

NC State Board of Chiropractic Examiners



BOARD MEETING Minutes

October 21, 2022 12 Noon

<https://us02web.zoom.us/j/85048829786>

Meeting ID: 850 4882 9786

1. The meeting was called to order at 12:00 by Dr. Outten.
2. The Ethics statement was read and a quorum was present. All board members were present except for Ms. Tiffany Jones.
3. Dr. Outten reported on his role as an NBCE Delegate and related Board Issues and Conflicts
4. July 22 2022 Minutes were approved.
5. Dr. Siragusa and Ms. Swintosky reviewed the current financials. The Audit report was presented and approved by the board.
6. Dr. Hammer gave a report of the Disciplinary Review Committee activity.
7. Dr. Shaver as chair of the Education Committee reported that the Carolina Chiropractor education suspension had been rescinded.
7. Dr. Siragusa gave the Executive Director Report. Candidates that have filed to run for board seats were reviewed.
8. Old Business
 - a. *Prepaid Treatment plans 21 NCAC 10. 0305- The Board adopted this language to be added to the rule:*

Regarding section "(d) Refund Calculation", pro-rata calculation of refunds indicates that the patient will be charged the undiscounted fee for services rendered, up to an amount which does not exceed the total cost of the prepaid plan. After such payment for services rendered, any remaining pre-paid funds will be refunded to the patient.

- b. **New Position Statement on Standing Orders.** - The board adopted this as a new position statement:

A doctor who is out of the office may have his/her certified chiropractic assistant (CCA) continue to fulfill aspects of a patient's prescribed treatment plan for up to one week if that treatment falls within the scope of the CCA's certification.

The CCA must make a record of the patient encounter to include:

- CCA's name
- Date of treatment
- Type of therapy rendered

The doctor will be required to enter these notes into the patient's chart upon his/her return to practice and indicate that they were performed by the CCA during his/her absence.

There must be an on-call doctor covering the office during the time of treatment and the CCA must have access to contact information for the on-call doctor in case of an emergency.

Changes to a treatment program can be made only after the doctor has had an encounter with the patient.

c. The board instructed staff to pursue rule making such that .0203 reflects a provision that requires any doctor who has not practiced in the last 4 years to take the SPEC exam, regardless of whether they have Part IV of National Boards.

* At the April 22, 2022 board meeting the board gave guidance that:

Shelf Life of a SPEC exam:

Board gave guidance that, in general a SPEC score is good for 4 years except, if it was due to a disciplinary reason or lapsed license, it needs to be taken each occurrence.

NOTE: NBCE may feel that repeat SPEC exams are not appropriate

Questions for the Task Force led by Dr. Shaver:

- The current application process does not ask for employment history (see rule .0202). Thus, it would need to be added to rule .0202. Otherwise, it appears that the Board is not currently collecting this information
- What exactly is the Board looking for when it asks if the applicant has practiced chiropractic within the past 4 years? In other words, what would constitute acceptable employment (so that the applicant doesn't have to take the SPEC) and what would not be good enough? Such as:
 - What if the applicant worked f/t for 12 months but it was 3 years ago; is that okay?
 - What if they had a full-time job for years but quit work 3 years and 11 months ago to raise a family? In other words, the last time they worked was just shy of 4 years.
 - What if they worked part time 3 years ago and then quit to do something else?

d. ACUPOINT Injection Therapy- *It was determined that this is NOT within the scope of chiropractic practice in NC. Dr. Mitchell will continue to research the topic and report to the board.*

9. New Business

a. **Dr. Tyler Lehman requested a waiver of rule 21 NCAC 10. 0216 so that he could name his office Movement Sports Clinic.** After discussion, the request was denied by the board.

b. **Who can draw blood in a chiropractic office?**

The board determined that anyone with formal training in phlebotomy, such as a phlebotomist or a CNA, may draw blood in a chiropractic office under the supervision of the licensed chiropractor. A

Certified Chiropractic Assistant may not draw blood.

- c. **Scope of Practice and Regulating Issues** – After a lengthy discussion, and review of the two versions of a position statement, Dr. Outten directed Drs. Mitchell and Shaver to combine the two versions and report at the next board meeting.
- d. The board approved use of the specialty designation DIAMN (Diplomate of the International Academy of Neuromuscular Medicine per rule 21 NCAC 10. 0304.
- e. Acceptable Care Position Stmt was edited to remove reference to ~~usual and customary method as taught in the majority of recognized chiropractic colleges accredited by the Council on Chiropractic Education (CCE) and the~~

10. Ms. Heather Wrenn gave a Report from the Profession - The NCCA expects to have a course available on Sexual Boundaries Education and Cultural Shift Training in Q1 or Q2 of 2023.

11. Mr. Simpkins gave an Attorney Report

12. Dr. Outten offered time for Public Comment but there was none.

13. After a motion and vote, Dr. Outten Adjourned the meeting.

2023 Board Meetings

1/27/2023, 4/28/2023, 7/28/2023, 10/27/2023