

BOARD OF CHIROPRACTIC EXAMINERS

MINUTES

DATE: April 20, 2023

TIME: 9:00 AM CST

LOCATION: Poplar Conference Room
665 Mainstream Dr, 1st Floor
Nashville TN 37243

MEMBERS PRESENT: Cole Hosenfeld, D.C., President
Curtis Damien D.C., Vice-President
Jason Hulme, D.C., Secretary
Dale Blackwelder, D.C., Board Member
Kara Birdwell, D.C., Board Member
Stephanie Lazenby, CTA/CXT

MEMBERS ABSENT: Rob Ailey, Citizen Member

STAFF PRESENT: Tonya Wilkins, Unit Director 1
Mary V. Bennett, Board Manager
Sabrina Craig-Boyd, Board Administrator 2
Anahi Ramos Juarez, Board Administrator 1
Kevin Griffin, Associate General Counsel
Keyyona Love, Division of Health Licensure & Regulation

STAFF ABSENT: Noranda French, Unit Director 2

GUESTS PRESENT: Tiffany Stevens, TN Chiropractic Association
Tamiko J Webb, PhD, TN Medical Foundation

Call to Order

A roll call of board members was initiated, by Sabrina Craig-Boyd, Board Administrator. With a quorum present, the meeting started at 9:02am, CST. Dr. Mr. Ailey was not present at this meeting.

Board Meeting Minutes January 19, 2023

Dr. Hulme made a motion, to accept the January 19, board meeting as presented. Dr. Blackwelder, seconded the motion. The motion carried.

Office of General Counsel

Mr. Griffin presented the board with the Office of General Counsel report.

Conflict of Interest

If you have a personal or financial interest in the outcome of any issue or matter before this board which may suggest a bias on your part, you are asked to state that interest on the record so that a determination can be made as to whether there exists a need for recusal. You are reminded that it is the duty of this board to protect the health, safety and welfare of the citizens of Tennessee and that the administration of this solemn responsibility is dependent upon avoiding even the appearance of impropriety.

Litigation Matters:

The Office of General Counsel currently has five (5) open disciplinary cases on four (4) chiropractic physicians, pertaining to the Board of Chiropractic Examiners.

Appeals

There are no pending appeals from Board action.

Civil Suits

None

Rules:

The Office of General Counsel has two rule changes in process, regarding the CTA/CXT rules and the DC rules. The CTA/CXT rule packet has been filed with the Secretary of State's Office and is pending approval by Gov Ops. The DC Telehealth rule packet is currently in process.

**Office of General Counsel: Summary of Currently Monitored Providers
April 2023 Disciplinary Report for Board of Chiropractic Examiners**

Summary: This report provides the total number of licensees currently being monitored for discipline. The total number of Chiropractors being monitored for discipline is **19**.
Total Reprimanded- 10 with terms, \$35,126.28 in fines and fees
Total on Probation- 4 with terms, \$0.00 in fines and fees
Total on Suspension- 3 , \$11, 049.33 in fines and fees
Total Revoked or Surrendered-2, \$6334.75 in fines and fees

Mr. Griffin presented the Board with an Agreed Order, (2) Consent Orders, and an Order of Compliance.

Agreed Order:

TK Sartain DC805

Dr. Sartain failed to submit completion of the annual continuing education requirements to the Board's administrative staff for the calendar year of 2019. Respondent's license to practice was Reprimanded effective the date of the Agreed Order. Respondent was also ordered to pay civil penalties in the amount of six hundred dollars \$600 and Assessment of Costs prepared by Counsel, not to exceed one thousand dollars(\$1000.00).

Dr. Hulme made a motion, to accept the agreed order as presented. Dr. Blackwelder, seconded the motion. The motion carried.

Consent Order:

Douglas Stithem DC2566

Dr. Stithem failed to submit completion of the annual continuing education requirements to the Board's administrative staff for the calendar year of 2018. Respondent's license to practice was Reprimanded effective the date of the Agreed Order. Respondent was also ordered to pay civil penalties in the amount of six hundred dollars \$600 and Assessment of Costs prepared by Counsel, not to exceed five hundred dollars(\$500.00).

Dr. Hulme made a motion, to accept the consent order as presented. Dr. Blackwelder, seconded the motion. The motion carried.

Chad Yarbrough DC2556

Dr. Yarbrough failed to submit completion of the annual continuing education requirements to the Board's administrative staff for the calendar year of 2020. Respondent's license to practice was Reprimanded effective the date of the Agreed Order. Respondent was also ordered to pay civil penalties in the amount of six hundred dollars \$600 and Assessment of Costs prepared by Counsel, not to exceed five hundred dollars(\$500.00).

Dr. Hulme made a motion, to accept the consent order as presented. Dr. Blackwelder, seconded the motion. The motion carried.

Order of Compliance:

Audra Arstikaitis DC1455

Dr. Arstikaitis petitioned the Board to lift a previously imposed probation on her license such that the license is no longer encumbered. As a basis for the Petition, Dr. Arstikaitis submits that she has complied with the terms of the Consent Order by completing two additional hours of Board approved

License Type: 1145 - Chiropractic X-Ray Technologist

Complaint Activity	Dec	2022	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
New Complaints Opened			0	0	0	0									0
Total Closed Complaints			0	0	0	0									0
None			0	0	0	0									0
Currently Open Complaints		0	0	0	0	0									

ANALYSIS OF NEWLY OPENED COMPLAINTS

By Allegation	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Total:	0	0	0	0									0

Department of Health Licensure and Regulation Fiscal Report

Ms. Keeyona Love presented the board with the following Annual Fiscal Report

Tennessee Board of Chiropractors					
Actual Revenue and Expenditures					
for Fiscal Year ending June 30, 2023					
Acct. Code	Description	FY2023 Projected	FY2023 Actual	FY2022	FY2021
701	Salaries & Wages	\$ 72,620.54	\$ 30,258.56	\$ 78,691.33	\$ 72,398.33
702	Employee Benefits	\$ 29,258.64	\$ 12,191.10	\$ 33,499.51	\$ 30,214.20
Payroll Expenditures (701-702)		\$ 101,879.18	\$ 42,449.66	\$ 112,190.84	\$ 102,612.53
703	Travel	\$ 7,147.78	\$ 2,978.24	\$ 4,763.24	\$ 185.18
704	Printing & Duplicating	\$ -	\$ -	\$ -	\$ -
705	Utilities & Fuel	\$ -	\$ -	\$ -	\$ -
706	Communications	\$ 1,886.23	\$ 785.93	\$ 3,087.28	\$ 1,331.99
707	Maintenance & Repairs	\$ -	\$ -	\$ -	\$ -
708	Prof. Svc. & Dues	\$ 5,666.38	\$ 2,360.99	\$ 6,008.52	\$ 8,653.51
709	Supplies & Materials	\$ -	\$ -	\$ -	\$ 73.75
710	Rentals & Insurance	\$ -	\$ -	\$ -	\$ -
711	Motor Vehicle Ops.	\$ -	\$ -	\$ -	\$ -
712	Awards & Indemnities	\$ -	\$ -	\$ -	\$ -
713	Grants & Subsidies	\$ -	\$ -	\$ -	\$ -
714	Unclassified	\$ -	\$ -	\$ -	\$ -
715	Stores for Resale	\$ -	\$ -	\$ -	\$ -
716	Equipment	\$ -	\$ -	\$ -	\$ -
717	Land	\$ -	\$ -	\$ -	\$ -
718	Buildings	\$ -	\$ -	\$ -	\$ -
721	Training of State Employees	\$ -	\$ -	\$ -	\$ -
722	Computer Related Items	\$ -	\$ -	\$ 290.36	\$ 331.24
725	State Prof. Svcs.	\$ 4,053.02	\$ 1,688.76	\$ 4,216.66	\$ 8,560.49
Total Other Expenditures (703-725)		\$ 18,753.41	\$ 7,813.92	\$ 18,366.06	\$ 19,136.16
Total Direct Expenditures		\$ 120,632.59	\$ 50,263.58	\$ 130,556.90	\$ 121,748.69
Allocated Expenditures					
	Administration	\$ 12,383.05	\$ 5,159.60	\$ 18,411.51	\$ 17,129.38
	Investigations	\$ 63,034.74	\$ 26,264.48	\$ 36,447.85	\$ 53,598.17
	Legal	\$ 25,869.18	\$ 10,778.83	\$ 19,545.26	\$ 48,578.17
	Cash Office	\$ 248.64	\$ 103.60	\$ 453.09	\$ 510.92
Total Allocated Expenditures		\$ 101,535.61	\$ 42,306.50	\$ 74,857.70	\$ 119,816.65
Total Expenditures		\$ 222,168.20	\$ 92,570.08	\$ 205,414.60	\$ 241,565.34
Board Fee Revenue		\$ 295,871.14	\$ 123,279.64	\$ 303,396.44	\$ 272,048.01
Current Year Net		\$ 73,702.94	\$ 30,709.56	\$ 97,981.84	\$ 30,482.67
Technology Improvements					
	LARS Improvements	\$ (2,243.79)	\$ (934.91)	\$ 5,154.47	\$ 4,361.98
	Visual Investigator	\$ 0.72	\$ 0.30	\$ 104.26	\$ 378.90
Total Technology Improvements		\$ (2,243.06)	\$ (934.61)	\$ 5,258.74	\$ 4,740.89
Cumulative Carryover		\$ 1,404,201.73	\$ 585,084.05	\$ 646,162.98	\$ 553,439.89

Board of Chiropractors	
Analysis of Operating Expenditures and Carryover Balance	
FY2019 Operating Expenditures	\$ 242,770.11
FY2020 Operating Expenditures	\$ 257,119.68
FY2021 Operating Expenditures	\$ 241,565.34
3 Year Average of the Annual Operating Expenditures	\$ 247,151.71
2 Times 3 Year Average of the Annual Operating Expenditures	<u>\$ 494,303.42</u>
2021 Cumulative Carryover Balance	\$ 553,439.89
FY2020 Operating Expenditures	\$ 257,119.68
FY2021 Operating Expenditures	\$ 241,565.34
FY2022 Operating Expenditures	\$ 205,414.60
3 Year Average of the Annual Operating Expenditures	\$ 234,699.88
2 Times 3 Year Average of the Annual Operating Expenditures	<u>\$ 469,399.75</u>
2022 Cumulative Carryover Balance	\$ 646,162.98
Cumulative carryover exceeds two times the three-year average of operating expenditures.	

Applicant Interviews:

Savanna Jones- Ms. Jones was present at the meeting to request the board accept her late application. Dr. Hulme made a motion, to accept Ms. Jones late application. Dr. Blackwelder, seconded the motion. The motion carried.

April Carson- Ms. Carson’s application was brought before the board for approval due to unauthorized supervisor signature on her application. Dr. Blackwelder made a motion, to accept Ms. Carson’s application for CTA licensure. Dr. Hulme, seconded the motion. The motion carried.

Bryan Okland- Dr. Okland requested the board allow him acupuncture credential on his TN DC licensure based his experince in practicing acupuncture in the state of MN.

Dr. Damien made a motion, to deny his request citing rules requiring (250)hrs of acupuncture course and passing score for acupuncture by NBCE. The board did agree to consider CEU course hours for acpuncture to cover the education requirement after Dr. Okland has passed the NBCE exam for acupuncture. Dr. Blackwelder, seconded the motion. The motion carried.

Tammy Richards- Ms. Richards was present at the meeting to request the board waive all or part of the CEU requirement to reinstate her expired CTA license. At the time of the meeting, Ms. Richards presented the board with proof of (8) CEU hours already completed this year. Dr. Hulme made a motion,

to approve Ms. Richards reinstatement with the completed (8)hours and required her to complete and additional (4) by December 31, 2023 to be compliant for 2023. Dr. Blackwelder, seconded the motion. The motion carried.

Ratification List

**Board of Chiropractic Examiners
Ratification List
January 7, 2023 – April 5, 2023**

Newly Licensed Chiropractic Physicians

Anderson, Alisha
Beekman, Mackenzie
Burris, Landon
Egan, Matthew
Esau, Andrea
Graff, Whitney
Grimaldi, Gavin
Hilson, Nicholas
Hoobler, Alexis
Huston, Charisse
Hutchison-Sloane, Brandi
Kowalewski, Leah
Lawrence, Ryan
Lilja, Christopher
Malerba, Mattea
Mitchell, Ashely
Moore, Monica
Napier, John
Oakley, Christine
Ober, Samantha
Okland, Bryan
Penwell, Brian
Penwell, Nancy
Perri Derochie, Maria
Rios Rivera, Alexa
Sargean, Jacqueline
Schiltz, Hannah
Shapleigh, Andrew
Shaw, Taryn
Sjoberg, Simeon
Sparks, Taylor

Reinstated Chiropractic Physicians

Champion, Heather
Hentish, Roman
Minor, Danny

Temp/Extern

Polk, Jeremiah
Wolf, Marie

Closed Application DC

Devere, Aileen

Acupuncture

None

Stoddard, Jason
Sweeney, Jonathan
Walsh, Patrick
Williams, Zachary

Newly Licensed Chiropractic Therapy Assist.

Bullock, Abigail
Garcia-Lopez, Silvia
Grieger, Ashley
Hall, Aislinn
Harris, Michelle
Jacobs, Cassidy
Lampert, Michele
Moreau, Hannah
Murphy, Caralyn
Parker, Hailey
Price, Rande
Rechkova, Anna
Richardson, Hailey
Rummel, Peytyn
Smith, Chloe
Smith, Courtney
Spears-Coode, Tonya
Stallings, Alexis
Walker, Reece
Williams, Courtney
Wong, Lily
Wytach, Victoria
Young, Katina

Reinstated Chiropractic Therapy Asst.

Dean, Kelli
Dutz, Alissa

Closed Application CTA

None

Newly Licensed Chiropractic X-Ray Tech

Durham, Miranda
Pangburn, Nelley
Rechkova, Anna
Temple, Breanna
Webb, Lashanda

Reinstated Chiropractic X-Ray Tech

None

Closed Application

None

Ms. Stephanie Lazenby made a motion, to accept all categories of the ratification list as presented. Dr. Blackwelder, seconded the motion. The motion carried.

Board Administrative Report

**BOARD OF CHIROPRACTIC EXAMINERS
ADMINISTRATOR REPORT**

April 20, 2023

This is an administrative report from Sabrina Craig-Boyd, Board Administrator. The information contained in this report will keep the Board aware of all essential activities pertaining to licensure for Chiropractic Examiners.

STATISTICAL DATA

As of April 5, 2023, the Board of Chiropractic Examiners has **1480** active Chiropractic Physicians, **416** Chiropractic Therapy Assistants, and **129** Chiropractic X-Ray Technologists.

**LICENSURE STATUS TOTALS FROM THE MONTHS OF
January 7, 2023 through April 5, 2023**

CHIROPRACTIC PHYSICIAN	
Total applications received – 208	
New licenses issued – 35	Renewal Total –
Reinstatements – 3	Online Renewals –
Temp Licenses/Externships- 2	Paper Renewals –
Licenses Retired – 16	% Using Online System
Failed to Renew/Expired Licensees – 3	
New Acupuncturist- 0	
CHIROPRACTIC THERAPY ASSISTANT	
Total applications received – 70	
New licenses issued – 23	Renewal Total –
Reinstatements – 2	Online Renewals –
Licenses Retired – 3	Paper Renewals –
Failed to Renew/Expired Licensees – 8	% Using Online System
CHIROPRACTIC X-RAY TECHNOLOGIST	
Total applications received – 18	
New licenses issued – 5	Renewal Total –
Reinstatements – 0	Online Renewals –
Licenses Retired – 0	Paper Renewals –
Failed to Renew/Expired Licensees – 1	% Using Online System

Audit Update

Audit for 2022 initiated in CE Broker on January 16, 2023. First audit run totals included 154-non compliant DC, 57-non compliant CTA, and 17 non-compliant CXT.

Upcoming Board Meeting Dates

July 20, 2023

October 19, 2023

January 25, 2024

April 18, 2024

July 18, 2024

October 17, 2024

INTERNET

The Board's internet website is an excellent location to find valuable board information for licensees and applicants. Please visit the site at <https://www.tn.gov/health/health-program-areas/health-professional-boards/chiro-board.html> . Should you have any suggestions or comments, please feel free to contact the Board at 615.741.3807 or unit2hrb.health@tn.gov.

Agreed Citation

Heather Chamption DC3315 - was issued an agreed citation for lapsed license. She has paid the cost of the agreed citation and agreed to the terms. Dr. Blackwelder made a motion, to accept the agreed citation as presented. Dr. Damien, seconded the motion. The motion carried.

Brett Spradlin DC2726 - was issued an agreed citation for CE Violation for the 2020-2021 audit period. He has paid the agreed citation and agreed to the terms. D. Blackwelder made a motion, to accept the agreed citation as presented. Dr. Hulme, seconded the motion. The motion carried.

Correspondence:

Jones, Jeffrey- Request for extension to complete new licensee course. Dr. Birdwell made motion to approve extension to complete new licensee course. Dr. Hulme second the motion. After discussion and final call to vote, the motion failed. Dr. Blackwelder made a motion, to deny request citing board policy specifically outlining requirements for new licensee course within six months of licensure as is also included in rules. Dr. Hulme, seconded the motion. The motion carried.

Amanda Rowden- Request for extension until June 30, 2023 to complete intern hours. Dr. Blackwelder made a motion, to grant extension until June 30, 2023 to complete intern hours and submit application for licensure. Dr. Hulme, seconded the motion. The motion carried.

Taylor Murdough-Request extension until December 1, 2023 to complete intern hours. Dr. Blackwelder made a motion, to grant extension until December 1, 2023 to complete intern hours and submit application for licensure. Dr. Hulme, seconded the motion. The motion carried.

Macy Box-Request extension of six (6) months to complete intern hours. Dr. Damien made a motion, to grant six (6) month extension beyond anniversary date to complete intern hours. Dr. Blackwelder, seconded the motion. The motion carried.

With no further business to discuss at this meeting, Dr. Hulme made a motion, to adjourn at 10:03am. Dr. Damien, seconded the motion. The motion carried.

THESE MINUTES WERE RATIFIED AT THE JULY 20, 2023 BOARD MEETING.