

North Carolina Board of Chiropractic Examiners
Regular Board Meeting
January 27, 2017
Minutes



Time and Place of Meeting: A regular meeting of the North Carolina Board of Chiropractic Examiners was held in Greensboro, North Carolina at the Sheraton Four Seasons Hotel on Friday, January 27, 2017.

Members Present: Dr. Bruce Hilton, President
Dr. Ray Armstrong, Vice President
Dr. Richard Davis, Jr., Secretary
Dr. Randy Schilsky, Treasurer
Dr. Kevin Sharp
Dr. Jessica Benningfield
Ms. Jacqueline Hobbs

Members Absent: Mr. Adam Bridgers

Quorum Present: Yes

Staff Present: Mr. Vance Kinlaw, Counsel to the Board
Dr. Ricky Sides, Director - Standards and Enforcement

Staff Absent: Mr. Thomas Sullivan, Executive Director (death in the family)

Invited Guests: Ms. Heather Wrenn, Interim Executive Director - NCCA
Dr. Steven Brodar, Carolina Chiropractors

Meeting Called to Order: President Dr. Hilton called meeting to order at 10:10 AM and stated that a Quorum was present. Dr. Hilton reminded all Board Members of their responsibilities under the Ethics and Conflict of Interest statutes and the Board's mission and statutory responsibilities to protect the public in all of its actions.

Approval of Minutes: October 21, 2017 Regular Board Meeting

Dr. Hilton asked if there were any comments or corrections to the Minutes of the from the Regular Board Meeting on October 21, 2016.

With no comments or corrections, a Motion was made to approve the Minutes of the October 21, 2017 Regular Board Meeting as submitted. The Motion was seconded and Approved.

Attorney's Report: Mr. Kinlaw discussed and gave historical perspective of the Prepaid Treatment Plan Rule. He explained how the Rule will help protect both DC's as well as patients.

After further discussion, a Motion was made to approve the Rule. The Motion was seconded and Approved.

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Standards & Enforcement: Dr. Sides reported on Complaint activity. He explained how the committee works and answered questions. He requested that Board members let him know of anything they become aware of regarding stem cell treatments/injections by DC's.

Dr. Schilsky had concern and asked committee to come up with a protocol on how to best keep Board members out of awkward positions with a DC who may call a board member for advice with the understanding that the board member does not know the DC is being investigated.

Mr. Kinlaw stated that the committee cannot disclose names of those being looked at. Mr. Kinlaw will look at protocol to see if this can be improved to help board members. Until further notice, any unusual question, or questions you aren't unsure answering, should be referred to the Director of Standards/Enforcement, Board Attorney, Board Secretary, or the Executive Director.

Mr. Kinlaw and Dr. Davis both commented on Review Committee strides in reducing the inherited backlog. Dr. Hilton thanked the group for their hard work to get caught up.

Legislative Report: Drs. Sides and Hilton commented on potential upcoming legislative as it has been an active Spring on that front. A physical therapy rule may be introduced to push for manipulation. Unlikely to have required support.

Dr. Sides stated another small board inquired about interest to merge our Boards. We are not looking to merge with anyone as we can survive as an independent Board. He stressed the importance of remaining independent and not becoming diluted in a merger.

Education Committee: Dr. Sharp stated Committee members include Dr. Armstrong, Dr. Paul Davis, Dr. Rick Davis, Dr. Gene Lewis, Dr. Joe Siragusa. He reviewed how the committee functions. He explained how courses and speakers are approved for seminars and CE credit hours.

Dr. Sharp then gave a history of the origin of the Certification Rule and its status in the approval process. Mr. Kinlaw answered questions and discussed next steps. Mr. Kinlaw explained that previously approved diplomate status credentials can be called specialists and this is covered by its own rule. He stated that once passed, a doctor can only advertise certifications that meet the Rules criteria. He reminded us a doctor could still advertise things like: "focusing on _____" or "emphasizing _____" in advertising.

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A Motion was made to proceed with Final Rule making and to delete “curriculum vitae”. The Motion was seconded and Approved.

Executive Director’s Report

Dr. Hilton reviewed financial information on the Budget in the absence of Mr. Sullivan and indicated the Board is going to end the year very close to Budget.

Old Business:

RANDOM OFFICE INSPECTIONS; Dr. Sides led a discussion which led to the continuing tabling of this issue until a review later this year in conjunction with the 2017- 2018 Budget.

PRACTICE GUIDELINES; Dr. Hilton led a discussion and noted that the guidelines were last amended in 2014. Dr. Davis suggested changes for practice goals.

After some discussion, a Motion was made to accept the changes proposed by Dr. Davis and approve the Practice Guidelines. The Motion was seconded and Approved.

New Business:

APPOINTMENT NOMINEE ELECTION - Dr. Hilton stated that three board appointments will end in 2017 - Governor appointments Dr. Armstrong and Dr. Schilsky, and House Speaker appointment of Dr. Davis.

Dr. Hilton asked which if any of the current appointees will seek reappointment. Drs. Armstrong and Davis stated they will seek reappointment. Dr. Schilsky stated he will not seek reappointment.

Dr. Hilton reiterated that the election meeting will be held during the NCCA Spring Conference on Friday, March 24, 2017 at 4 PM

Dr. Schilsky discussed the importance of having someone attend NCLC in Washington.

A Motion was made to try and send two people to NCLC, one a staff member, the other an executive board member. The Motion was seconded and Approved.

Mr. Kinlaw noted he is now a co-chair to the committee of lawyers representing licensing boards and would like to attend the meeting in May in Florida at FCLB.

A Motion was made to send Mr. Kinlaw to the FCLB Legal Committee portion of the Conference.

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Mr. Kinlaw noted he received notice from medical board there would be a seminar on May 16 in Raleigh on how to handle disciplinary cases regard victims of lewd and immoral conduct. He recommends that at least he and the Director of Standards and Enforcement attend. He stated others on the board could attend as well. The Training costs \$4500 and is to be split by the attending Boards and anticipates a direct cost of no more than \$1500 for the BOE. Secretary Davis has provided information about the Training to the Board office.

After some discussion, a Motion was made to allocate up to \$1,500 to attend the training. The Motion was seconded and Approved.

President Hilton took an opportunity to acknowledge the invited guests attending the meeting - NCCA Interim Director - Heather Wrenn and Dr. Steve Brodar of the Carolina Chiropractors.

A Motion was then made to move into Closed Session to discuss Employee compensation issues consistent with N.C.G.S 143-318.11. With no further discussion, the Motion was seconded and Approved

Dr. Hilton requested that the room be cleared of all Non-Board members.

Closed Session:

(Redacted)

With Closed Session business completed, a MOTION was made to return to Open Session. The motion was seconded and with no further discussion was Approved.

Return to Open Session:

Public Session:

One member of the public requested to speak. President Hilton allowed him an additional 5 minutes as he wasn't finished in his allowed time. This is the second-time Dr. Coronado has requested to speak before the Board this year. His concerns included difficulty in finding the Board Office, a lack of board participation by others, records management, website clarity, an incorrect address of board member on site. He requested the Board publish members who will attend meetings, taking attendance of meetings, cost to rent room for meeting, it's not easy for people to participate. (Dr. Hilton and Dr. Armstrong met and discussed his concerns following the meeting.)

Announcements:

Dr. Hilton announced that the next Regular Board Meeting will be held on Friday, April 28, 2017.

Adjournment:

With no further business to be brought before the Board, Dr. Hilton adjourned the Meeting at 2:50 PM.

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Respectfully submitted this 28th day of April 2017.

Richard K Davis, DC, DABCO

Richard K. Davis, Jr., DC, DABCO
Secretary, Board of Chiropractic Examiners