00 a.m.

Thursday, October 27, 2022

7. Call to Order / Roll Call / Establishment of a Quorum

Dr. Paris called the meeting to order at 9:03 a.m. Mr. Sweet called the roll. All members were present, and a quorum was established.

8. Update on the Department of Consumer Affairs (DCA) by the DCA Office of Board and Bureau Relations

Judie Bucciarelli from DCA's Office of Board and Bureau Relations informed the Board that Melissa Gear had been appointed Deputy Director of Board and Bureau Relations by Governor Newsom. She shared that DCA Director Kimberly Kirchmeyer had established DCA's first Diversity, Equity, and Inclusion Steering Committee to guide

equity strategy, initiatives, and action plans. She also explained Governor Newsom issued an executive order that strategic plans in effect on or after July 2023 must be developed or updated to effectively advance equity and drive outcomes that increase opportunity for all; in response, DCA is revising the strategic planning processes to incorporate more inclusive public engagement data analysis and embed diversity, equity, and inclusion into the process. Ms. Bucciarelli also highlighted the Our Promise state employee giving campaign, noted remote meetings without physical locations may continue through June 30, 2023, and reminded the Board of DCA's travel restrictions and guidelines.

Public Comment: None.

9. Board Chair's Report

Dr. Paris informed the Board he and Ms. Walker attended the Federation of Chiropractic Licensing Boards (FCLB) Districts I and IV regional meeting on September 30, 2022, and October 1, 2022, where they received updates from the National Board of Chiropractic Examiners (NBCE) and FCLB and participated in discussions of licensing, continuing education, enforcement, and operations issues with board members and executives from other states. Additionally, on October 1, 2022, they participated in a California Chiropractic Roundtable meeting hosted by the California Chiropractic Association (CalChiro). Dr. Paris thanked CalChiro for hosting the event.

Dr. Paris noted the Board has scheduled its 2023 meetings and suggested that each of the committees do the same. He thanked the Board and staff for their flexibility, hard work, and dedication in 2022.

Dr. Paris shared that the Board will be asked to adopt its next strategic plan under Agenda Item 20 and emphasized the renewed focus on engagement and collaboration with stakeholders within the plan. He also thanked DCA's SOLID Training and Planning Solutions for their facilitation and planning services.

Public Comment: None.

10. Review and Possible Approval of August 18-19, 2022 and October 7, 2022 Board Meeting Minutes

Motion: Dr. Adams moved to approve the minutes of the August 18-19, 2022 and October 7, 2022 Board meetings.

Second: Mr. Sweet seconded the motion.

Public Comment: None.

Vote: 5-0 (Dr. Paris-AYE, Dr. Adams-AYE, Mr. Sweet-AYE, Ms. Cruz-AYE, and Dr. Daniels-AYE).

Motion: Carried.

11. Review and Possible Ratification of Approved Doctor of Chiropractic License Applications

Motion: Dr. Daniels moved to ratify the approved doctor of chiropractic license applications.

Second: Ms. Cruz seconded the motion.

Public Comment: None.

Vote: 5-0 (Dr. Paris-AYE, Dr. Adams-AYE, Mr. Sweet-AYE, Ms. Cruz-AYE, and Dr. Daniels-AYE).

Motion: Carried.

12. Review and Possible Ratification of Approved Continuing Education Provider Applications

Dr. Adams noted the application by Mark Algee, D.C. did not identify the provider status. Ms. Van Allen stated she spoke with Dr. Algee and he was seeking to change his provider status from "individual" to "corporation." Dr. Paris asked if his application had been amended or if it should be resubmitted with the appropriate box checked. Ms. Van Allen replied the application should be amended.

Motion: Dr. Adams moved to ratify the continuing education application by Mark Zuber, D.C. and defer the application by Dr. Algee to a future meeting.

Second: Dr. Paris seconded the motion.

Public Comment: None.

Vote: 5-0 (Dr. Paris-AYE, Dr. Adams-AYE, Mr. Sweet-AYE, Ms. Cruz-AYE, and Dr. Daniels-AYE).

Motion: Carried.

13. Executive Officer's Report and Updates on:

- A. Administration, Continuing Education, Enforcement, and Licensing Programs
- B. Board's Budget and Fund Condition
- C. Business Modernization Project and Implementation of Connect System
- D. Status of Board's Pending Rulemaking Packages

Ms. Walker informed the Board that staff has been primarily focused on action items for the committee meetings and the Business Modernization Project to enhance the user experience within the Connect system and increase the utilization rate by simplifying the

renewal process, allowing licensees to store their continuing education (CE) records in the system, and prominently displaying links to various Board resources and contact information on the user dashboard. She also stated staff is working to expand the cashiering functionality in the system and noted the timing of the next software release is dependent upon the completion of that work by the vendor.

Dr. Paris asked if there is a plan to market Connect to licensees to increase the system utilization rate. Ms. Walker replied that staff will notify licensees via email, social media, and in the renewal packet after the user dashboard has been refined and is more intuitive to navigate. Dr. Paris asked if data had been gathered on the current website's utilization and user tracking. Ms. Walker stated staff is working with DCA to gather data on the usage of the website and plans to present that data to the Government and Public Affairs Committee.

Ms. Walker shared that staff has been reviewing its existing paper-based processes to identify opportunities to increase efficiency and prepare for the transition of those processes to the Connect system. She updated the Board on the status of the pending regulatory proposals and noted that staff met with DCA regulatory counsel and developed a plan for moving those proposals forward. She also provided an overview of licensing and enforcement statistics.

Sarah Hinkle and Karen Munoz from DCA's Budget Office presented the Board with its current fund condition and instructions on how to interpret the document. Dr. Paris noted the Board's months in reserve continue to decline to below three months in fiscal year 2023-24 and asked if the projections are expected to change as the Board moves forward. Ms. Hinkle replied it is a point-in-time document based on projections which assume the full budget is spent and that the Board's months in reserve is in a comfortable position.

Ms. Cruz noted the fund condition does not include any payments toward the Board's outstanding loan from the Bureau of Automotive Repair and asked if the document accounts for any potential legal fees or settlement payments from litigation. Ms. Munoz replied that any settlements would be accounted for in the actual expenditures of that fiscal year and they assume full expenditure the Board's appropriation for purposes of planning for uncertainties.

Dr. Adams commended Ms. Walker on her leadership and thanked the staff and Board members for their hard work.

Public Comment: None.

14. Licensing Committee Report

- A. Committee Chair's Update on October 3, 2022 Meeting
- B. Review, Discussion, and Possible Action Regarding Submission of Comments Regarding Proposed Revisions to Council on Chiropractic Education (CCE) Accreditation Standards and CCE Residency Program Accreditation Standards

Dr. Daniels updated the Board on the October 3, 2022 Licensing Committee meeting. She shared that the Committee reviewed an application for new chiropractic college approval by Keiser University - College of Chiropractic Medicine (KUCCM) and identified four deficiencies or discrepancies compared to the Board's regulations. She noted the clinical experience component was the most important area where the Committee is seeking further clarification from KUCCM, and program representatives are scheduled to attend the next Committee meeting to address those deficiencies.

Dr. Daniels informed the Board that the Committee discussed the challenges of not having a process in regulation for situations where a licensee's practice is dynamic or mobile, such as at sporting events or fairs, and consumers are not easily able to identify the provider's license status. She explained the Committee discussed various options and determined the best starting point is to first define the term "place of practice" before exploring potential regulatory changes. She also stated the Committee discussed utilizing QR codes on licenses and certificates so patients can easily access the licensee's public information listed on DCA's License Search.

Dr. Daniels continued that the Licensing Committee reviewed proposed revisions to the Council on Chiropractic Education (CCE) Accreditation Standards and CCE Residency Accreditation Standards. She explained CCE is shifting from an institutional to programmatic approach and is conducting a 60-day public comment period through October 31, 2022, on the proposed updates. She shared the Committee identified three areas of interest regarding the CCE Accreditation Standards:

1. The proposed revisions indicate that the "Examples of Evidence" within the requirements for Doctor of Chiropractic degree educational programs are being removed from the accreditation standards and will be published in a guidance document.
2. Within Meta-Competency 1 (Assessment & Diagnosis), the phrase "perform a case-appropriate examination" is used within Curricular Objective C and Outcome 2, but the term "case-appropriate examination" is not clearly defined.
3. Within Meta-Competency 2 (Management Plan), in addition to training students to "Determine the need for emergency care, referral, and/or collaborative care," students should also be trained in emergency procedures and the risks and complications of chiropractic care. In addition, the outcomes for this meta-competency should include that students are able to demonstrate their

knowledge of red flags and how to proceed in emergency situations and/or when red flags have been identified.

Dr. Daniels then informed the Board of written and verbal public comments the Licensing Committee received from Falkyn Luouxmout, a student intern, who requested the Board consider amending California Code of Regulations (CCR), title 16, section 331.12.2, subdivision (e)(2), to allow chiropractic students to receive partial credit for patient treatments or visits where no subluxation is identified and no adjustment is necessary. Dr. Daniels stated the Licensing Committee would discuss the topic at a future meeting.

Dr. Adams asked if chiropractic students currently do not receive any credit if an adjustment is not performed. Dr. Daniels confirmed that was her understanding based on what was presented and had concerns that it sends the wrong message to students that an adjustment is always required during a patient visit.

Regarding the KUCCM application, Dr. Daniels emphasized the importance of maintaining standards while ensuring students can get licensed in California, and she noted the decline in the licensing population and the upcoming closure of Palmer Chiropractic College West.

Dr. Paris asked if the Licensing Committee had discussed requiring the licensee to provide an after-visit summary or post-treatment form to patients treated at mobile practice locations such as sporting events. Dr. Daniels replied it was not discussed but she liked the idea. Dr. Paris asked if the scenario where a licensee is temporarily at a location to provide coverage while another licensee is unavailable had been considered (locum tenens). Dr. Daniels confirmed it had and noted the Licensing Committee had determined three categories were needed: brick and mortar, mobile, and locum tenens.

Ms. Walker reiterated the need to define a “place of practice” and suggested the idea of a location permit for multiple licensees at a single address. She also noted the inability for consumers to look up a licensee by business name or location on DCA License Search.

Dr. Paris noted that CCE prepared a series of videos explaining the rationale for moving the examples of evidence to a guidance document and asked if that explanation was not satisfactory to the Committee. Dr. Daniels replied the concern was the proposed guidance document has not been prepared or provided for review.

Motion: Dr. Paris moved to submit areas of interest one, two and three noted on page three of the Agenda Item 14 memo within the meeting materials, as public comments on the proposed revisions to the CCE Accreditation Standards.

Second: Dr. Daniels seconded the motion.

Discussion: None.

Public Comment: Falkyn Luouxmout, a student intern, reiterated his request for the Board amend CCR, title 16, section 331.12.2, subdivision (e)(2), to allow chiropractic students to earn partial credit for seeing patients when no adjustive technique is necessitated after evaluation.

Vote: 5-0 (Dr. Paris-AYE, Dr. Adams-AYE, Mr. Sweet-AYE, Ms. Cruz-AYE, and Dr. Daniels-AYE).

Motion: Carried.

15. Government and Public Affairs Committee Report

- A. Committee Chair's Update on October 4, 2022 Meeting
- B. Review, Discussion, and Possible Action on Committee's Recommendation Regarding Proposed Changes to the Board's Records Retention Schedule

Ms. Cruz updated the Board on the October 4, 2022 Government and Public Affairs Committee meeting and summarized the following bills that had been signed by Governor Newsom: Assembly Bill (AB) 1102 (Low, Chapter 684, Statutes of 2022); AB 1604 (Holden, Chapter 313, Statutes of 2022); Senate Bill (SB) 731 (Durazo, Chapter 814, Statutes of 2022); SB 1237 (Newman, Chapter 386, Statutes of 2022); and SB 1434 (Roth, Chapter 623, Statutes of 2022).

Ms. Cruz stated the Committee members reflected on their past experiences as new Board members and discussed ideas for improving the new Board member orientation and onboarding processes, such as providing an initial meet-and-greet session with the executive officer and Board chair prior to a formal, structured orientation session, preparing a comprehensive binder of resources and materials, and designating a staff member as a single point-of-contact during the onboarding process.

Ms. Walker summarized the three proposed changes to the Board's records retention schedule recommended by staff and the Committee: 1) increase the retention period of Board meeting minutes from 27 years to 100 years; 2) increase the retention period of CE provider and course records to five years to align with the Board's auditing period for licensees' CE records; and 3) increase the retention period for cases resulting in the revocation or surrender of a license from 25 years to 75 years; otherwise, a former licensee could potentially file a new application or petition after the underlying records have been destroyed.

Dr. Daniels asked if meeting minutes beyond 27 years were currently available. Ms. Walker replied that she would need to check and explained the current retention schedule is expired, so staff cannot purge any documents until it has been updated.

Dr. Daniels also asked if the new Board member orientation session would continue to only be held in-person. Ms. Cruz replied the Committee's intent is to offer the session either in-person or virtually based on the new member's preference and availability.

Dr. Paris expressed his support for the ideas presented regarding the new Board member onboarding and orientation processes. He asked for the rationale behind disciplinary cases being retained for 75 years while Board meeting minutes are retained for 100 years. Ms. Walker stated 75 years from the date of revocation or surrender is sufficient to cover the former licensee's life expectancy.

Motion: Dr. Daniels moved to adopt the Committee's recommendation regarding the proposed changes to the Board's records retention schedule.

Second: Mr. Sweet seconded the motion.

Discussion: None.

Public Comment: None.

Vote: 5-0 (Dr. Paris-AYE, Dr. Adams-AYE, Mr. Sweet-AYE, Ms. Cruz-AYE, and Dr. Daniels-AYE).

Motion: Carried.

16. Continuing Education Committee Report

- Committee Chair's Update on October 6, 2022 and October 25, 2022 Meetings

Dr. Paris updated the Board on the Continuing Education Committee meetings held on October 6, 2022, and October 25, 2022. He explained the Committee discussed how the Board's current regulations do not restrict or prohibit a licensee from earning CE credit multiple times by repeating the same course and directed staff to develop proposed language that will prohibit licensees from earning credit for repeating a course within a single renewal cycle. He also shared the Committee's recommendations for the Enforcement Committee to discuss limiting the repetition of courses by petitioners and for the Licensing Committee to evaluate the CE requirements for the restoration of a license in forfeiture or canceled status.

Dr. Paris stated the Committee reviewed a summary of the proposed annual CE requirements for licensees, determined that courses in Competencies 1 (Evaluation and Management) and 3 (Adjustment, Manipulation, or Technique) must be completed either in-person or through a live and interactive course given via electronic means, and directed staff to develop proposed language to amend CCR, title 16, section 361 to reflect the discussion.

Dr. Paris shared that the Committee also discussed proposed changes to the CE course review and approval process, including a potential, expeditious reapproval process for previously approved courses and increasing the course approval period from one year to three years.

Dr. Daniels asked if the Committee discussed how to address staff's current challenges with categorizing courses by subject area. Dr. Paris replied that general hours would be approved under Competency 5 (Electives) rather than separated by subject area as in the current regulations, and there would be increased scrutiny of proposed courses in the four mandatory competency areas. Dr. Adams added it will be the provider's responsibility to demonstrate how their course falls within a specific competency area during the application process.

Dr. Daniels asked about the status of the proposed cardiopulmonary resuscitation (CPR) regulations. Ms. Walker replied that the proposal had been placed on hold pending the Board's completion of the comprehensive updates to the CE regulations. She noted the proposal will be returned to the Committee for discussion at a future meeting.

Public Comment: An individual identified as "ML" asked the Board if there are educational mandates for sexual harassment and sexual misconduct training, and, if so, how often and what type of training is required.

Marcus Strutz asked if the application procedure was going to be prioritized and pushed through on its own or would be bundled with the competencies in the rulemaking package. Dr. Strutz also asked if the renewal application for CE providers would have a reduced fee.

Moved to Agenda Item 18. Review, Discussion, and Possible Action on Proposed Language to Amend California Code of Regulations, Title 16, sections 363 (Approval of Continuing Education Courses) and 363.1 (Distance Learning Course)

Ms. Walker stated at the April 22, 2022 Board meeting, the Board adopted proposed regulatory language to amend CCR, title 16, sections 363 (Approval of Continuing Education Courses) and 363.1 (Distance Learning Courses) and initiate the rulemaking process. She noted through this regulatory proposal, the Board is seeking to:

1. Clearly define the three learning formats for Board-approved CE courses – "in-person learning experience," "live and interactive course given via electronic means," and "distance learning."
2. Narrow the definition of "distance learning" to asynchronous coursework, thereby allowing courses delivered via live, interactive videoconferencing platforms or other electronic means the same standing as a traditional, in-person learning

environment, with the exception of chiropractic adjustive or manipulation techniques, which must be completed in-person.

Ms. Walker informed the Board that staff has been preparing the rulemaking package for this proposal and determined the existing CE course application form, which is incorporated by reference in CCR, title 16, section 363(a), must be updated for consistency with the proposed text within the regulation. She also noted a potential consistency issue within the current proposed language to amend CCR, title 16, section 363, which requires adjustive or manipulation technique courses to be held in-person, and the Continuing Education Committee's proposal to allow courses in Competency 3 (Adjustment, Manipulation, or Technique) to be completed either in-person or through live and interactive courses given via electronic means.

Ms. Walker shared staff's recommendation to return the proposal to the Continuing Education Committee to develop proposed language to implement these concepts plus the new competency areas, methods for earning CE credit, new course approval process, and potential reapproval process, based on the following rationale: 1) the Committee has made substantial progress in establishing the framework for CE courses and staff is concerned of potential overlap between the two proposals; 2) the new fee schedule becomes effective January 1, 2023, which creates a greater need to implement the potential course reapproval process with a reduced fee; 3) staff is working to develop the CE functionality within the Connect system and needs the final framework for the proposed CE regulations so they can design and build software that will meet the Board's current and future needs; and 4) DCA established a CE work group and drafted proposed regulations that would affect all DCA boards and bureaus, so staff wants to ensure all elements of that language have been incorporated into the Board's regulations.

Ms. Cruz asked if staff has enough time to put the proposed framework together and return the item for discussion at the next Board meeting. Ms. Walker responded affirmatively and shared that staff has been working on a proposal to present to the Continuing Education Committee at the December 2, 2022 meeting.

Dr. Adams expressed his frustration that the regulatory proposal to define the three learning formats for CE courses had not yet been put into regulation and the potential for further delays if the Board includes it in a larger proposal.

Dr. Daniels asked Ms. Walker to clarify the issue with the current language for the defined learning formats. Ms. Walker replied that at the time the regulatory language was drafted, the Board voted to require adjustive technique courses to be taught solely in-person, whereas licensees can currently complete those courses via distance learning. She shared the challenge will be justifying to the Office of Administrative Law why it is necessary for adjustive technique courses to only be completed in-person and then potentially turn around a few months later with a new rulemaking package that allows adjustive technique to be taught either in-person or through a live and interactive

experience. She stated this may cause consistency issues as the separate packages progress; therefore, staff recommends completing one detailed package with a single justification to avoid any potential overlap or inconsistency.

Dr. Daniels stated it would be more efficient to complete the regulatory process correctly through one submission. She also recognized and shared Dr. Adams' frustration with the delays. Ms. Walker acknowledged the frustration and commended the Continuing Education Committee on their progress on the CE regulations during the October 2022 meetings.

Dr. Paris shared his hesitation to move forward with a regulatory package with potential inconsistencies or conflicting language and that he supported the recommendation from staff. Dr. Daniels asked if there was a timeline for moving forward. Ms. Walker replied staff's plan is to discuss the proposal with the Continuing Education Committee at the December 2, 2022 meeting and schedule an additional meeting in early January, before presenting the proposal to the Board at the January 20, 2023 meeting.

Motion: Dr. Paris moved to direct staff to return the proposed language to amend CCR, title 16, sections 363 and 363.1 to the Continuing Education Committee for further discussion.

Dr. Adams reiterated his frustration and shared his concerns with potentially scrapping the work that has already been completed on this regulatory proposal. Ms. Walker clarified that staff is only seeking to supplement the work that has already been done with the other concepts that have been discussed by the Continuing Education Committee, and return the matter to the Board at the January 20, 2023 meeting.

Second: Dr. Daniels seconded the motion.

Discussion: None.

Public Comment: Dr. Strutz expressed his disappointment in the slowness of the regulatory process, suggested that he be invited to help with the proposal, and requested clarification on which draft regulations are moving forward.

Vote: 4-1 (Dr. Paris-AYE, Dr. Adams-NO, Mr. Sweet-AYE, Ms. Cruz-AYE, and Dr. Daniels-AYE).

Motion: Carried.

17. Enforcement Committee Report

- Committee Chair's Update on October 6, 2022 Meeting

Dr. Adams updated the Board on the Enforcement Committee meeting held on October 6, 2022. He explained the Committee discussed proposed changes to the

record keeping requirements for chiropractic patient records, directed staff to work with legal counsel to develop proposed language to amend CCR, title 16, section 318, and designated Dr. Paris to assist staff with the technical review of the proposed changes to ensure they are appropriate for all areas of practice and consistent with the standard of care.

Dr. Adams stated the Committee reviewed and discussed proposed updates to the standard and optional terms and conditions of probation within the Board's *Disciplinary Guidelines* to strengthen the probation monitoring program, and staff is developing proposed language to present to the Committee at a future meeting.

Dr. Adams also shared that the Committee reviewed and discussed proposed language regarding disciplinary decisions involving sexual contact with a patient and required actions against sex offenders. He stated the Committee discussed circumstances where it may be necessary for the Board to retain its discretion and directed staff to gather information regarding similar regulations by other healing arts programs and sex offender registration requirements.

Dr. Daniels asked Dr. Adams if the proposed regulations surrounding sexual contact with a patient had involved education or training in sexual harassment investigation or prevention as mentioned in a written public comment to the Board. Dr. Adams replied the discussion was focused on the importance of the Board maintaining its discretion to appropriately handle disciplinary decisions in these scenarios. Dr. Adams provided an example of a low-level offense. Dr. Daniels asked if the Board had begun to address some of the aspects of the written public comment. Ms. Walker replied an amendment to the *Disciplinary Guidelines* would strengthen the chaperone requirements and ensure the designated chaperone understands their role and responsibilities.

Public Comment: ML shared that she may have been the one who submitted the written public comment Dr. Daniels referenced. She stated the chaperoning of licensees only occurs after a licensee has been disciplined. She stated patients can still be harmed while the Board is investigating a complaint of sexual misconduct as there is nothing currently in place to protect them while the investigation is ongoing.

19. Review, Discussion, and Possible Action on the Implementation of [Senate Bill 1434 \(Roth, Chapter 623, Statutes of 2022\)](#)

Ms. Walker updated the Board on SB 1434 (Roth, Chapter 623, Statutes of 2022) which will become effective on January 1, 2023. She noted SB 1434 extends the Board's sunset review date by four years (Business and Professions Code [BPC] section 1000) and staff will work with the Board's committees to address the issues identified by the Legislature during the Board's 2022 Sunset Review. She added staff will work with the Government and Public Affairs Committee on the preparation of the Board's next sunset review report in 2025.

Ms. Walker stated SB 1434 requires the Board to include licensees' telephone numbers and email addresses in its directory of licensees and licensees must immediately report changes in their contact information to the Board (BPC section 1001). She explained licensees who utilize the Connect system will be in compliance with this requirement, as they have already provided the Board with their telephone numbers and email addresses and are able to update that information in real-time through their accounts, and staff is working with DCA's Office of Information Services (OIS) to include information regarding this requirement with the renewal notifications that are mailed to licensees' addresses of record.

She shared that SB 1434 requires the Board to submit a report to the Legislature by January 1, 2027, that contains an update on the status of the Board's license fee structure and whether the Board needs to consider plans for restructuring its license fees (BPC section 1006), so staff will continue to work with the Government and Public Affairs Committee to monitor the Board's budget and fund condition and assess the impacts of the updated fee schedule. She added that beginning in fiscal year 2023-24, staff and the Committee will begin developing recommendations for the Board. Ms. Walker reminded the Board that SB 1434 updates the Board's fee schedule (BPC section 1006.5), and staff is working with OIS to add the updated fee amounts to the CAS and Connect systems, applications, and forms.

Ms. Walker stated SB 1434 also removes prior exemptions for visits in urgent care facilities, unscheduled visits, and visits where the treating licensee is not known to the patient until immediately prior to the start of the visit, from the patient notification requirement for licensees placed on probation by the Board (BPC section 1007). She noted these changes protect consumers by ensuring they are notified of a licensee's probation status in situations where they cannot check the licensee's background in advance. She explained the Board's probation monitors will notify all probationers of these changes and staff will ensure all stipulated settlements contain updated language reflecting these changes. She added that staff is also working with the Enforcement Committee to incorporate this requirement into the updated *Disciplinary Guidelines*.

Dr. Paris noted that SB 1434 requires licensees to immediately report any changes in their contact information and asked if the term "immediately" had been defined. Ms. Walker replied that the term is not defined in statute but the Board will have the opportunity to clarify and define the term through regulation as part of the Licensing Committee's work on filing of addresses and places of practice.

Public Comment: None.

20. Review, Discussion, and Possible Adoption of 2022-2026 Strategic Plan

Ann Fisher, a strategic business analyst and facilitator from DCA's SOLID Training and Planning Solutions, presented the Board's draft 2022–2026 Strategic Plan for discussion.

Dr. Adams commended Ms. Fisher and her co-facilitator, Elizabeth Coronel, for their work on the strategic plan. Dr. Adams noted he is listed as the “Vice President” instead of “Vice Chair” in the draft. Ms. Fisher assured him that would be updated and was a non-substantive change. Dr. Paris shared that he also had some non-substantive changes to the document that he would provide after the meeting.

Motion: Dr. Adams moved to adopt the Board’s 2022–2026 Strategic Plan and delegate authority to the Executive Officer to make any technical or non-substantive changes to the document, as deemed appropriate.

Second: Dr. Paris seconded the motion.

Discussion: None.

Public Comment: None.

Vote: 5-0 (Dr. Paris-AYE, Dr. Adams-AYE, Mr. Sweet-AYE, Ms. Cruz-AYE, and Dr. Daniels-AYE).

Motion: Carried.

Dr. Paris thanked Ms. Fisher, Board staff, and the Board members for their hard work and stated he is proud of the document.

21. Election of Board Officers for 2023

The Board nominated members for the Board officer positions of chair, vice chair, and secretary for 2023. Elections will take place at the January 20, 2023 meeting.

Ms. Knight called the roll for nominees for each position.

Nominees for Chair

- Dr. Adams – Dr. Paris
- Ms. Cruz – Dr. Paris
- Dr. Daniels – Dr. Paris
- Mr. Sweet – Dr. Paris
- Dr. Paris – Self-nominated

Dr. Paris accepted the nomination.

Nominees for Vice Chair

- Dr. Adams – Self-nominated
- Ms. Cruz – Dr. Adams
- Dr. Daniels – Dr. Adams

- Mr. Sweet – Dr. Adams
- Dr. Paris – Dr. Adams

Dr. Adams accepted the nomination.

Nominees for Secretary

- Dr. Adams – Mr. Sweet
- Ms. Cruz – Mr. Sweet
- Dr. Daniels – Mr. Sweet
- Mr. Sweet – Self-nominated
- Dr. Paris – Mr. Sweet

Mr. Sweet accepted the nomination.

Public Comment: None.

22. Public Comment for Items Not on the Agenda

Public Comment: None.

23. Future Agenda Items

There were no future agenda items proposed by the Board.

Public Comment: ML stated she submitted a complaint against one of the Board's licensees for misconduct and is concerned the Board is not doing enough to protect patients and consumers. ML stated the licensee in question was under investigation for sexual misconduct at the time of the incident and if a chaperone had been present, it would not have happened to her. ML stated licensees continue to work with patients after license revocation and from her interpretation of the Board's policies and regulations, there is no differentiation between an unlicensed individual and someone who lost their license. ML asked if the Board has an oversight process when someone's license is revoked to ensure they do not continue practicing and if the Board is required to share information that arises in the investigation about a licensee with another government agency. ML asked for the Board's policy on making licensees' disciplinary actions public and noted the Board's Enforcement Manager, William Walker III, incorrectly informed her the Board does not post public documents. ML asked if there are policies that guide how long an investigation should take, why investigations take so long, and if the Board has enough staff or needs more funding. ML asked how the public can be more involved in meetings and stated not scheduling public comments for a specific time discourages the public from attending and having their voice heard.

24. Adjournment

Dr. Paris adjourned the meeting at 12:36 p.m.

Attachment A

**List of Approved Applications for Initial Doctor of Chiropractic Licenses
 Issued from August 1, 2022 to September 30, 2022**

First Name	Middle Name	Last Name	Date Issued	License No.
Michael		Terry	8/25/2022	35143
Bridget	Grace	Labus	8/25/2022	35144
Raisa Kristina	Tan	Cipriano	8/25/2022	35145
Rachel	Haley	Sanders	8/25/2022	35146
Daniel	Santos	Inda	8/25/2022	35147
Sunnynaz		Mohammadizebarlu	8/16/2022	36410
Sarah		Buonopane	8/16/2022	36411
Emily		Molnar	8/16/2022	36412
Sophia	Anne	Grandstaff	8/16/2022	36413
Daniel	Buu Ngoc	Le	8/16/2022	36414
Nicole	Hana	Dees	8/16/2022	36415
Zachary	Bren'n	Kelly-Lindsey	8/16/2022	36416
Donald	Anthony	Silecchio	8/16/2022	36417
Jeffrey		Clark	8/16/2022	36418
Kenneth	Hin	Lam	8/16/2022	36419
Jason	Edward	Valdez	8/16/2022	36420
Matthew	Charles	Jensen	8/16/2022	36421
James	Elliott	Rizer	8/16/2022	36422
Aanand		Sharma	9/8/2022	36423
Jessica	Elizabeth	Martinez	9/8/2022	36424
Toni		Campbell	9/8/2022	36425
Ayat	Alzaher	Moses	9/8/2022	36426
Asha		Fields Brewer	9/8/2022	36427
Marissa	Danielle	Serna	9/8/2022	36428
Tyler	B	Slamans	9/8/2022	36429
Hilary	Alyson	Darling	9/8/2022	36430

First Name	Middle Name	Last Name	Date Issued	License No.
Lauren	Ashley	Cortjens	9/8/2022	36431
Glen	Anthony	Guinto	9/8/2022	36432
Seunghwan		Kim	9/8/2022	36433
Babak		Behmardi-Kalantari	9/8/2022	36434
Cassandra	Joan	Goldberg	9/8/2022	36435
Taylor	Nicole	Schaub	9/8/2022	36436
Charles	Grandson	Parker	9/9/2022	36437
Denicio		Gonzalez-Drake	9/9/2022	36438
Kathryn	Nichole	Matlack	9/9/2022	36439
Sheldon	Kan Ansel	Steenhuis	9/9/2022	36440
Drake		Preis	9/9/2022	36441
Miles		Tsujimoto	9/9/2022	36442
Alford	Raymond	Highsmith	9/9/2022	36443
Ryan	Matthew	Garcia	9/9/2022	36444
Hannah	Kuar	Manhas	9/15/2022	36445
Nicholas	Cruz	Gomez	9/15/2022	36446
Aubrey	Peradilla	Mendoza	9/15/2022	36447
Steven		Barham	9/15/2022	36448
Jon		Burleigh	9/15/2022	36449
Danielle		Geiger	9/15/2022	36450
Mike		Galstyan	9/15/2022	36451
Allison		Land	9/23/2022	36452
Rany	Raed	Mousa	9/23/2022	36453
Danielle		Shefet	9/23/2022	36454
Parastoo		Rashidian	9/23/2022	36455
Matthew	Christopher	Durant	9/23/2022	36456

Attachment B

List of Approved New Continuing Education Providers

Provider Name	CE Oversight Contact Person	Provider Status
Mark Zuber, D.C.	Mark Zuber, D.C.	Individual