

**Arkansas State Board of Chiropractic Examiners
Board Meeting
Thursday, October 20, 2022**

CALL TO ORDER

The board meeting was called to order by Sarah Hays, D.C., President, at 9:15 a.m.

Point of order was called by Dr. Courtney. Dr. Courtney motioned to appoint Dr. Hays as presiding officer until Dr. Holt's arrival. Motion seconded by Mr. Gunter. Motion passed.

Dr. Hays continued with roll call of the board.

ROLL CALL

Board Members present:

Michael Courtney, D.C.
Harold Gunter
Sarah Hays, D.C.
Joseph Long, D.C.
Gregory Ungerank, D.C.
Tanya Holt, D.C.
Jack McCoy

Staff present:

Laurie Mayhan, Executive Director
Grace Henley, Administrative Analyst
Joe West, Assistant Attorney General

Guests present:

Kevin O'Dwyer
Terrance P. Carolan, DC
Jerry White
Bonnie Hicks Garner

NEW LICENSEE ORIENTATION

The board's director called roll of all new licensee orientation attendees, all present except one.

(Dr. Holt arrived after orientation roll call)

Mrs. Bonnie Hicks Garner spoke on behalf of the Arkansas Chiropractic Physicians Association, and Terrance P. Carolan spoke on behalf of the Arkansas Chiropractic Society. Each board member introduced themselves and gave some words of encouragement to the new licensees. The director presented orientation materials to all the new licensees.

(Mr. McCoy arrived during director's presentation)

Congratulations to the following applicants who received their license this day with their attendance at today's orientation.

License #	First Name	MI	Last Name
16365	Phillip	B	Poindexter
16366	Chez	K	Hill
16367	Daniel	J	Jacobazzi
16368	Joseph	C	Pinney, III
16369	Jailine		Lopez Diaz
16370	Garrett	J	Naveran
16371	Shawn	A	VanWinkle
16372	Alexee	L	Chambers
16373	Elaina	C	Shelton
16374	Tanner	W	Coleman

The following applicants met the requirement to attend today's orientation due to their pending graduation from chiropractic college. They will receive their license upon graduation and the submission of their final chiropractic transcript and copy of their diploma.

License #	First Name	MI	Last Name
TBD	Jaclyn	N	Crowder
TBD	Trystan	L	Oakley

July attendees that graduated after orientation were issued the following licenses:

License #	First Name	MI	Last Name	Licensed
16362	Kelli	T	Ramey	08/29/2022
16363	Savannah	J	Norman	08/29/2022
16364	Jacob	E	Curran	08/19/2022

Board recessed at 10:15 am and resumed at 10:25 am.

MINUTES

Dr. Courtney motioned to accept the minutes from the July 21, 2022, meeting with a second by Dr. Ungerank. Motion passed.

Dr. Courtney motioned to accept the minutes from the September 19, 2022, Teleconference meeting, motion seconded by Mr. Gunter. Motion passed.

DIRECTOR'S REPORTS

Budget Report

An itemized cash flow statement for FY2023 (July 1, 2022 – September 30, 2022) was presented to the Board along with accounting reports through September. The allotted budget for FY23 is **\$189,987.00**. Total amount expended thus far for FY2023 is **\$40,818.89**. Total revenue received thus far for FY23 is **\$21,465.13**, which includes monies received, interest distribution, and rebates or transfers received. A list of all agency expenditures for July – September was also provided.

(July 1, 2022– June 30, 2023) FY2023

CE Status	# of Applications	# of Hours	Fee Due	Fee Paid
Approved	98	1189.50	\$ 5,947.50	\$ 5,947.50
Approved w/exception	0	0	\$ 0.00	\$ 0.00
Not Approved	1	13	\$ 65.00	\$ 65.00
Pending	0	0	\$ 0.00	\$ 0.00
Cancelled	0	0	\$ 0.00	\$ 0.00
Incomplete	0	0	\$ 0.00	\$ 0.00
Void	0	0	\$ 0.00	\$ 0.00
Total:	99	1,202.50	\$ 6,012.50	\$ 6,012.50

Just informational to the board:

Dr. Ryan Collins wanted to report to the board that he is working on getting an increase to the financial aid provided by ADHE to students attending chiropractic colleges. Currently, ADHE provides \$5,000 per year to several students. In comparison to other student loans/grants, chiropractic is the lowest amount of aid.

As of FY2018-2019
 Dentistry: 21,900
 Chiropractic: 5,000
 Optometry: 19,200
 Podiatric: 13,000
 Veterinary: 33,500

2023 License Renewal

725 renewals were mailed out August 31st.

96 have renewed as of October 13, 2022

629 renewals still outstanding

FOIA Report

FY2022

A total of **3** Freedom of Information Act requests have been received from July 19, 2022 – October 3, 2022. A report of those request was provided to the board.

Dr. Courtney motioned to accept the director's reports. Motion seconded by Dr. Ungerank. Motion passed.

OLD BUSINESS

Thentia Database update

The Director gave an update to the status of the new database. We are reviewing the configuration of the license applications, and licensee dashboard. Next, we will review the renewal configuration and test our payment portal, then send final datapoints to Thentia before going live and verify everything is configured properly prior to going live. Our tentative go live date has been pushed to November due to the ASBCE office being short staffed and was unable to make sure the October deadline was met.

Telehealth/Telemedicine - Chiropractic

The Board previously requested a powerpoll and see what other state chiropractic boards are doing. Powerpolls from FCLB were provided to the board for further review and develop a statement as to what they deem is the standard of care in chiropractic in Arkansas. Dr. Courtney previously motioned that the board establish a rule governing telemedicine/telehealth for chiropractic in addition that the board establish what the standard of care will be for telemedicine for chiropractic. A directive was given to Ms. Mayhan to see if the FCLB had model language. Counsel stated he could forward language from another board that could also be used but would need to be modified to the ASBCE board. The director was also asked to email that language to the board for further review.

Application Requirements – Orientation

In recent meetings regarding orientation requirements or lack thereof, the director obtained powerpolls from FCLB regarding whether other states require a new licensee orientation. From those, most do not or provide alternative method. An email was sent out to both state associations asking if they could provide an orientation to their new members or participate in helping the board put one on. The board discussed putting on a 1-3 hour(s) orientation/CE coverings multiple topics for new licensees. Dr. Courtney previously suggested that the board could outline a curriculum depending on what each association is going to teach, then divide the rest up amongst the board members and director. Dr. Holt had also previously suggested for the members to come up with topics and for the director confirm conference room availability and CE inclusion. This item was tabled for further review.

FCLB & NBCE Annual Conference

Annual Conference will be April 26 – April 30, 2022, in West Palm Beach, FL. The event will be at the Hilton West Palm Beach, room rate \$243/night plus taxes.

Dr. Holt volunteered but would have to check her schedule. Dr. Ungerank volunteered to be the alternate but would need to check his schedule.

NEW BUSINESS

Continuing Education reconsideration request – Webinars/Synchronous

A “Motion for Reconsideration” was received from Paul Powers, DC, with Chirocredit.com, a sponsored vendor of The University of Bridgeport College of Chiropractic. Dr. Powers contends that his online synchronous courses meet the boards distance learning monitoring requirements and breaks that down in his request for reconsideration. After a brief discussion of when the board started accepting synchronous courses and when they were supposed to stop accepting them. Dr. Long motioned to uphold the boards previous motion in July, and no longer allow synchronous courses. Motion seconded by Dr. Ungerank. Motion passed.

Status Change Request

Dr. William Fisher submitted a status change request for 2022, however he has been in active for 5 or more years. The director asked if the board would utilize 17-81-317(c) which would require additional education or testing at the board's discretion. Additionally, will he have to submit CE to reactivate prior to renewal, or should he just wait until renewal and provide CE? Dr. Courtney motioned to approve the request pending receipt of CE. Motion seconded by Mr. Gunter. Discussion followed regarding how many hours would be needed; 24 for reactivation and an additional 24 for renewal, 48 overall this year. A member pointed out that it should be 12 for reactivation due to when he's reactivating. Counsel discussed that these procedures of status change would be helpful in the rules. Board concurred. Motion passed.

License Status Definitions

The director has been having issues with licensees misunderstanding license status requirements and has supplied the board with minutes from 1983 when the board last defined license statuses. The director asked the board to clarify our current statuses and what they require for renewal and/or practice. After a brief discussion on only having an Active license or Inactive license, the board concurred that a rule should be promulgated or amended with only those two statuses. Dr. Long motioned streamline rules to only utilize Active and Inactive statuses. Motioned seconded by Dr. Courtney. Motion passed.

Investigative Committee Report

The complaint committee did not have any recommendations to present but did inform the board that all fines have been paid for the consent orders the board issued in September.

ADJOURN

Mr. McCoy moved to adjourn. Seconded by Dr. Ungerank. The Board adjourned at 11:11 a.m.

Board minutes approved: January 19, 2023

Board minutes amended: April 20, 2023 (added missing licensee to the orientation list)