

**North Carolina Board of Chiropractic Examiners**  
**Regular Board Meeting**  
**January 26, 2018**  
**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 Hotel at Four Seasons on Friday, January 26, 2018.
- Members Present:** Dr. Kevin Sharp  
Dr. Thomas Ayres  
Dr. Richard Davis, Jr.  
Mr. Adam Bridgers  
Dr. Bruce Hilton  
Dr. Jessica Benningfield  
Dr. John Hammer  
Mrs. Jacqueline Hobbs
- Quorum Present:** Yes
- Staff Present:** Mr. Thomas Sullivan, Executive Director  
Mr. Vance Kinlaw, Counsel to the Board  
Dr. Ricky Sides, Director – Standards & Enforcement
- Invited Guests:** Ms. Heather Wrenn, Executive Director - NCCA  
Dr. Adam Delp - Carolina Chiropractors Representative
- Meeting Called to Order:** Dr. Sharp called the meeting to order at 10:00 AM, took roll and stated that a Quorum was present. He 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:** Dr. Sharp asked if there were any comments or corrections to the Minutes from the Regular Board Meeting held on October 27, 2017.
- With no comments or corrections, a Motion was made to approve the Minutes of the Regular Board Meeting held on October 27, 2017 as submitted. The Motion was seconded and Approved.**
- President’s Remarks:** Dr. Sharp recognized Mr. Hobbs for her service as her term comes to an end. She served as a Public Member on the Board from March 2014 – March 2018 and was presented with a plaque as a memento of appreciation.
- Dr. Sharp, along with Mr. Sullivan, followed up on the various articles distributed as part of the Pre-Mailing regarding licensing board issues in several states. There continues to be attempts to reduce the number of licensing boards in NC (NCBOCE is not on any short lists for elimination or consolidation) and determine the proper oversight of the OLB’s in the state

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Attorney's Report:

Mr. Kinlaw began the Attorney's Report with an update on the status of various Rules under review with the RRC. He then reviewed Rule 10 .0202, 0203, 0205, 0206, 0213 and stated final Board approval is required to finalize the Rules.

**After some discussion, a Motion was made to approve the changes to Rules 10 .0202, 0203, 0205, 0206, 0213 as submitted. The Motion was seconded and Approved.**

Mr. Kinlaw had been asked to review the complaint process with the Board. He presented a flowchart of the process and answered questions.

Mr. Kinlaw then led a discussion on the process and challenges around getting convictions in Runner cases.

Mr. Kinlaw stated that he had several disciplinary matters for Board review that would require being deferred until the Closed Session portion of the meeting.

Rev Comm/Std's & Enforce:

Dr. Sides reported on Complaint activity for calendar 2017:

- Complaints filed – 13.
- PC Hearings held – 16.
- Complaints Resolved – 12 (includes prior years).
- PC found - 11 (includes prior years).

Legislative Report:

Dr. Sides gave a brief update on recent activities with the Insurance Commission.

Mr. Sullivan reviewed the first APO meeting of 2018 held on 1/9/18. Sen. Wells called the meeting and proceeded to repeat 3-year old studies and bang the drum for OLB reform. He has limited support within the APO for his agenda but is expected to remain vocal on the subject.

Education Committee:

Dr. Benningfield spoke about process change; since we a PACE state and accept all PACE approved courses, they do not have to be reviewed by the Education Committee. This will streamline the review process.

Dr. Benningfield then presented an analysis of "Philosophy v. Practice Management" CE courses.

After some discussion, it was agreed that Philosophy courses should continue to qualify for CE credit and the Education Committee will review Philosophy courses looking to ensure that Practice Management topics are not part of a Philosophy course.

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Executive Director's Report      Mr. Sullivan reviewed the Q1 financials versus budget and stated we are ahead of Budget year-to-date. Revenue was on budget while expenses were below budget due to combination of deferred expense (timing) and permanent savings compared to budget.

Mr. Sullivan reported that the Raleigh move is complete, and the Concord office was closed on 10/31/17 as planned. New staff has been hired in Raleigh and trained during the month of October. The move costs came in at less than 50% of budget.

Guest Presenter:                      Dr. Sharp introduced Dr. Mike McGehee of Team CME who joined the meeting via skype to present on the new FAA BasicMed Program. NC is one of approximately 14 states that consider chiropractors "state-licensed Physicians" which would enable NC chiropractic physicians to participate in the program.

Following a Q&A session, Dr. Sharp stated that he would put a task force together to determine what, if any, public statement the Board should make to licensees to be presented at the April meeting.

Public Session:                        No members of the Public in attendance requested to speak.

Move to Closed Session:            Mr. Kinlaw then requested the Board move to Closed Session to review disciplinary matters.

**A Motion was made to enter Closed Session per N.C.G.S 143-318.11 to discuss a disciplinary matter. The Motion was seconded and Approved.**

Closed Session:                        **(Redacted)**

**Motion was made to go back to Open Session. The Motion was seconded and Approved.**

Back to Open Session:

Old Business:                        As the Board continues to monitor the developing landscape around the legalities concerning the use/sale of CBD and other related products, Secretary Sessions announced in a speech of January 4, 2018, that the Federal government will repeal the prior administration's policy of being "hands-off" regarding Federal enforcement of laws in states that have taken measures to legalize both medical and recreational marijuana. This has created renewed uncertainty as to what actions the Federal

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government may take. The Board office will continue to monitor this issue.

**New Business:**

Mr. Sullivan presented the Board with a request to review the 475 Part IV score requirement. After some discussion, Dr. Sharp requested further analysis and that this would be discussed again at the April Board meeting.

Mr. Sullivan informed the Board that we have received two requests to review new Diplomate/Certification credentials and will be presented at the April Board meeting.

**Announcements:**

Dr. Sharp announced that the next Regular Board Meeting will be held at 10 AM on Friday, April 27, 2018 in Raleigh, NC.

**Adjournment:**

With no further business to be brought before the Board, Dr. Sharp adjourned the Meeting at 1:50 PM.

Respectfully submitted this 27<sup>th</sup> day of April 2018.

*Richard K Davis, DC, DABCO*

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