

NC State Board of Chiropractic Examiners



BOARD MEETING MINUTES

Held via Zoom Call

APRIL 17, 2020

Full Board Scheduled Meeting - Online Meeting via Zoom

Present: Drs. Sharp, Ayres, Outten, Chavez, Hammer; Ms. Swintosky, Ms. Cabellaro

(Ms. Cabellaro had to leave the call at 1:53 due to a personal emergency.)

Absent: Dr. Mitchell

Staff Present: Dr. Siragusa, Ms. Hicks-Jones, Mr. Riggleman

Presiding: Dr. Sharp

Quorum/Conflicts/Ethics

Dr. Sharp called the meeting to order at 12:15PM.

- a. A Quorum was present. He welcomed the board members and members of the public.
- b. He reminded board members re: Conflicts of Interest / Ethics. There were none.

President's Remarks

Dr. Sharp reported on the executive director transition from Mr. Tom Sullivan to Dr. Joe Siragusa. Dr. Siragusa was hired part-time as an interim but will be included in the search for a full-time permanent ED.

Dr. Sharp explained that the board meeting would be paused at 1:00 to go into a Full Board Administrative Hearing, after which the Board Meeting would resume. Public attendees will be notified when the meeting resumes so they can log back on.

Dr. Sharp reviewed the positive feedback he has received from the emails the board has been producing relating to the Covid-19 virus.

Approval of Minutes

The minutes of the January 24 board meeting were reviewed.

Motion to approve the January 24 minutes. PASSED

Motion to approve the April 3 board conference call minutes. PASSED

Committee Reports

Treasurer Report

Ms. Swintosky reviewed some changes being considered for internal controls and procedures. Dr. Siragusa reviewed the budget forecast for the remainder of the fiscal year prepared by Mr. Sullivan.

The budget is not ready for presentation to the board and will be presented at a special called meeting probably in June.

Attorney Report

Mr. Nichols reviewed some of the legislative activity that may impact licensing boards such as ours.

He reviewed what some other boards are doing re: emergency rule making.

Disciplinary Review Committee

Dr. Hammer reported that the Disciplinary has used Zoom for the last two PCH and it has worked relatively well. He has held a hearing the last 2 Thursdays and has another one next Thursday. The monthly CTL Meeting is Tuesday.

Education Committee

Dr. Outten reported that CE requests were down. Some institutions are transitioning to virtual classes. There have been many requests about a change to online only requirements and Dr. Outten requests a date that the decision will be made.

Executive Director Search Committee

Dr. Sharp has appointed a committee to conduct the search for the next Executive Director of the board. The committee consists of: Dr. Outten, Dr. Mitchell, Dr. Chavez, and Ms. Swintosky. They have been asked to have a recommendation for the board within 90 days.

Election

At this point Dr. Sharp veered from the agenda and held elections for officers of the board.

New officers voted by the board are:

President:	Dr. Ayres
Vice President:	Dr. Outten
Treasurer:	Ms. Swintosky
Secretary:	Dr. Hammer

Dr. Sharp will serve as past-president.

BOARD MEETING PAUSED TO GO INTO FULL BOARD ADMINISTRATIVE HEARING

Executive Director Report

Dr. Siragusa reported that he has been in the position 2 weeks. The transition is going well. Staff are working from home with inadequate personal technology. Laptops will be purchased for the 2 staff.

Jurisprudence and CA and XT exams are temporarily cancelled due to the Governors Order.

A Committee was appointed and formed to address the challenges with classes and exams. The committee members are: Dr. Outten, Mitchell, Siragusa, Mr. Riggleman Will be addressed via Emergency Rule and a plan will be developed. Dr. Siragusa explained

There are several doctors that may be eligible for a NC license under reciprocity under the Governors Executive Order.

Motion to allow reciprocity to doctors previously licensed in other states and with no disciplinary issues under the authority of the Governor's Emergency Order. PASSED

CE Current Rule Consider for Variance?

Dr. Sharp announced that the board will make a decision about altering the in-person education requirement by July 1.

Rule Adoption

Motion to appoint Dr. Siragusa as the board's Rule Making Coordinator. PASSED

Dr. Siragusa recommended that the board adopt the following emergency rule. Mr. Nichols gave background.

Motion to adopt the emergency rule. It will also be submitted as a temporary rule. PASSED

21 NCAC 34A .0128 WAIVER

The Board may waive any rule in this Chapter that is not statutorily required if a licensee, trainee, or continuing education course provider submits a written request. The Board may also waive any rule in 21 NCAC 34 that is not statutorily required upon its own initiative. Factors the Board shall use in determining whether to grant the waiver are:

- (1) degree of disruption to the Board;
- (2) cost to the Board;
- (3) degree of benefit to the public;
- (4) whether the requesting party had control over the circumstances that required the requested waiver;
- (5) notice to and opposition by the public;
- (6) need for the waiver; and
- (7) previous requests for waivers submitted from the requesting party.

Old Business

- i. Dr. Outten volunteered to review the required courses of the recertification program and report at the April Board meeting.

This will be rolled into the newly appointed education review committee.

- ii. Dr. Sharp then presented the idea of implementing a periodically, mandatory Ethics and Sexual Boundaries CE course. After some discussion, the topic was tabled until the next Board meeting.

This will be tabled for now.

- iii. Mr. Sullivan then reviewed Amended Rule 10 .0503 that now allows sitting Board members to participate in Probable Cause Hearings (“PCH”). Board members will be contacted to participate in future Hearings

The board briefly affirmed their agreement with this and its intent.

New Business

Status of Board appointments- pending

NBOE/FCLB Annual Business meeting 4/24 Noon Mountain time (2PM EDST?)

Public Comments were received.

Closed Session for Administrative Personnel Issues and Review Committee Issue

Open Session Resumed

Meeting closed by newly elected president Dr. Ayres at 4:15PM

Next Meeting Scheduled for 7/24/2020