

**CHIROPRACTIC EXAMINING BOARD
MEETING MINUTES
January 23, 2014**

PRESENT: John Church, Jodi Griffith, James Koshick, and Patricia Schumacher

EXCUSED: Kathleen Schneider

STAFF: Tom Ryan, Executive Director; Gretchen Mrozinski, Legal Counsel; Daniel Agne, Bureau Assistant; and other Department staff

CALL TO ORDER

James Koshick, Chair, called the meeting to order at 8:40 A.M. A quorum of four (4) members was confirmed.

ADOPTION OF AGENDA

Amendments:

- Item K.2 – Administrative Warnings – **CORRECT** respondent initials to “K.A.A.”
- Item I.22 – Speaking Engagement(s), Travel, or Public Relation Requests – **ADD** “Federation Of Chiropractic Licensing Boards (FCLB)Annual Meeting”

MOTION: John Church moved, seconded by Jodi Griffith, to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES

MOTION: John Church moved, seconded by Patricia Schumacher, to approve the minutes of October 3, 2013 as published. Motion carried unanimously.

ADMINISTRATIVE MATTERS

ELECTION OF OFFICERS

BOARD CHAIR

NOMINATION: Jodi Griffith nominated James Koshick for the Office of Board Chair. Nomination carried by unanimous consent.

Tom Ryan called for other nominations three (3) times.

James Koshick was elected as Board Chair.

VICE CHAIR

NOMINATION: Jodi Griffith nominated John Church for the Office of Vice Chair.
Nomination carried by unanimous consent.

Tom Ryan called for other nominations three (3) times.

John Church was elected as Vice Chair.

SECRETARY

NOMINATION: John Church nominated Jodi Griffith for the Office of Secretary.
Nomination carried by unanimous consent.

Tom Ryan called for other nominations three (3) times.

Jodi Griffith was elected as Secretary.

2014 ELECTION RESULTS	
Board Chair	James Koshick
Vice Chair	John Church
Secretary	Jodi Griffith

APPOINTMENT OF LIAISONS, ALTERNATES, AND DELEGATES

PRECEPTOR LIAISON

MOTION: Patricia Schumacher moved, seconded by John Church, to appoint Jodi Griffith as the Preceptor Liaison. Motion carried unanimously.

MONITORING LIAISON

MOTION: Jodi Griffith moved, seconded by John Church, to appoint James Koshick as the Monitoring Liaison, and Jodi Griffith as the Alternate. Motion carried unanimously.

DELEGATED AUTHORITY MOTIONS

MOTION: Jodi Griffith moved, seconded by John Church, to adopt the Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor document as presented in today's agenda packet. Motion carried unanimously.

MOTION: John Church moved, seconded by Jodi Griffith, that the Board delegates authority to the Chair (or order of succession) to sign documents on behalf of the Board. In order to carry out duties of the Board, the Chair has the ability to delegate this signature authority for purposes of facilitating the completion of assignments during or between meetings. The Chair delegates the authority to the Executive Director to sign the name of the Chair (or order of succession) on documents as necessary. Motion carried unanimously.

MOTION: James Koshick moved, seconded by John Church, that, in order to facilitate the completion of assignments between meetings, the Board delegates its authority by order of succession to the Chair, highest ranking officer, or longest serving member of the Board, to appoint liaisons to the Department where knowledge or experience in the profession is required to carry out the duties of the Board in accordance with the law. Motion carried unanimously.

CREDENTIALING LIAISON

MOTION: John Church moved, seconded by Patricia Schumacher, to appoint Jodi Griffith as the Credentialing Liaison. Motion carried unanimously.

EXAMINATION, EDUCATION, AND CONTINUING EDUCATION LIAISON AND ALTERNATE

MOTION: Jodi Griffith moved, seconded by Patricia Schumacher, to appoint John Church as the Examination, Education, and Continuing Education Liaison, and to appoint James Koshick as the Primary Alternate and Patricia Schumacher as the Secondary Alternate. Motion carried unanimously.

SCREENING PANEL

MOTION: James Koshick moved, seconded by Jodi Griffith, to appoint Patricia Schumacher, James Koshick, and Jodi Griffith, to the Screening Panel, and John Church as the Alternate. Motion carried unanimously.

TRAVEL LIAISON

MOTION: John Church moved, seconded by Jodi Griffith, to appoint James Koshick as the Travel Liaison. Motion carried unanimously.

OTHER LIAISON(S)

MOTION: Jodi Griffith moved, seconded by Patricia Schumacher, to appoint James Koshick as the Administrative Rules Liaison, and John Church as the Alternate. Motion carried unanimously.

PRECEPTOR APPROVALS

MOTION: John Church moved, seconded by Patricia Schumacher, to approve all preceptors as noted below. Motion carried unanimously.

<u>Palmer</u>	<u>Chiropractor</u>	<u>Lic. Granted</u>
	Daniel Hyatt, D.C.	02/08/1990
	John Jordan, D.C.	02/23/1989
	James Fox, D.C.	07/13/1995
	Mark Davis, D.C.	12/21/2000
	Allen Van Scoyk, D.C.	04/18/2003
	Kevin Herrle, D.C.	03/11/1999
	Kris Erlandson, D.C.	09/16/1982

REVIEW OF SCOPE STATEMENT FOR CHIR 2, 3 PRACTICAL EXAM

MOTION: John Church moved, seconded by Patricia Schumacher, to approve the amended Scope Statement on 165-CHI 2 and 3 relating to the Practical Exam for Chiropractors for resubmission to the Governor's Office and publication and to authorize the Chair to approve the scope for implementation no less than 10 days after publication. Motion carried unanimously.

REQUEST FOR APPROVAL OF CT CERTIFICATION

CHIROPRACTIC SOCIETY OF WISCONSIN – THERAPEUTIC MODALITIES FOR CT CERTIFICATION: PARTS I AND II

MOTION: Jodi Griffith moved, seconded by John Church, to deny the Request for Approval, as written, of the Chiropractic Society of Wisconsin for the Therapeutic Modalities for CT Certification Parts I and II. **Reason for Denial:** Does not meet the current minimum accepted standard for training or class hours; lacks information about instructors; and the request may not be for ongoing approval. Motion carried unanimously.

FEDERATION OF CHIROPRACTIC LICENSING BOARDS (FCLB) ANNUAL MEETING

MOTION: Patricia Schumacher moved, seconded by James Koshick, to designate John Church as a Delegate, and Jodi Griffith as an Alternate, to attend the FCLB Annual Meeting from April 30 to May 4, 2014 in Myrtle Beach, South Carolina, and to authorize the Delegate's or the Alternate's travel. Motion carried unanimously.

PUBLIC COMMENTS

Elizabeth McLean, Chiropractor, appeared before the Board to comment on education requirements.

Steven Bircher, Chiropractor, appeared before the Board to pose a question regarding disciplinary procedure.

Steve Conway, with the Chiropractic Society of Wisconsin, appeared before the Board to comment on “Reasonable Patient” versus “Reasonable Chiropractor” Informed Consent standards.

John Murray, with the Wisconsin Chiropractic Association, appeared before the Board to comment on Continuing Education approval procedure and legislation related to acupuncture.

CLOSED SESSION

MOTION: Jodi Griffith moved, seconded by Patricia Schumacher, to convene to closed session to deliberate on cases following hearing (s. 19.85(1) (a), Stats.; consider closing disciplinary investigations with administrative warning (s. 19.85(1)(b), Stats. and 440.205, Stats., to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g), Stats.). The Chair read the preceding language into the record. Roll Call Vote: John Church - yes; Jodi Griffith - yes; James Koshick - yes; and Patricia Schumacher - yes. Motion carried unanimously.

The Board convened into Closed Session at 10:55 A.M.

RECONVENE TO OPEN SESSION

MOTION: John Church moved, seconded by Patricia Schumacher, to reconvene in Open Session at 1:18 P.M. Motion carried unanimously.

ADMINISTRATIVE WARNINGS

MOTION: Patricia Schumacher moved, seconded by Jodi Griffith, to issue an Administrative Warning in the matter of 13 CHI 006. Motion carried unanimously.

MOTION: Jodi Griffith moved, seconded by Patricia Schumacher, to issue an Administrative Warning in the matter of 13 CHI 033. Motion carried unanimously.

PROPOSED STIPULATIONS, FINAL DECISIONS, AND ORDERS

11 CHI 052 IDA C. ALLEN, D.C.

MOTION: Patricia Schumacher moved, seconded by Jodi Griffith, to adopt the Findings of Fact, Conclusions of Law, Stipulation, and Order, in the matter of 11 CHI 052 – Ida C. Allen. Motion carried unanimously.

11 CHI 052 JEROD J. BERGMAN, D.C.

MOTION: Patricia Schumacher moved, seconded by Jodi Griffith, to adopt the Findings of Fact, Conclusions of Law, Stipulation, and Order, in the matter of 11 CHI 052 – Jerod J. Bergman. Motion carried unanimously.

12 CHI 015
JEFFREY A. MARTIN, D.C.

MOTION: Patricia Schumacher moved, seconded by Jodi Griffith, to adopt the Findings of Fact, Conclusions of Law, Stipulation, and Order, in the matter of 12 CHI 015 – Jeffrey A. Martin. Motion carried unanimously.

CASE CLOSINGS

MOTION: Jodi Griffith moved, seconded by Patricia Schumacher, to close case 12 CHI 020 for No Violation (NV). Motion carried unanimously.

MOTION: Patricia Schumacher moved, seconded by Jodi Griffith, to close case 12 CHI 027 for Insufficient Evidence (IE). Motion carried unanimously.

MOTION: John Church moved, seconded by Patricia Schumacher, to close case 13 CHI 003 for Insufficient Evidence (IE). Motion carried unanimously.

APPLICATION MATTERS

MOTION: John Church moved, seconded by Jodi Griffith, to grant the request of M.J.K. for licensure by endorsement when all other requirements for licensure are met. Motion carried unanimously.

MOTION: Jodi Griffith moved, seconded by Patricia Schumacher, to grant the request of P.N. for licensure by endorsement when and all other requirements for licensure are met. Motion carried unanimously.

MOTION: Jodi Griffith moved, seconded by Patricia Schumacher, to grant the request of D.M.S. for licensure by endorsement when all other requirements for licensure are met. Motion carried unanimously.

MOTION: Patricia Schumacher moved, seconded by Jodi Griffith, to grant K.M.A. certification in Patient History, Physical Examination, Physiologic Therapeutics Overview, Light Therapy, Mechanical Therapy, and Electrotherapy when all other requirements for licensure are met. Motion carried unanimously.

MOTION: Jodi Griffith moved, seconded by John Church, to grant N.M.B. certification in Physical Examination, Physiologic Therapeutics Overview, Thermotherapy/Cryotherapy, Mechanical Therapy, Electrotherapy, and Therapeutic Ultrasound Therapy when all other requirements for licensure are met. Motion carried unanimously.

MOTION: John Church moved, seconded by Jodi Griffith, to grant L.A.N. certification in Physiologic Therapeutics Overview, Thermotherapy/Cryotherapy, Mechanical Therapy, Electrotherapy, and Therapeutic Ultrasound Therapy when all other requirements for licensure are met. Motion carried unanimously.

MOTION: Jodi Griffith moved, seconded by John Church, to grant T.Z. certification in Physiologic Therapeutics Overview, Thermotherapy/Cryotherapy, Mechanical Therapy, Electrotherapy, and Therapeutic Ultrasound Therapy when all other requirements for licensure are met. Motion carried unanimously.

- MOTION:** Patricia Schumacher moved, seconded by Jodi Griffith, to grant M.R.W. certification as a Chiropractic Radiological Technician when all other requirements for licensure are met. Motion carried unanimously.
- MOTION:** Patricia Schumacher moved, seconded by Jodi Griffith, to rescind the August 15, 2013 motion which denied J.J.K. certification in Exercise/Rehabilitation. Motion carried unanimously.
- MOTION:** Patricia Schumacher moved, seconded by Jodi Griffith, to grant J.J.K. certification as a Chiropractic Technician in Exercise/Rehabilitation when all other requirements for licensure are met. Motion carried unanimously.
- MOTION:** John Church moved, seconded by Patricia Schumacher, to deny C.S. certification in Exercise/Rehabilitation. **Reason for Denial:** Insufficient education. Motion carried unanimously.
- MOTION:** Patricia Schumacher moved, seconded by John Church, to grant the request of J.T.D. for licensure reinstatement upon successful completion of the Wisconsin Jurisprudence Exam. Motion carried unanimously.
- MOTION:** John Church moved, seconded by Jodi Griffith, to grant the request of S.T. for obtaining continuing education credits online due to hardship, provided all courses are preapproved by the Board Continuing Education Liaison prior to enrolling. Further, S.T. is encouraged to take, in person, approved Continuing Education courses in the Eau Claire area. Motion carried unanimously.
- MOTION:** Jodi Griffith moved, seconded by John Church, to deny the request of D.J.S. for grandfathering his NBCE score. **Reason for Denial:** Does not qualify for grandfathering because he did not take the Wisconsin Practical Exam. Motion carried unanimously.

**VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION,
IF VOTING IS APPROPRIATE**

- MOTION:** John Church moved, seconded by Patricia Schumacher, to affirm all Motions made and all Votes taken in Closed Session. Motion carried unanimously.

ADJOURNMENT

- MOTION:** Patricia Schumacher moved, seconded by John Church, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 1:19 P.M.