

**KENTUCKY BOARD OF CHIROPRACTIC EXAMINERS
BOARD MEETING MINUTES
March 13, 2020**

A meeting of the Kentucky Board Chiropractic Examiners was held at the Department of Public Licensing located at 500 Mero Street, Frankfort, KY 40601 on March 13, 2020.

MEMBERS PRESENT

Dr. Chad Henderson
Dr. Eric Davis
Dr. James England

DEPARTMENT OF PROFESSIONAL LICENSING

Tasha Stewart, Board Administrator
Michael Newman, Ed.D., Commissioner
Chessica Nation, Administrative Supervisor
Courtney Cook, Operations

GUESTS

Paul Powers, UBCC
Jeff Meyer, KAC
Charles Copeland, KCS
Darrell Spears, KCS

OTHERS

David Trimble, Legal Counsel

CALL TO ORDER

Dr. England called the meeting to order at 9:30 a.m.

MINUTES

A motion was made by Dr. Henderson to approve the minutes from the January 10, 2020 board meeting. Motion seconded by Dr. England, carried.

FINANCIAL STATEMENT

The Board reviewed fiscal year 2020 January and February financial statements.

DPL UPDATE

Dr. Newman introduced himself to the Board and those in attendance as DPL's new commissioner. In light of the national and state emergencies, Dr. Newman stated all face-to-face meetings will move to teleconference meetings. He also stated the MOA should be complete by the next meeting for review.

LEGAL COUNSEL

Mr. Trimble explained that he is behind on his regulation changes draft due to health issues but will have those ready by the next meeting. Mr. Trimble asked the board for further insight on the Shockwave machine correspondence. The board decided the training for this machine must match that as outlined in the regulations. The board also decided that dry needling services must be done on the same day and at the same location.

OLD BUSINESS

Dr. Davis made a motion to accept the PACE form as submitted. Motion seconded by Dr. Henderson, carried.

The regulation committee's work was tabled until the next meeting.

The board's 2-year audit has officially started. It is estimated to cost up to \$30,000, but the board will only be billed per hours worked.

Dr. Copeland asked the board to reconsider a recent decision where it discontinued renewal CE credit for teachers. The board asked Ms. Stewart to research how other states and boards handle this practice. Dr. England made a motion to accept Dr. Copeland's peer review teaching hours for renewal credit while this item is researched. Motion seconded by Dr. Henderson, carried.

NEW BUSINESS

In light of the state employee travel suspension, no board members will attend the FCLB conference in April. In the event that teleconferencing is allowed, Dr. Davis will serve as the first voting delegate and Dr. Henderson will serve as the second. Motion made by Dr. England and seconded by Dr. Henderson, carried.

Dr. Powers asked the board to consider updating its continuing education regulations to exclude the 6-hour Kentucky rule and to allow online courses. The board stated it is currently in the process of updating the CE regulations.

The board reviewed a specialty certificate that was issued by past administration which is not included on the accepted specialties list. The board asked that more information be requested from the licensee.

Dr. Henderson made a motion to pay \$100 to both lead reviewers in Peer Review #466 and #467. Seconded by Dr. England, carried.

The board reviewed the annual Peer Review Committee report. No action taken.

The Peer Review Committee appointment was tabled until the next meeting. The board will send an appreciation plaque to Dr. Howell.

The board reviewed a license renewal extension request. The board recommends the licensee take the *Complete Documentation for Complete Reimbursement* course. Dr. England made a motion to deny the request. Motion seconded by Dr. Davis, carried.

The board requested the following changes be made to the preceptorship application: add an N/A box to question 4 on page 1 and question 3 on page 3 and eliminate language that requires each section to be completed by a different person. Dr. England made a motion to accept the changes. Motion seconded by Dr. Henderson, carried.

The board will update the eServices renewal application to state any claims and/or malpractices previously unreported to the board or that occurred in the last year shall be reported.

The board reviewed a question asking if a practice can be held in a recreational vehicle that travels to patients without a brick and mortar practice. The board decided there is nothing in the regulations against it, but the licensee will need to have a physical location on file with the board office and will need to make sure all office requirements are met.

The board reviewed and approved Ms. Stewart to send out a reporting malpractice informational letter to all licensees via email.

APPLICATIONS COMMITTEE

The Applications Committee reported it still sees the following common issues: no objective listed, asking credit for exams, and requesting more than 8 hours of credit per day.

Ms. Stewart reported a total of 1,074 inactive and active licensees. As of the report run time, 65 licensees have not completed their annual renewal. Peer Review license renewals also opened on March 1 and will continue to June 1.

COMPLAINTS COMMITTEE

- 14-027 – ongoing
- 19-003 - ongoing
- 2019KBCE00005 – ongoing
- 2019KBCE00007 – dismissed
- 2019KBCE00008 – dismissed
- 2019KBCE00012 – ongoing
- 2020KBCE00001 – ongoing
- 2020KBCE00002 – ongoing
- 2020KBCE00003 – ongoing

A motion was made by Dr. Davis to accept the recommendations of the complaints committee with amendments. Motion seconded by Dr. England, carried.

TRAVEL AND PER DIEM

A motion was made by Dr. Henderson to approve the March 13, 2020 travel and per diem. Motion seconded by Dr. Davis, carried.

ADJOURN

Dr. England adjourned the meeting at 12:08 p.m.



Dr. James England, Vice Chair _____