

**Arkansas State Board of Chiropractic Examiners
Board Meeting Minutes
January 30, 2014**

CALL TO ORDER

The meeting was called to order by Terry Barnett, D.C., President, at 11:45 a.m.

ROLL CALL

Board Members present:

- Terry Barnett, D.C.
- Thomas R. Butler, D.C.
- Kent Moore, D.C.
- Weldon Roberts
- Thomas D. Taylor, D.C., FICA
- Julie Traylor-Logan, D.C.

Board Members absent:

- Jack McCoy

Staff Members present:

- Mark Ohrenberger, Assistant Attorney General
- Laurie Mayhan, Administrative Analyst
- Rebecca Wright, Executive Director

Guests Present:

- Kendra Booth, AR Blue Cross Blue Shield
- Terrance P. Carolan, D.C.
- Gaylon Carter, D.C.
- Chris Cathey, D.C.
- Brad Chambers, D.C.

NEW LICENSEE ORIENTATION

Congratulations to the doctors who received their licenses this day:

	License No.	First Name	Last Name
1	16042	Kody	Adams
2	16035	Brian	Beard
3	16062	Jeffrey	Becker
4	16022	Leslie	Ethridge
5	16040	Melanie	Gartside
6	16050	Kim	Hodge
7	16051	Emily	Hollingsworth
8	16047	Faron	LeGarde
9	16044	Amy	Logan
10	16036	Julian	McMurray

11	16049	Lance	Richardson
12	16023	Justin	Thompson
13	16058	Taylor	Wallace
14	16046	Jesse	Wood

MINUTES

The December 12, 2013, minutes were presented to the Board. Dr. Traylor-Logan moved to approve the minutes. Dr. Moore seconded the motion. The motion passed unanimously.

DIRECTOR'S REPORTS

Budget Report

The budget report was presented to the Board. Copies of the monthly reports are available in the Board office.

TREASURY ACCOUNT

Beginning Balance	69,750.74	(Nov 2013)
Deposits	95,491.82	
TOTAL	\$ 57,216.15	(Dec 2013)

COMMITMENTS	23,656.29
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EXPENDITURES

Warrants		
DEPARTMENT OF FINANCE AND ADMINISTR	410.00	
INFORMATION NETWORK OF ARKANSAS	220.00	
US BANK CPS	2,672.71	Oct and Nov Charges paid
GORDON JANE	390.00	
BEST PARK LLC	119.90	
Payroll	3,045.32	
Payroll	108.78	
Payroll	237.62	
Payroll	3.66	
Payroll	453.14	
JULIE TRAYLOR LOGAN	105.00	
TERRY BARNETT	114.24	
JEFFREY KENT MOORE	302.98	
TAYLOR THOMAS	81.48	
JACK MCCOY	44.10	
MID SOUTH MICROFILM SERVICES INC	25.00	
THE PITNEY BOWES BANK INC	400.00	
Payroll	3,045.33	

Payroll	600.00
Payroll	275.21
Payroll	3.66
Payroll	453.15
DEPARTMENT OF INFORMATION SYSTEMS	260.65
Sub-Total	13,371.93

Purchasing Credit Card – Charges (not yet paid)

PITNEY BOWES CREDIT	550.69	Postage machine lease
NATL/PADGET 8006825061	179.00	Seminar
STANDARD BUSINESS SYSTEMS	29.43	Color copies contract
CLEAR MOUNTAIN REFRESHMEN	25.07	Water towers lease
OFFICE DEPOT #1079	113.31	Office Supplies
Sub-Total	897.50	

TOTAL EXPENDITURES **\$ 13,371.93**

END OF YEAR PROJECTION

Expenditure Analysis Report

Original	Projected	Savings
151,602.00	141,459.12	10,142.88

Revenue Analysis Report

Original	Projected	Difference
440,000.00	462,660.68	99,079.68

Dr. Traylor-Logan moved that she and the executive director talk to the Office of Budget about the financial reports received each month and more information will be brought to the Board in April 2014. Dr. Moore seconded the motion. The motion passed unanimously.

Continuing Education Report

2013 Courses (Calendar Year)

CE Status	Count	Amount Due	Amount Paid	
Approved	397	\$26,797.50	\$26,731.25	Payment pending for 2: \$120.00
Not Approved	5	\$605.00	\$605.00	
Pending	0	0	0	
Cancelled	2	\$645.00	\$190.00	
Incomplete	8	\$762.50	\$460.00	
Void	24	0	0	
Subtotal	436	\$28,810.00	\$27,986.25	

2014 Courses (Calendar Year)

CE Status	Count	Amount Due	Amount Paid
Approved	199	\$10,387.50	\$10,387.50

Not Approved	4	\$310.00	\$235.00
Pending	2	\$60.00	\$60.00
Cancelled	0	0	0
Incomplete	2	\$140.00	\$80.00
Void	0		
Subtotal	208	\$10,897.50	\$10,762.50

2015 Courses (Calendar Year)

CE Status	Count	Amount Due	Amount Paid
Approved	7	\$420.00	\$420.00
Not Approved	2	\$150.00	\$150.00
Pending	0	0	0
Cancelled	0	0	0
Incomplete	0	0	0
Void	0	0	0
Subtotal	9	\$570.00	\$570.00

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Grand Total: \$40,277.50 \$39,318.75

Freedom of Information Act (FOIA) Requests

The FOIA report was presented to the Board. At this time, nine (9) requests have been received since July 1, 2013.

2014 License Renewal Status

The 2014 license renewal report was presented to the Board. A total of 607 license renewal notices were mailed 10-31-2013. As of 1-29-2014, 576 have been processed. Five doctors have retired, and 29 have been expired due to non-renewal of license.

OLD BUSINESS

2014 License Renewal Inquiries

Scott Bennington, D.C. Request extension to earn AR approved CE. CE taken in 2013 was not approved by Arkansas. Dr. Traylor-Logan moved to grant Dr. Bennington's request. He must earn a separate 24 hours for the 2015 license renewal year. Mr. Roberts seconded the motion. The motion passed unanimously.

Frances Blackstock, D.C. Request to waive late fee due to illness. The Board stated that the doctor must submit her own request in writing.

Shirley Coffman, D.C. Request to waive late fee – illness; mailed on 12/29/13, postmarked 1/2/14. Dr. Traylor-Logan moved to grant the request. Dr. Butler seconded the motion. Dr. Taylor abstained. The motion passed.

Sue McElrath, D.C. Request to waive late fee – received CE certificate from sponsor after 12/31/13. Dr. Traylor-Logan moved to grant the request. Dr. Taylor seconded the motion. The motion passed unanimously.

Jason Sherrod, D.C. Request extension to earn AR approved CE. CE taken in 2013 was not approved by Arkansas. Dr. Traylor-Logan moved to grant the request. He must earn a separate 24 hours for the 2015 license renewal year. Dr. Taylor seconded the motion. The motion passed unanimously.

Kristin Stobaugh, D.C. Request to waive late fee. Renewal received incomplete by 12/31/13. Dr. Taylor moved to deny the request. Dr. Moore seconded the motion. The motion passed unanimously.

Rules, Regulations, and Statutes Draft Language

Draft language for the Rules, Regulations and Statutes, and Act 513, was presented to the Board. The Board members will look over the draft language and bring feedback for the 4/17/2014 Board meeting.

Vance Cornelison, D.C. Website

Dr. Cornelison's license was surrendered on 10/17/2013. As of 1/24/2014 his website is still advertising him and his contact information. Mr. Ohrenberger stated that he would notify Dr. Cornelison's attorney.

Joshua Dupuy, D.C. CE for 2014; Request to waive 2014 late fee

Dr. Dupuy submitted all items to reactivate his license from a lapsed status, and he submitted his 2014 license renewal form without payment. Dr. Butler moved to waive the 2014 license renewal late fee. Dr. Traylor-Logan seconded the motion. Dr. Taylor voted no. The motion passed.

Dr. Traylor-Logan moved that 24 of the 48 CE hours earned that are applied to 2012 and 2013 renewal years, can also count for the 2014 renewal year. Dr. Dupuy will need to earn 24 CE hours in 2014 for the 2015 renewal year. Dr. Moore seconded the motion. Dr. Taylor abstained. The motion passed.

Computers Disposal after Three Years

The old computers have been on file for three years. Per Department of Information System, computers can be removed from the office after three years. Discussion followed. Dr. Traylor-Logan moved that the hard drives can be removed and the towers can be disposed of but the hard drives are to remain in the office indefinitely. Dr. Butler seconded the motion. The motion passed unanimously.

Freedom of Information Act Discussion

This agency follows the AR Freedom of Information Act. No other discussion.

NEW BUSINESS**Sports Concussions**

A power poll request was received from the Federation of Chiropractic Licensing Board (FCLB) regarding sports concussions. The question is, "In your jurisdiction, are chiropractors legally authorized to provide concussion-related medical clearance?" Dr. Taylor moved to respond to the power poll that Arkansas chiropractors are authorized to provide concussion-related medical clearance. Dr. Traylor-Logan seconded the motion. Dr. Butler voted no. The motion passed.

Information was received that the Arkansas Activities Association website did not have chiropractors listed on the Sports Medicine website page as healthcare providers that can be seen when an athlete is suspected of having a concussion. Dr. Traylor-Logan moved that a letter be sent inquiring as to why chiropractors are not listed. Dr. Taylor seconded the motion. The motion passed unanimously.

FCLB Annual Meeting; National Board of Chiropractic Examiners (NBCE) Delegates

The FCLB annual meeting will be held April 30 – May 4, 2014, in Myrtle Beach, SC. Dr. Taylor moved that Dr. Barnett and Dr. Traylor-Logan attend the meeting and be the delegates. If they cannot attend, then Dr. Moore and Mr. Roberts attend. Dr. Butler seconded the motion. The motion passed unanimously.

Statement of Financial Interests / Stipends for 2014

The board member statement of financial interest packets are due by 1/31/2014. The packets were mailed to the Board members in early January 2014.

The Board recessed at 1:32 p.m. The Board reconvened at 1:37 p.m. During the break, Dr. Taylor left and was absent for the rest of the meeting. A quorum remained.

Dr. Traylor-Logan moved that the Board members be paid their stipends for 2014. Dr. Moore seconded the motion. The motion passed unanimously.

Credentials Review

The following applicants submitted applications for credentials review and/or temporary license requests:

Andrew Badell, D.C. Application for licensure is complete. He requested an unsupervised temporary license. Dr. Traylor-Logan moved to approve the credential review. Dr. Badell

qualifies for a supervised temporary license. Mark Estes, D.C., will be listed as his supervisor. Dr. Butler seconded the motion. The motion passed unanimously.

Christopher Burton, D.C. Application for licensure is complete. Dr. Traylor-Logan moved to approve the credential review. Dr. Moore seconded the motion. The motion passed unanimously.

Kelly Martin, D.C. Application for licensure is complete. She requested a supervised temporary license with Russell Evans, D.C. listed as her supervisor. Dr. Traylor-Logan moved to approve the credential review and the supervised temporary license. Dr. Butler seconded the motion. The motion passed unanimously.

Lance Richardson, D.C. Application for licensure is complete. He requested an unsupervised temporary license. Dr. Traylor-Logan moved to approve the credential review and the unsupervised temporary license. Dr. Moore seconded the motion. Dr. Taylor abstained. The motion passed. Dr. Richardson attended orientation this day and will not have to attend the orientation in July. His full license will be issued in July 2014. (This topic was discussed at the beginning of the orientation while Dr. Taylor was present.)

Jack Stanfield, D.C. Application for licensure is pending the fingerprint card. He requested an unsupervised temporary license. Dr. Traylor-Logan moved to approve the credential review and the unsupervised temporary license pending receipt of the fingerprint card. Dr. Butler seconded the motion. The motion passed unanimously.

Jordan Travis, D.C. Application for licensure is complete. He requested a supervised temporary license with Paul Travis, D.C. Dr. Traylor-Logan moved to approve the credential review and the supervised temporary license. Dr. Moore seconded the motion. The motion passed unanimously.

Investigation Report

	Recommendation	Complaint Number	Complaint Description
1	Pending	516-1-21-14	Solicitation
2	Pending	512-1-8-14	Solicitation
3	Pending	513-1-8-14	Solicitation
4	Pending	517-1-20-14	Solicitation
5	Pending	518-1-21-14	Solicitation
6	Pending	519-1-13-14	Solicitation
7	Pending	520-1-13-14	Solicitation
8	Pending	475-6-26-13	Solicitation
9	Pending	495-11-22-13	Unregistered Procurer
10	Hearing for Non Compliance	393-7-14-10	Series Treatment; Billing
11	Hearing for Non Compliance	395-8-4-10	Series Treatment; Billing
12	Hearing for Non Compliance	403-9-22-10	Series Treatment; Billing

13	Hearing for Non Compliance	409-11-1-11	Series Treatment; Billing
14	Hearing for Non Compliance	411-1-18-11	Series Treatment; Billing
15	Hearing for Non Compliance	381-4-20-10	Series Treatment; Billing
16	Hearing for Non Compliance	381-4-20-10	Series Treatment; Billing
17	Hearing for Non Compliance	417-2-2-11	Series Treatment; Billing
18	Hearing for Non Compliance	417-2-2-11	Series Treatment; Billing
19	Hearing for Non Compliance	419-2-2-11	Series Treatment; Billing
20	Hearing for Non Compliance	420-2-2-11	Series Treatment; Billing
21	Hearing for Non Compliance	420-2-2-11	Series Treatment; Billing
22	Pending	462-2-6-13	Series Treatment; Billing
23	Close	470-5-14-13	Solicitation
24	Close	471-6-12-13	Solicitation
25	Pending	493-10-22-13	Solicitation; Unregistered Procurer
26	Close	489-9-25-13	Address Listing
27	Remain Open	441-10-28-11	Sexual Misconduct
28	Pending	515-11-6-14	Unprofessional Conduct: Not Supervising on Premise
29	Pending	478-7-23-13	Solicitation
30	Pending	491-10-9-13	Solicitation; Unprofessional Conduct
31	Pending	511-6-20-13	Practicing without a License
32	Pending	394-7-29-10	Practicing Chiropractic without a License; Non-Licensee
33	Pending	401-9-20-10	Practicing Chiropractic without a License; Non-Licensee
34	Pending	460-12-11-12	Receiving Personal Financial Loan from Patient
35	Hearing	440-10-12-11	Practicing Without A License; Unprofessional Conduct
36	Pending	469-4-12-13	Solicitation
37	Pending	472-6-12-13	Solicitation
38	Pending	473-6-14-13	Solicitation
39	Pending	474-6-14-13	Solicitation
40	Pending	476-6-26-13	Solicitation
41	Pending	479-8-6-13	Solicitation
42	Pending	480-8-30-13	Solicitation
43	Pending	497-10-4-13	Solicitation
44	Pending	498-11-20-13	Solicitation by Registered Procurer
45	Pending	502-8-27-13	Solicitation

46	Pending	503-8-26-13	Solicitation
47	Pending	504-8-26-13	Solicitation
48	Pending	507-12-10-13	Solicitation
49	Pending	514-11-4-14	AR Insurance Dept - Solicitation
50	Pending	468-2-9-13	Solicitation
51	Cease and Desist	496-11-14-13	Practicing without a License
52	Close	500-11-20-13	Solicitation; Unregistered Procurer
53	Pending	501-4-10-13	Solicitation
54	Close with Letter	488-8-23-13	Advertising; Animal Chiro w/o Vet Supervision
55	Close	454-7-6-12	Unprofessional Conduct: Fracture
56	Pending	388-6-8-10	Practicing Chiropractic without a License; Non-Licensee
57	Pending	402-9-20-10	Practicing Chiropractic without a License; Non-Licensee
58	Close	505-12-16-13	Unprofessional Conduct
59	Hearing	459-11-6-13	Unprofessional Conduct: Solicitation
60	Hearing	461-12-31-12	Unprofessional Conduct: Solicitation
61	Pending	494-11-19-13	Solicitation
62	Pending	506-12-10-13	Solicitation
63	Pending	508-12-13-13	Solicitation
64	Pending	509-12-18-13	Solicitation
65	Pending	510-12-27-13	Solicitation
66	Close	482-9-16-13	Unprofessional Conduct
67	Pending	457-10-19-12	Billing / Fraud
68	Close	492-10-25-13	Unprofessional Conduct

Mark Varley, D.C. Reschedule Hearings

The Board will hold a hearing for complaint 459-1-16-13 at 9:00 a.m. on 4/17/2014. A second hearing may be held immediately after; this is dependent on the findings of the investigation. The Board meeting will be held immediately after.

Keith Currie, D.C., Natalie Currie, D.C. Complaint Updates

A settlement is being discussed regarding all complaints filed against the Drs. Currie. Mr. Ohrenberger stated that he will present more information to the Board at the April 2014 meeting.

Complaint 470-5-14-13. This complaint was received from the AR Insurance Department. There are several clinics with the same or similar name but different addresses. It appears that the wrong address was applied to the clinic name. Dr. Butler moved that the complaint will be closed against the current doctor. The state board where the doctor is currently applying for a license is to be contacted immediately of the status. A doctor with a clinic name and address that coincides with the information provided by the Insurance Department will be notified of the complaint and the new complaint will be investigated. Dr. Moore seconded the motion. The motion passed unanimously.

Complaint 496-11-14-13. This person is licensed as a massage therapist in another state. The Massage Therapy Board received the same complaint as this. The MTB issued a cease and desist letter. When notified, the person stated he would comply with Arkansas law. The Investigative Committee found that the procedures used were chiropractor. The Investigative Committee recommended that a cease and desist letter for chiropractic procedures be sent to this person. If he abides, the complaint will be closed. If he does not abide, an injunction will be requested. Dr. Moore moved to accept the committee's recommendation. Dr. Traylor-Logan seconded the motion. The motion passed unanimously.

Complaint 488-8-23-13. Mr. Ohrenberger recused from advising the Board concerning this complaint because he had represented the complainant in private practice. The committee recommended that a letter be sent to the doctor and ask him to stop advertising under veterinarian medicine, in both print and online. Also to ensure that he is practicing animal chiropractor per the Arkansas Veterinary Medical Examining Board Practice Act. Dr. Traylor-Logan moved to accept the committee's recommendation. Dr. Butler seconded the motion. The motion passed unanimously.

Complaints 388-6-8-10 and 402-9-20-10, 394-7-29-10 and 401-9-20-10. These complaints will be investigated again due to the age before the prosecuting attorney's office is contacted again.

Dr. Traylor-Logan moved to accept the investigation report. Dr. Moore seconded the motion. The motion passed unanimously.

Adjourn

Dr. Traylor-Logan moved to adjourn. Dr. Moore seconded the motion. The motion passed unanimously. The Board adjourned at 2:23 p.m.

Board minutes approved: April 17, 2014.