

Board Members present: President Ronald J. Farabaugh, D.C., Vice-President Gregory P. Palkowski, D.C., Norman J. Gloekler, D.C., Brian S. Wilson, D.C. and John P. Kennedy, Esq.

Others present: Kelly A. Caudill, Executive Director; Leah V.B. O'Carroll, AAG; Elizabeth Moore, Executive Assistant; Rex Waldenmyer, Investigator and Kate Borloglou, Investigator.

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

President Dr. Farabaugh called the four hundredth 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.

ADDITONS/CORRECTIONS TO THE AGENDA

Director Caudill requested that correspondence from Alan Palgut, D.C., Board Director of the Northeast Ohio Academy of Chiropractic be added to the agenda under Pertinent Correspondence.

REVIEW OF MINUTES

MOTION 2013-091: Dr. Gloekler moved and Dr. Wilson seconded a motion to approve the minutes of the April 11, 2013 Board meeting. Mr. Kennedy was absent for the vote. Motion passed.

RATIFICATION OF LICENSES

MOTION 2013-092: Dr. Wilson moved and Vice-President Dr. Palkowski seconded a motion to ratify the following licenses issued as a result of the online Jurisprudence examination: Kacey L. Herman, Matthew P. Nuesse, Rennes F. Bowers, Jack T. Wise, Michael T. Gustafson, Amanda R. Holman, Bruce M. Jacobson and Rachel E. Masterson. Motion passed unanimously.

PRECEPTORSHIP APPLICATIONS

MOTION 2013-093: Vice-President Dr. Palkowski moved and Dr. Gloekler seconded a motion to ratify the preceptorship approved for Guy E. Phillips with Craig Banks, D.C. Mr. Kennedy was absent for the vote. Motion passed.

ACUPUNCTURE CERTIFICATES

MOTION 2013-094: Dr. Wilson moved and Vice-President Dr. Palkowski seconded a motion to ratify the acupuncture certificates issued to Drs. Noah Erickson and Casie Carr. Mr. Kennedy was absent for the vote. Motion passed.

BOARD APPROVED CE SPONSOR

Director Caudill presented a request from the Central Ohio Chiropractic Association (COCA) requesting approval as a Board-approved CE Sponsor. COCA also requested that their continuing education program held on May 23, 2013 be retroactively approved for continuing education credit. President Dr. Farabaugh excused himself from the room and abstained from participating in discussion regarding this matter.

MOTION 2013-095: Dr. Gloekler moved and Dr. Wilson seconded a motion to approve the Central Ohio Chiropractic Association as a Board-approved CE sponsor effective June 6, 2013. President Dr. Farabaugh was absent for the vote. Motion passed.

MOTION 2013-096: Dr. Wilson moved and Mr. Kennedy seconded a motion to deny the Central Ohio Chiropractic Association's request to retroactively approve their continuing education program held on May 23, 2013. President Dr. Farabaugh was absent for the vote. Motion passed.

ADMINISTRATIVE RULES/FIVE YEAR RULE REVIEW

The Board discussed the public rules hearing to be held on June 13, 2013 on the following rules: 4734-9-03, 9-08, 9-10 and 9-11. This public rules hearing is scheduled to be held on a non-Board meeting day with Vice-President Dr. Palkowski presiding over the hearing.

MOTION 2013-097: Mr. Kennedy moved and Dr. Wilson seconded a motion to TBR rules 4734-9-03, 9-08, 9-10 and 9-11 from JCARR jurisdiction and refile those rules so that the public rules hearing may be held in front of the full Board at the next Board meeting scheduled for August 22, 2013. Motion passed unanimously.

PERTINENT CORRESPONDENCE

Director Caudill presented an email dated May 28, 2013 from Alan Palgut, D.C., Board Director of the Northeast Ohio Academy of Chiropractic, requesting information on how teleconference continuing education programs will be applied to the Board's continuing education rules.

The Board instructed Director Caudill to write Dr. Palgut informing him that the Board will accept CE for programs held in Ohio that are taught by an instructor via teleconference regardless of the instructor's location so long as the program is held at a public seminar site and attendees can interact live with the instructor. The program must be registered with the Board in accordance with the current registration requirements and the public seminar site must be a site publicly available and does not include logging on to a teleconference from home, an office or other outside location.

EXECUTIVE DIRECTOR'S REPORT

Director Caudill reviewed the Executive Director's report with the Board.

Director Caudill reminded the Board that annual ethics training needs to be completed as required by the Governor's Executive Order 2001-03. Director Caudill also announced that the Ohio Ethics Commission is now offering webinars that may be used to satisfy the ethics training requirement.

Director Caudill gave a report on her attendance at the FCLB Annual Meeting held on May 1-5, 2013 in San Francisco, CA. Vice-President Dr. Palkowski also reported on his attendance at the FCLB Annual Meeting and Drs. Gloekler and Wilson shared their experiences participating in the NBCE Part IV Exam held on May 17-19, 2013.

Director Caudill paused with her report so that the Board could stay on track with the agenda.

OHIO STATE CHIROPRACTIC ASSOCIATION

Bharon Hoag, D.C., Executive Director of the Ohio State Chiropractic Association gave an update on OSCA activities and legislation.

AFFILIATED MONITORS, INC.

Jim Anliot, Director of Healthcare Compliance Services for Affiliated Monitors gave a presentation to the Board regarding the services that Affiliated Monitors offers.

EXECUTIVE DIRECTOR'S REPORT - continued

Director Caudill reported that the Ohio Department of Health, in collaboration with the Office of Workforce Transformation and the Governor's Office of Health Transformation, wishes to collaborate with Ohio's health care licensing Boards to obtain health sector workforce data. Director Caudill provided handouts to the Board with detailed information on the project and the 29 draft questions that licensees may be required to answer at the time of license renewal. Director Caudill advised this would require on-line license renewal and discussed her concerns with the timing of the new licensing system which may prevent the Board from effectuating online license renewal in 2014.

Director Caudill reported that all of the Board's disciplinary actions have been successfully loaded into our database and are now available on our website via ELicense.

Director Caudill reported that the National University of Health Sciences is asking the Board to review and update the scope of practice survey that was last completed in 2011. Director Caudill provided a copy of the survey and the current responses to all Board members and requested that any comments be submitted to her by June 20, 2013.

MOTION 2013-097: Vice-President Dr. Palkowski moved and Dr. Wilson seconded a motion to accept the Director's Report as presented. Motion passed unanimously.

Mr. Kennedy left the meeting at 11:10 am

LEGAL ACTIVITIES**VOLUNTARY SURRENDER OF LICENSE TO PRACTICE AS A CHIROPACTOR; CASE NO. 2010 CHR 026**

MOTION 2013-098: Dr. Wilson moved and Vice-President Dr. Palkowski seconded a motion to accept the proposed Voluntary Surrender of License to Practice as a Chiropractor for the doctor in Case No. 2010 CHR 026 as presented. Voting Aye: President Dr. Farabaugh, Vice-President Dr. Palkowski, Dr. Gloekler and Dr. Wilson. Voting Nay: None. Abstaining: None. Motion passed unanimously.

NOTICE OF OPPORTUNITY FOR HEARING; CASE NO. 2007 CHR 062

MOTION 2013-099: Vice-President Dr. Palkowski moved and Dr. Wilson seconded a motion to approve the proposed Notice of Opportunity for Hearing for the doctor cited in Case No. 2007 CHR 062 for allegedly violating Ohio Revised Code § 4734.31 (C)(1). Voting Aye: President Dr. Farabaugh, Vice-President Dr. Palkowski, Dr. Gloekler and Dr. Wilson. Voting Nay: None. Abstaining: None. Motion passed unanimously.

OLD/NEW BUSINESS/MISCELLANEOUS

DRY NEEDLING – Director Caudill reported the results of the survey of all Board-approved chiropractic colleges as requested by the Board at the April 11, 2013 meeting to determine if instruction is provided on dry needling in the college's core curriculum, as an elective or in post

graduate education. The survey was conducted in order to respond to correspondence from Dr. Daniel Leonard inquiring about dry needling and the scope of chiropractic practice.

Based upon the results of the survey the Board’s prior decision that a licensee must possess an acupuncture certificate in order to perform dry needling remains unchanged.

MONTHLY MEMBERSHIP CHIROPRACTIC CLINICS – Vice-President Dr. Palkowski reported that while he was in San Francisco at the FCLB Annual Meeting, there was discussion about monthly membership chiropractic clinics amongst other state board members. Dr. Palkowski recommend that Director Caudill contact the North Carolina Board to request information about their law as it relates to membership clinics.

MOTION 2013-100: Vice-President Dr. Palkowski moved and Dr. Wilson seconded a motion to adjourn the meeting. Motion passed unanimously.

With no further business to be brought before the Board, President Dr. Farabaugh adjourned the meeting at 12:20 p.m.

Approved By Majority of Board:

Attested By Its Secretary:

Ronald J. Farabaugh, D.C.
President

Kelly A. Caudill
Executive Director

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