

**Minutes**  
**Arkansas State Board of Chiropractic Examiners**  
**101 East Capitol, Suite 209**  
**Teleconference Board Meeting**  
**May 26, 2009**

**CALL TO ORDER**

The meeting was called to order by Dr. Beverly Foster, Chair, at 12:30 p.m.

**ROLL CALL**

Board Members present: Dr. Vinton Savelle Barnes, Dr. Ryan Collins, Dr. Michael Courtney, Mr. Weldon Roberts, and Dr. Tom Taylor.

Board Members Absent: Mr. Roland Getchell.

Staff Members present: Ms. Amanda Abernethy, Assistant Attorney General, and Ms. Rebecca Wright, Executive Director.

**Meeting Agenda**

Dr. Foster stated that two topics would be discussed during this meeting.

- Continuing education, i.e., approval of twenty-four (24) hour seminars, and licensees taking the same course more than one time.
- Rescheduling two (2) hearings that are currently scheduled for the June 12, 2009 Board meeting.

**NEW BUSINESS**

**Continuing Education Pre-Approval Requests of Twenty-Four (24) Hour Seminars**

Dr. Foster stated that a continuing education (CE) pre-approval request was received by the Arkansas Chiropractic Council. The request included twenty-four (24) seminar CE hours. Dr. Taylor did not recuse from the discussion.

Dr. Foster opened the discussion on the Rules and Regulations by stating there should be a consistency in the policy for allowing twenty-four (24) hour seminars.

The Rules and Regulations state that up to twelve (12) hours of CE may be approved for seminars. Dr. Michael Courtney stated that he thought that twenty-four (24) hour seminars have been approved and the interpretation of the Rules and Regulations allows for these seminars.

Dr. Foster stated that the first section of Rules and Regulations § E(3)(d) should be clarified with the Board's criteria. Ms. Amanda Abernethy, Assistant Attorney General, stated that § E(3)(d) does not necessarily apply to Council on Chiropractic Education (CCE), or those courses or seminars sponsored by state or national associations. The State organizations are not limited to

twelve (12) hour seminars in this section. It was suggested that the Board adopt a policy for clarification of CE criteria and make it public. Ms. Abernethy stated that interpretation of §E(3)(a-c) does not disallow twenty-four (24) hour seminars for organizations that qualify. She stated that § E(3)(d) disallows twenty-four (24) hour seminars for organizations that do not qualify.

Dr. Courtney moved that a CE policy be written and published that § E(3)(a-c) does not disallow twenty-four (24) hour seminars for organizations that qualify and that § E(3)(d) disallows twenty-four (24) hour seminars for organizations that do not qualify. Dr. Collins suggested that chiropractic colleges be included in this interpretation. Dr. Courtney amended his motion to also include chiropractic colleges meeting the requirements of § E(3)(a-c) may qualify. Dr. Collins seconded the motion. A roll call vote was taken for the current motion. The motion passed unanimously.

Dr. Foster stated that the National and State Associations, and chiropractic colleges, be notified that the Board interprets the Rules and Regulations that those that meet the requirements of §E(3)(a-c) is not limited to twelve (12) hour seminars.

Dr. Foster stated that the Arkansas Chiropractic Council's CE pre-approval request of having a twenty-four (24) hour seminar would be allowable.

Dr. Foster opened the discussion regarding licensees taking a CE course or seminar more than one time for re-licensure. She inquired whether any Board member knew if information was stated in the Rules and Regulations regarding a licensee taking a course more than once. Dr. Courtney stated that he did not know of a section of the Rules and Regulations that governs this and stated that this area should be governed. The Board stated that this issue should be appropriately addressed. This issue will be included on the June 12, 2009, Board meeting agenda.

### **Hearing Schedule**

A hearing was requested for James Taylor, D.C., by his attorney, Janie Evins, for consideration of re-licensure. The request was made on April 28, 2009, and the issue was added to the June 12, 2009, Board meeting agenda. Dr. Tom Taylor recused from the discussion.

Ms. Abernethy will not be available on June 12, 2009. She stated that the Board could request a continuation of the requested hearing or an alternate Attorney General Assistant could be present to represent the Board. Dr. Foster stated that a special meeting could be called for the hearing in the near future on a date when Ms. Abernethy would be available. Ms. Abernethy provided the dates that she would be available in June and July.

The Board discussed available dates for the requested hearing.

Dr. Courtney moved that Ms. Abernethy be present as the Chiropractic Board's legal counsel at any hearing, and that no alternates take her place. Dr. Barnes seconded the motion. A roll call vote was taken. Dr. Taylor recused. The motion passed. Dr. Courtney stated that in the future, the Board may have another motion and vote to supersede this decision as necessary.

Dr. Collins moved that a hearing for Dr. J. Taylor be scheduled for June 23, 2009 at 9:30 a.m. Dr. Roberts seconded the motion. A roll call vote was taken. Dr. Taylor recused. The motion passed. Dr. Foster stated that Mr. Getchell should be notified of this scheduled hearing to ensure that he will be in attendance.

A hearing for Virgil Chrane was scheduled for June 12, 2009. Mr. Don Barnes, Assistant Attorney General, alternate for Ms. Abernethy, scheduled the hearing. The Board discussed rescheduling this hearing and Ms. Abernethy stated that the Board could request a continuance. Ms. Abernethy also stated that Mr. Chrane does not need to be provided a thirty (30) day notice for the continuance, and a new Notice of Hearing will be provided with a minimum of thirty (30) days notice before the new scheduled date.

Dr. Courtney moved that the hearing for Mr. Chrane be rescheduled for July 24, 2009, at 2:00 p.m. This is the date of the Board's regularly scheduled business meeting. Dr. Taylor seconded the motion. A roll call vote was taken. The motion passed unanimously. If any problems or reschedule requests arise, the Board may call a teleconference as needed.

### **Adjourn**

Dr. Barnes moved to adjourn. Dr. Courtney seconded the motion. The motion passed unanimously. The Board adjourned at 1:09 p.m.