

NC State Board of Chiropractic Examiners



BOARD MEETING Minutes

January 20, 2023 12 Noon

Zoom Meeting

!= Motion/Vote May Be Needed

1. Call to Order by Dr. Outten
 - a. Attendance/ Quorum- All members present except Ms. Swintosky
 - b. Conflicts of Interest / Ethics Reminder was read

2. Admin Dr. Siragusa
 - a. Reminder SEI Filings – due by 4/15 (\$250 fine) <https://ethics.nc.gov/seis>
 - b. Reviewed Dr. Democko potential conflict:
Dr. Democko fills the role of a Chiropractor on the Board. He owns and is a licensed chiropractor with Democko Chiropractic. As such, Dr. Democko has the potential for a conflict of interest and should exercise appropriate caution in the performance of his public duties should issues involving Democko Chiropractic, his license, or the licenses of his colleagues come before the Board for official action.
 - c. Anna Choi will work with Dr. Siragusa to set 93B training dates and process

3. President's Remarks made by Dr. Outten

4. !Approval of Minutes 10/21/2022 Meeting MOTION APPROVED

5. Treasurer Report provided by Dr. Siragusa

6. Discipline Review Committee - DRC Report
 - a. DRC Activity reviewed by Dr. Hammer
 - b. Secretary Position Transition
Dr. Hammer resigned as Secretary
MOTION TO ELECT Dr. Joe Democko as Secretary - APPROVED

7. Education Committee report from Dr. Shaver

8. Naturopath Adoption discussed by Dr. Mitchell
MOTION APPROVED to discontinue consideration of adding Naturopaths under our board

9. Executive Director Report by Dr. Siragusa
 - a. Elections- Candidates for board positions:
 - i. Stuart Kordonowy
 - ii. Todd Shaver
 - iii. Jenn Slechter

- b. New Tech Issue- web software is discontinued. Need to convert and update our web site. Est. cost \$8500
- c. Initiatives for 2023
 - i. Retire CE Tracker
 - ii. Audit DC Renewals
 - iii. Sec of State Corp Reg vs Our list
 - iv. Speed Exam
 - v. Start Charging for License Verifications

10. Old Business

- a. **Scope of Practice and Regulating Issues –**
Dr. Mitchell presented his guidance on Scope of practice issues. He will work to merge this guidance with the Position Statement on Scope of Practice

- c. **4 Year Employment Issue**

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

Dr. Shaver will develop a draft of the needed language for the next board meeting.

Would it be better to just require an interview for all applicants who, by their own admission on the application, haven't practiced in the last 4 years? **IF THEY ADMIT TO NOT PRACTICING WITHIN THE PAST 4 YEARS, THE RULE WOULD REQUIRE A SPEC EXAM.**

Or possibly have them respond in writing with their level of clinical, educational, or regulatory activity in the last 4 years and then based on the written response, the secretary can decide if it warrants an interview?

IF THIS WOULD NOT OVERWHELM THE SECRETARY, I LIKE THIS IDEA.

11. New Business

- a. **Injectables**

- i. I have an active chiropractic license for NC. I was trained in phlebotomy in school. I am interested in taking additional phlebotomy and IV courses for nutrients/supplements administration. Are chiropractors allowed to administer injections and IV's for nutrients/vitamins only?
- ii. 1948 Court case was reviewed
- iii. The board directed Dr. Ayres to work with Ms. Choi to obtain an attorney general opinion on the use of injections (and by extension acupuncture therapy) in the practice of chiropractic

There was general consensus that the board would not pursue discipline against DCs using injections while the topic is being investigated.

- b. CE taken earlier in the year PRIOR to being licensed will be allowed for CE credit.
- c. DVM advertising chiropractic services
Dr. Siragusa will contact the ED at the Vet board to report this and assess their position
- d. Appoint FCLB delegate and alternate. Meeting is April 26-30 in Palm Beach.
Delegate: Dr. Outten Alternate: Dr. Shaver
Reschedule April Meeting from 4/28 to April 21, 2023
- d. FTC Ruling re Non-Compete Agreements – Dr. Outten will bring this up at the FCLB meeting
- e. Retired Volunteer Status - Dr. Cohn made a presentation and asked for a motion from the board but the board declined to make such a motion at this time.

- 12. Report from the Profession provided by Rachael Lord of the NCCA
 - a. Sexual Boundaries Education and Cultural Shift Training being developed
 - b. Board intends to pursue legislation to allow preceptors to adjust patients

13. Attorney Report by Anna Choi

14. Public Comment was offered

15. !Closed Session

MOTION TO GO TO CLOSED SESSION TO DISCUSS A LITIGATION AND EMPLOYMENT MATTER

MOTION TO COME OUT OF CLOSED SESSION APPROVED

16. MOTION TO APPROVE EXECUTIVE DIRECTOR CONTRACT APPROVED

17. Expense Voucher Reminder

Dr. Siragusa

18. MOTION TO ADJOURN APPROVED

2023 Board Meetings

1/20/2023, 4/21/2023, 7/28/2023, 10/27/2023