

Board Members present: President Gregory P. Palkowski, D.C., Vice-President Norman J. Gloekler, D.C., Brian S. Wilson, D.C., Otto J. Schmidt, D.C. and Jeffrey O. Brown.

Others present: Kelly A. Caudill, Executive Director; and Elizabeth Moore, Executive Assistant. Rex Waldenmyer, Investigator arrived at 1:05 p.m. and Leah V.B. O'Carroll, AAG arrived at 2:30 p.m.

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. Palkowski called the four hundred and sixth 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 2014-091: Vice-President Dr. Gloekler moved and Dr. Wilson seconded a motion to approve the minutes of the April 10, 2014 Board meeting. Voting Aye: President Dr. Palkowski, Vice-President Dr. Gloekler, Dr. Wilson, Dr. Schmidt and Mr. Brown. Voting Nay: None. Abstaining: None. Motion passed unanimously.

RATIFICATION OF LICENSES

MOTION 2014-092: Vice-President Dr. Gloekler moved and Mr. Brown seconded a motion to ratify the following licenses issued since April 10, 2014: Daniel Drozdowski, Stephanie Drozdowski, Marie Hoying, Candace Gesicki, Michael Lozitsky, Joseph Whitehead, Leslie Zook, Jameson Russell, Shaun McCrae, Cierra Seifert, Carl Brinkman, Billie McElwrath, Michelle Briscoe, Justin Vinson and Matthew Schrader. Motion passed unanimously.

ACUPUNCTURE CERTIFICATES

MOTION 2014-093: Dr. Wilson moved and Dr. Schmidt seconded a motion to ratify the acupuncture certificate issued to Dr. Candace Gesicki. Motion passed unanimously.

PRECEPTORSHIP APPLICATIONS

MOTION 2014-094: Vice-President Dr. Gloekler moved and Mr. Brown seconded a motion to ratify the preceptorships approved for Samantha Wisbon with Brendan McMahan, D.C. and David Brelinski with Michael Bentley, D.C. Motion passed unanimously.

EXECUTIVE DIRECTOR'S REPORT

Director Caudill reviewed the Executive Director's report with the Board which includes the Board Docket, Legislative Matters, Budgetary Matters, Investigative Statistics and the following miscellaneous matters:

Director Caudill advised that a Public Rules Hearing will be held today regarding Board Rules 4734-5-01 Board approved doctor of chiropractic degree programs and 4734-11-01 Military

considerations. In addition the Board will be considering a stakeholder concern with Board Rule 4734-9-02 Advertising and Solicitation.

Director Caudill advised that effective June 4, 2014 the Home Medical Equipment Rule was revised. TENS units labeled by the FDA for over-the-counter use and identified by the FDA with the product code "NUH.OTC.TENS" are no longer defined as HME.

Director Caudill advised the Board of the following upcoming important dates: FCLB District II Meeting to be held October 16-19, 2014 in Ft. Walton Beach, FL; NBCE Fall Part IV exam to be held November 14-16, 2014.

MOTION 2014-095: Dr. Wilson moved and Dr. Schmidt seconded a motion to accept the Director's Report as presented. Motion passed unanimously.

The meeting was recessed at 9:30 a.m. in order for the Board members and staff to attend annual ethics training. The meeting was called back to order at 1:30 p.m.

LEGAL ACTIVITIES

CONSENT AGREEMENT, CASE NO. 2014 CHR 048

MOTION 2014-096: Dr. Wilson moved and Dr. Schmidt seconded a motion to approve the proposed Consent Agreement for the doctor cited in Case No. 2014 CHR 048 as presented. Voting Aye: President Dr. Palkowski, Dr. Wilson, Dr. Schmidt and Mr. Brown. Voting Nay: None. Abstaining: Vice-President Dr. Gloekler. Motion passed.

FCLB CONFERENCE REPORTS

Director Caudill and President Dr. Palkowski each gave a report on their activities at the FCLB Annual Conference they attended on May 1-4, 2014 in Myrtle Beach, SC. Director Caudill also attended the ACBA Meeting on April 30, 2014 in Myrtle Beach, SC and gave a report regarding that meeting.

ADMINISTRATIVE RULES DISCUSSION

The Board discussed administrative rule 4734-9-02 and considered comments received from a stakeholder outside of the comment period.

MOTION 2014-097: Dr. Wilson moved and Vice-President Dr. Gloekler seconded a motion to revise file rule 4734-9-02 with JCARR with the removal of the practice telephone number requirement from paragraph (O)(6) and placing the wording in its own paragraph numbered (O)(7) with authority to Director Caudill to make any non-substantive changes that may be recommended by JCARR. Voting Aye: President Dr. Palkowski, Vice-President Dr. Gloekler, Dr. Wilson and Mr. Brown. Voting Nay: None. Abstaining: Dr. Schmidt. Motion passed.

PUBLIC RULES HEARING

A Public Rules Hearing was held at 2:30 p.m. on the 19th Floor, Room 1920, regarding the following rules: To be Amended 4734-5-01 Board approved doctor of chiropractic degree programs and To Be Adopted 4734-11-01 Military considerations. Deposition Specialists made a stenographic record of the proceedings at the Board's expense.

The Board did not receive any testimony prior to the hearing and no testimony was offered at the hearing.

Upon conclusion of the hearing, the Board deliberated in public session on the rules.

MOTION 2014-098: Dr. Wilson moved and Vice-President Dr. Gloekler seconded a motion to approve the final filing of rules 4734-5-01 Board-approved doctor of chiropractic degree programs and 4734-11-01 Military considerations with JCARR as presented with authority to Director Caudill to make any non-substantive changes that may be recommended by JCARR. Motion passed unanimously.

OTPTAT BOARD

Jeff Rosa, Executive Director, Lisa Ratinaud, Enforcement Division Supervisor and Karen Holtgreffe, PT, Board member from the Occupational Therapy, Physical Therapy and Athletic Trainers Board attended the meeting to inquire if the Board would be interested in drafting a joint statement to educate physical therapy licensees and chiropractic physician licensees on the use of the term “PT” and how it should be used in conjunction with a physical therapist working in a chiropractic office setting.

The Board thanked Mr. Rosa, Ms. Ratinaud and Ms. Holtgreffe for their time and information and agreed to review a joint statement once it is drafted by the Physical Therapy Board.

OLD/NEW BUSINESS/MISCELLANEOUS

The Board agreed to reschedule the August 14, 2014 Board meeting to August 21, 2014.

MOTION 2014-099: Mr. Brown 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. Palkowski adjourned the meeting at 3:30 p.m.

Approved By Majority of Board:

Attested By Its Secretary:

Gregory P. Palkowski, D.C.
President

Kelly A. Caudill
Executive Director

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