

TENNESSEE BOARD OF CHIROPRACTIC EXAMINERS

DATE: November 20, 2014
TIME: 9:00 A.M.
LOCATION: Health Related Boards Conference Center
Poplar Conference Room
665 Mainstream Drive
Nashville TN 37243

BOARD MEMBERS

PRESENT: Chris Alexander, D.C., President
Craig Ratcliff, D.C. Vice President
Richard Cole, D.C., Board Member
Andrea Selby, D.C., Board Member
Cole Hosenfeld, D.C., Board Member

BOARD MEMBERS

ABSENT: Sheila Fitzgerald, Consumer member, Secretary

STAFF PRESENT: James Hill, Board Administrator
Teddy Wilkins, Unit Director
Mark Cole, Office of General Counsel

Dr. Alexander, chair, called the meeting to order at 9:10 a.m. A quorum was present.

Office of General Counsel Report

There are twenty (20) open cases at OGC against ten (10) chiropractors.

No Consent Orders before the Board.

Mr. Cole reviewed the Open Meetings Act in T.C.A §8-44-10. Mr. Cole reviewed the Conflict of Interest Statement with the Board. Mr. Cole reported the Chiropractic rule changes status and the Board currently has no new legislation at this time.

Minutes:

Dr. Cole made a motion, seconded by Dr. Hosenfeld, to approve the minutes of June 4, 2014 with changes. The motion carried.

Dr. Cole made a motion, seconded by Dr. Hosenfeld, to approve the minutes of September 5, 2014 with changes. The motion carried.

Investigative Report

Nichelle Dorroh, Disciplinary Coordinator stated that the Office of Investigation has thirty-four (34) cases opened in the office of Investigations for chiropractors.

Monitored Practitioners

Seven (7) practitioners are on probation, three (3) have had their licenses revoked, and five (5) are under board order.

Administrative Report

As of November 14, 2014, there are 1146 licensed Chiropractic Physicians, 127 CXTs, and 465 CTAs.

Mr. Hill noted that the 2014 continuing education compliance list was posted on the website and that we will be updating this list at least every two weeks.

Financial Statement

For FY ending June 30, 2014, the Board had direct expenditures of \$74,010.86 and revenue collections of \$212,506.66. Indirect expenditures were \$169,316.01. The current year net is \$ 43,190.65.

Applicant Interview

The Board reviewed the file of **Jordan Axe, DC** applicant, regarding his dUI. Dr. Selby made a motion, seconded by Dr. Ratcliff, to approve his application. The motion carried.

The Board reviewed the file of **Joshawa Bechtel, DC** applicant, regarding his DUI charge. Dr. Ratcliff made a motion, seconded by Dr. Selby, to approve his application. The motion carried.

Agreed Citations

Dr. Cole made a motion, seconded by Dr. Hosenfeld, to accept the Agreed Citation of **Cathy Munson, CTA** for a lapsed license. The motion carried.

Dr. Cole made a motion, seconded by Dr. Hosenfeld, to accept the Agreed Citation **Cheri Pavlik, CTA** for a lapsed license. The motion carried.

Dr. Cole made a motion, seconded by Dr. Hosenfeld, to accept the Agreed Citation of **Dr. Gregory Butts, D.C.** for a lapsed license. The motioned carried.

Dr. Cole made a motion, seconded by Dr. Hosenfeld, to accept the Agreed Citation of **Dr. Kristina Bearden, D.C.** for a lapsed license. The motioned carried.

Dr. Cole made a motion, seconded by Dr. Hosenfeld, to accept the Agreed Citation of **Dr. Robert B. Osborne, D.C.** for a lapsed license. The motioned carried.

Ratify Newly Licensed

Dr. Cole made a motion, seconded by Dr. Selby, to approve the following newly licensed Chiropractors. The motion carried.

**Charles T. Amborn
Christopher Michael Begley
Jason Eric Bloom
Kevin Eric Bradshaw
Michael Buczynski
Matthew Lee Cole
Melanie Lynette Cruz
Monica M. Friske
Jeremy Gonsowski
John W. Hawley
Bethany Jean Herrington
Michael Sharp Holt**

**Steven Philip Koester
Trina Kreil
Jessie Kay Lange
Melinda Bryant McDaries
Jordan S. Merrill
Ryan Michael Moeller
Travis McNeill Morgan
Shanda Lynn Novak
Christina G. Pisanello
Joshua Kyle Rucker
Matthew C. Smith
Andrew Boone Yokley**

Dr. Cole made a motion, seconded by Dr. Hosenfeld, to approve the following newly licensed Chiropractic Therapy Assistants. The motion carried.

**Sarah Marie Baker
Shannon Rahae Beller
Olivia Anne Downey
Anna Lee Evatt
Amanda Nicole Graham
Denise Michelle Martin
Brittany N. Miller
Caleb N. Miller
Shanna F. Parker**

**Kori Nicole Pirtle
Elaine Inez Richardson
Ruth Diane Shaw
Cassandra J. Taylor
Lauren E. Templeton
Crystal A. Turner
Julie A. Vaughn
Christina M. Williams**

Dr. Cole made a motion, seconded by Dr. Hosenfeld to approve the following newly licensed Chiropractic X-Ray Technicians. The motion carried.

Robyn Joelle Pike

Ratify Reinstatements

Dr. Cole made a motion, seconded by Dr. Hosenfeld, to approve the following reinstated Chiropractors. The motion carried.

Kristina Bearden
Gregory David Butts
Judith L. Conley
Rick L. Cutsinger
James Forrest DeVoe II
Callie Gant

Hannah Hackett
John D. Hasenbank
Robert Joseph Mellert
Jolynne Rene' Meseck
Robert B. Osborne
Ronald Leigh Patrick

Dr. Cole made a motion, seconded by Dr. Hosenfeld, to approve the following reinstated Chiropractic Therapy Assistants. The motion carried.

Tammy Ann House
Tiffany Ty Kelso
Lauren E. Kirk

Cathy Munson
Cheri L Pavlik

Dr. Cole made a motion, seconded by Dr. Hosenfeld, to approve the following reinstated Chiropractic X-Ray Technicians. The motion carried.

Tammy A. House

Correspondence

Natalie Kurylo, DC submitted a letter asking approval for her continuing education. Dr. Cole made a motion, seconded by Dr. Ratcliff, to accept 24 hours of her submitted continuing education for 2014. The motion carried.

Dr. Olds, DC submitted a letter asking to be exempt from the 24 hour continuing education for 2014. Dr. Cole made a motion, seconded by Dr. Selby, to accept the request. The motion carried.

Catlin Rheinbolt, CTA submitted a letter asking for an extension regarding the 1200 hour chiropractic therapy assistant license. Dr. Ratcliff made a motion, seconded by Dr. Cole to allow an additional twelve months to complete the hours. The motion carried.

Deborah Owens, CTA, Submitted a letter asking for extension regarding the 1200 hour chiropractic therapy assistant license. Dr. Ratcliff made a motion, seconded by Dr. Cole to allow an additional twelve months to complete the hours. The motion carried.

Tina Gee, CXT, submitted a request for continuing education extension. Dr. Selby made a motion, seconded by Dr. Cole, to allow her to complete her hours in 2015 along with the required hours needed for renewal. The motion carried.

Laura Stratton, CTA, CXT, submitted a letter asking the Board to consider online continuing education. The Board is considering this and will be discussing during Rule making.

Kathy Brown, CTA, submitted a letter asking the Board to consider online continuing education. The Board is considering this and will be discussing during Rule making.

Jill Fields, CTA, CXT, submitted a letter asking the Board to consider online continuing education. The Board is considering this and will be discussing during Rule making.

Andrea Bookhardt, CTA, submitted a letter asking the Board to allow reinstating her license and completing all hours needed for reinstatement. Dr. Ratcliff made a motion, seconded by Dr. Cole, to allow reinstatement with the six hours presented and will need to complete an additional six hours for the 2014 requirement. The motion carried.

Kenya Taylor, CXT, submitted a letter requesting approval for the limited scope X-Ray Technology Training provided by Anthem Career College. Dr. Hosenfeld made a motion, seconded by Dr. Selby, to accept this course for certification. The motion carried. Dr. Cole recused himself from the vote.

John Hood, D.C, submitted a letter asking the Board to accept the ART (Active Release Technique) for continuing education. The Board recommends contacting the T.C.A. on submitting this course for approval.

The Board reviewed a letter regarding the continuing education provider Fetterman Events and sponsorship by the ICA. The Board is asking Dr. Mclean with the ICA to please inform Fetterman that they should stop using the ICA name in their advertising as to not confuse the public.

Lauren Ridgeway, D.C. submitted a letter requesting a waiver on the completion of the 2014 continuing education requirements. Dr. Cole made a motion, seconded by Dr. Selby to grant and extension until 2015 to complete the required hours in addition to the 2015 required hours. The motion carried.

Rules

Mr. Cole, asked the Board for clarification of the terms Physical Therapeutics and Manipulation definitions. If it is used in the statutes then we can define the term. If it is not used in the statute there is no reason to define the term.

Dr. Cole asked that the words physical and therapeutic to be added to the language of Rule 0260-02-.02 (2)(b) so that it can be defined under the definitions

Dr. Cole made a motion, seconded by Dr. Ratcliff, to amend the language of 0260-02-.02 (2)(b), to read physical therapeutic and therapeutic interventions to the human frame. The motion carried.

Dr. Cole asked that the following rules be amended by deleting the words” may include” and replace with” includes” for Rule 0260-02-.02 (2)(a)(b)(d)(e).

Dr. Hosenfeld made a motion, seconded by Dr. Cole to remove from Rule 0260-02-.02 (4) the sentence “a licensed chiropractor physician who practices acupuncture as a chiropractic specialty may use the term chiropractic acupuncturist to describe the practice if acupuncture”. The motion carried

Dr. Cole made a motion, seconded by Dr. Ratcliff, to keep the language of Rule 0260-02-.05 (g) as written. The motion carried.

Dr. Cole motion, seconded by Dr. Ratcliff, to amend rule 0260-02-.21(2)(a) and (b) and replace it with the following language.

(a) A preceptor must have approval from the chiropractic/supervisor of the findings/diagnosis and case management plan of all patients assigned for examination and care before commencing treatment. With this approval, an extern will be allowed to perform all diagnostic tests and therapeutic interventions as provided in T.C.A. 63-4-101.

(b) Collection of fees for services and filing claims to third-party-payers must be in the name of the chiropractic/supervisor (attending physician).

(c) in the event of a vacation or a prolonged illness the chiropractic/supervisor must make arrangements for continued supervision by a licensed chiropractic physician and submit a letter from the new chiropractic/supervisor, address to the previous supervisor, stating that he/she will take the responsibility as previously outlined for the supervision and forward a copy of said letter to the Board’s administrative office.

(d) The preceptor program will be discontinued upon graduation of the preceptor.

(3) Supervision – For purposes of this rule, supervision is defined as the direct oversight of the extern by a Tennessee licensed chiropractic physician. The chiropractic/supervisor must be available for approval of examination findings/diagnosis and management plan, including subsequent changes that may alter the management/treatment program. The chiropractic/supervisor must conduct and evaluate case studies with the preceptor on each visit of interactive reassessment throughout the management/treating program of each patient. The supervisor shall be on the facility premises while the preceptor is conducting patient care. The motion carried.

Policy Statements

Dr. Cole made a motion, seconded by Dr. Ratcliff, to amend the current policy regarding preceptorships until the new language can be drafted and placed in the rules. The motion carried.

Dr. Cole made a motion, seconded by Dr. Hosenfeld, to amend the current continuing education policy to read as “the Board accepts for license renewal, continuing education courses approved by statute T.C.A. 63-4-112 (International Chiropractic Association, American Chiropractic Association, Tennessee Chiropractic Association) and courses approved by the Tennessee Chiropractic Association and by the Federation of Chiropractic Licensing Boards –Pace (Providers of Approved Continuing Education) programs that are consistent with Rule 0260-02-.12. However, no courses on topics philosophy or practice-building are approved. The motion carried.

The Board reviewed the current criminal background check policy which states CBC is valid for 6 months. After discussion the Board elected not to make any changes.

The Board reviewed the policy regarding Urine Analysis. After discussion Dr. Alexander will draft a letter to the Medical Lab Board asking for clarification stating it is in the scope of practice for Chiropractors to order this test.

The Board reviewed all other Policy Statements and determined that no other changes were needed at this time.

Other Business

The Board discussed attending the May 6-10, 2015 FCLB Annual Education Congress meeting, in New Orleans, LA. The Board asked Dr. Cole to attend as delegate for the FCLB and Dr. Alexander to attend as delegate for the NBCE, and to send Dr. Hosenfeld, the Unit Director and Administrative staff. Dr. Ratcliff will service as alternate delegate.

Dr. Alexander asked that the discussion of a social media policy, and D.O.T. exam and CE. issues are kept on the agenda.

With no other business to be conducted by the Board, Dr. Hosenfeld made a motion, seconded by Dr. Ratcliff to adjourn the meeting at 1:10 P.M.

Adopted by the Board of Chiropractic Examiners on this the 22nd day of January, 2015.