

Board Members present: Mark A. Korchok, D.C., President; Vice-President Ronald J. Farabaugh, D.C, Norman J. Gloekler, D.C. and Gregory P. Palkowski, D.C. and John P. Kennedy, Esq.

Others present: Kelly A. Caudill, Executive Director; Elizabeth N. Moore, Executive Assistant; Leah V.B. O'Carroll, AAG.

Members excused: None.

The Board's mission is...

to proactively protect the health and welfare of Ohio's citizens and to regulate the chiropractic profession with vision by setting high standards through examination of new doctors, annual license renewal, clinic inspections and timely investigation and disciplinary action when indicated.

CALL TO ORDER 9:00 a.m.

President Dr. Korchok called the three hundred and eighty-seventh Board meeting to order at 9:00 a.m. The meeting was held at the Ohio State Chiropractic Board Office; 77 South High Street, 16th Floor; Columbus, Ohio.

REVIEW OF MINUTES

MOTION 2011-053: Dr. Gloekler moved and Vice-President Dr. Farabaugh seconded a motion to approve the minutes of the December 9, 2010 Board meeting. Motion passed unanimously.

**ACUPUNCTURE CERTIFICATES
PRECEPTORSHIP APPLICATIONS**

MOTION 2011-054: Vice-President Dr. Farabaugh moved and Dr. Gloekler seconded a motion to ratify the acupuncture certificates issued to Drs. Bonnie Keene, William Blueter, Derek Gibbons and Heather Heck and the preceptorships approved for Jason Bittner with Mark King, D.C., Alan Yoder with Steven King, D.C., Neil Crane with Dennis Schone, D.C. and Lindsay Sapp with Mark King, D.C. Motion passed unanimously.

RATIFICATION OF JANUARY 13, 2011 LICENSES

MOTION 2011-055: Dr. Gloekler moved and Vice-President Dr. Farabaugh seconded a motion to ratify the following licenses issued as a result of the January 13, 2011 Jurisprudence examination: Andrew Bang, Amanda Bundich, Thomas Campbell, Jeremiah Coffey, Jeffrey Covault, Ryan Duncan, Katherine Farrell, Erik Hanson, Joshua Hayes, Allen Hoover, Jr., Farrell Jolly, Tyler Kelly, Aaron Kent, Daniel Lawrence, Chad Lemmink, Daniel Leonard, Nathaniel Majoris, Matthew Martin, Kimberly Muhlenkamp, Ryan Ohl, Kevin Parker, Satya Sardonicus, Andrew Sommer, Donald Torino, Amanda Wyant and Natalie Yahle. Motion passed unanimously.

PERTINENT CORRESPONDENCE 9:10 a.m.

Director Caudill presented a letter from Russell Hulbert, D.C. received on January 18, 2011 requesting approval to re-take the Jurisprudence examination that he failed prior to the next examination date of May 19, 2011.

The Board advised Director Caudill to advise Dr. Hulbert that the Board took all of his circumstances into consideration, however they respectfully deny his request and welcome him to sit for the next scheduled Jurisprudence examination on May 19, 2011.

Director Caudill presented letters from Jen Dennis, D.C., Bradley Guindon, D.C., Jeff Elmore and Ian

Palmer requesting that the Board schedule another Jurisprudence Examination prior to May 19, 2011.

The Board advised Director Caudill to write Drs. Dennis and Guindon, Mr. Elmore and Mr. Palmer advising them their request is denied based on the small number of requests received but that if more requests are received the Board will reconsider their decision.

INVESTIGATIVE STATUS REPORT

LEGAL ACTIVITIES BY AAG

MOTION 2011-056: Vice-President Dr. Farabaugh moved and Dr. Palkowski seconded a motion to go into executive session for the purpose of discussing pending and imminent litigation and to receive general legal advice from Leah V.B. O'Carroll, AAG and for the purpose of reviewing the Investigative Status Report. Voting Aye: President Dr. Korchok, Vice-President Dr. Farabaugh, Dr. Gloekler, Dr. Palkowski and Mr. Kennedy. Voting Nay: None. Abstaining: None. Motion passed unanimously.

President Dr. Korchok called an executive session for the purpose of discussing pending and imminent litigation and to receive general legal advice from Leah V.B. O'Carroll, AAG and for the purpose of reviewing the Investigative Status Report. The meeting was called back to regular session at the conclusion of the discussion.

MOTION 2011-057: Dr. Palkowski moved and Dr. Gloekler seconded a motion to accept the Investigative Status Report as presented. Motion passed unanimously.

MOTION 2011-058: Vice-President Dr. Farabaugh moved and Mr. Kennedy seconded a motion to accept the Legal Activities Report as presented. Motion passed unanimously.

JOHN F. GRUZA, D.C.; CASE NO. 2010 CHR 070

MOTION 2011-059: Vice-President Dr. Farabaugh moved and Dr. Palkowski seconded a motion to accept the proposed Consent Agreement for John F. Gruza, D.C. as presented. Voting Aye: President Dr. Korchok, Vice-President Dr. Farabaugh, Dr. Gloekler and Dr. Palkowski. Voting Nay: None. Abstaining: Mr. Kennedy. Motion passed.

OHIO STATE CHIROPRACTIC ASSOCIATION

Bharon Hoag, the Executive Director of the Ohio State Chiropractic Association gave an update on current OSCA activities.

CPT CODE 97140

The Board discussed an inquiry from the BWC regarding CPT Code 97140 (Manual Therapy) and whether or not the service can be provided by an unlicensed individual. The Board collectively agreed that a chiropractic physician or a licensed professional must provide the service. The Board instructed Director Caudill to notify the profession and the BWC of the Board's opinion regarding this issue.

EXECUTIVE DIRECTOR'S REPORT

Director Caudill discussed Senate Bill 26 which would prohibit providers of clinical laboratory services from inducing physicians to refer patients in exchange for remuneration and from placing laboratory personnel in physician offices. Chiropractic physicians are not named in the bill.

The Board advised Director Caudill to contact the sponsor, Senator Tavares, and request inclusion in Senate Bill 26.

Director Caudill discussed Senate Bill 60 which would require dentists, nurses, optometrists, pharmacists, medical physicians, ophthalmologist, psychologists and social workers to complete instruction on cultural competency to receive or renew a license. Chiropractic physicians are not named in the bill.

The Board advised Director Caudill to contact the sponsor, Senator Tavares, and request inclusion in Senate Bill 60.

Director Caudill advised the Board that President Dr. Korchok has been reviewing DCOOnline and Onlicechirocredits to determine if they would be acceptable programs to utilize for QIP education.

Dr. Korchok stated that he had completed his review of DCOOnline and Onlinechirocredits and they both had good quality material with secure log in features and in his opinion would be acceptable programs to utilize for QIP education.

MOTION 2011-60: Mr. Kennedy moved and Dr. Farabaugh seconded a motion to approve DCOOnline and Onlinechirocredits for QIP education. Motion passed unanimously.

Director Caudill advised the Board that on September 29 and November 2, 2010 she wrote OHSAA requesting that their Concussion Management policy be revised to include chiropractic physicians as “appropriate health care professionals” that may clear athletes to return to play. No response has been received to date. The OSCA has emailed and called OHSAA regarding this matter and have received no response either.

Director Caudill presented the Board with a copy of the Governor’s Executive Order pertaining to ethics training and the ethics policy. Board members will be notified when a training schedule is developed.

Director Caudill discussed the Federation of Chiropractic Licensing Board’s Annual Meeting being held May 4-8, 2011 in San Marco Island, FL and the National Board of Chiropractic Examiners’ Annual Meeting being held May 6, 2011 at the same location. Director Caudill advised that the Board needs to vote on Board member attendance and voting delegates for these meetings.

MOTION 2011-061: Vice-President Dr. Farabaugh moved and Dr. Gloekler seconded a motion to approve the attendance of President Dr. Korchok and Dr. Palkowski at the FCLB Annual Meeting and to designate Dr. Korchok as the voting delegate and Dr. Palkowski as the alternate delegate for the FCLB and NBCE Annual Meetings being held May 4-8, 2011 in San Marco Island, FL. Motion passed unanimously.

Director Caudill advised that two Board members have been invited to participate in the National Board of Chiropractic Examiners’ Part IV Exam being held May 13-15, 2011. Board members interested in participating must register by March 18, 2011. Director Caudill also advised of future NBCE Exam dates for anyone that may be interested in participating.

Director Caudill presented the Board with a scope of practice survey received from the FCLB on behalf of National University of Health Sciences. The Board collectively answered the questions contained in the survey and Director Caudill will submit the response form on behalf of the entire Board.

MOTION 2011-062: Dr. Gloekler moved and Vice-President Dr. Farabaugh seconded a motion to

accept the Director's Report as presented. Motion passed unanimously.

OLD/NEW BUSINESS/MISCELLANEOUS

The Board discussed scheduling an off site retreat in the near future for the purpose of discussing scope of practice and planning issues. Possible dates and locations will be researched and communicated to the Board.

With no further business to be brought before the Board, President Dr. Korchok adjourned the meeting at 1:40 p.m.

Approved By Majority of Board:

Attested By Its Secretary:

Mark A. Korchok, D.C.
President

Kelly A. Caudill
Executive Director

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