

Board Members present: Brian S. Wilson, D.C., Otto J. Schmidt, D.C. and Jeffrey O. Brown, Esq.

Others present: Kelly A. Caudill, Executive Director; Elizabeth Moore, Executive Assistant, Rex Waldenmyer, Investigator; Matt Lampke, AAG; Akmal Yacoub, Intern for Ohio Attorney General's Office.

Members excused: None.

The Board's mission is...

to proactively protect the health and welfare of Ohio's citizens and to regulate the chiropractic profession with vision by setting high standards through examination of new doctors, annual license renewal, clinic inspections and timely investigation and disciplinary action when indicated.

CALL TO ORDER

Dr. Wilson called the four hundred and tenth Board meeting to order at 9:00 a.m. The meeting was held at the Ohio State Chiropractic Board Office; 77 South High Street, 16th Floor, Columbus, Ohio.

PUBLIC FORUM – 9:00 AM

Dr. Wilson invited the public to address the Board. No public in attendance.

REVIEW OF MINUTES

MOTION 2015-001: Dr. Schmidt moved and Mr. Brown seconded a motion to approve the minutes of the December 4, 2014 Board meeting. Motion passed unanimously.

RATIFICATION OF PRECEPTORSHIP APPLICATIONS

MOTION 2015-002: Dr. Schmidt moved and Mr. Brown seconded a motion to ratify the preceptorships approved for Brian S. Griffin with Dr. Scott Griffin; Angela M. Baldrige with Dr. Joshua Horn; Mitchell G. Howard with Dr. Matthew Roberts and Tyler T. Lanning with Dr. Bruce Brown. Motion passed unanimously.

RATIFICATION OF CHIROPRACTIC LICENSES

MOTION 2015-003: Dr. Wilson moved and Dr. Schmidt seconded a motion to ratify the following licenses issued: Andrew J. Hospodar, Ryan P. Meehan, Michael J. Diamond, Derek S. Miller, Amanda J. Giles, Jonathan P. Burns, Zachary C. Peterson, Ann C. Thompson, Robert E. Griesse, Andrew R. Burns, Matthew S. Pisanelli, Kevin W. Wheeler, Arthur H. Fetty, Nickolas L. Lewis, Lauren A. Winarski, Nicole C. Davis, David D. Brelinski III, Corey S. Chaffins, Luke G. Amodeo, Jeffrey R. Studabaker, Elizabeth A. Hudkins and Tammi L. Hagensick. Motion passed unanimously.

RATIFICATION OF CE WAIVERS

Motion 2015-004: Mr. Brown moved and Dr. Schmidt seconded a motion to ratify the CE waivers granted to the following doctors as a result of the Board's CE Audit: Drs. Suzette Almeida, Donald Bisesi, Barbara Bogar, Jill Bryson, Gregory Carroll, Christopher Clautti, Jodi Cooley, David DeSantis, Eric Dieffenbaugher, Todd Elwert, Clyde Esch, Domanic Fabrizio, Brian Filisky, Lucas Flynn, Shannon Francis, Carey Girgis, Eric Griffin, Brian Johnson, Deann Lanahan, Michael Longo, Randy Luderman, Adam Mack, Robert Marrow, Deborah McFarland, Kory Moore, Mark Newman, Jeremy Portmann, Tami Rowan, Greg Schwartzenberger, Stephen Stone, Bradley Walker

and James Williams. Motion passed unanimously.

EXECUTIVE DIRECTOR'S REPORT

Director Caudill reviewed the Executive Director's report with the Board which included the Board Docket, HB 487 Concussion Committee update, Budgetary Matters, Personnel, Administrative Rules, Investigative Statistics and miscellaneous matters.

Director Caudill informed the Board of important upcoming FCLB/NBCE dates including the FCLB Annual Meeting to be held May 6-10, 2015 and the NBCE Annual Business Meeting to be held May 8, 2015 in New Orleans, LA. Voting on the FCLB delegate will be done at the April Board meeting.

Director Caudill updated the Board on the status of the new ELicense system.

Director Caudill reported that new staff work rules were implemented January 1, 2015.

Director Caudill gave a report to the Board regarding the Federation of Associations of Regulatory Board's (FARB) Annual Forum that she attended on January 22-25, 2015 in Tucson, Arizona.

MOTION 2015-005: Mr. Brown moved and Dr. Schmidt seconded a motion to accept the Director's Report as presented. Motion passed unanimously.

MOTION 2015-006: Mr. Brown moved and Dr. Schmidt seconded a motion to conditionally approve the attendance of Dr. Palkowski at the FCLB Annual Meeting to be held May 6-10, 2015 and the NBCE Annual Business Meeting to be held May 8, 2015 in New Orleans, LA if reappointed. Motion passed unanimously.

MOTION 2015-007: Mr. Brown moved and Dr. Schmidt seconded a motion to approve the attendance of Director Caudill at the FCLB Annual Meeting to be held May 6-10, 2015 and the NBCE Annual Business Meeting to be held May 8, 2015 in New Orleans, LA. Motion passed unanimously.

MOTION 2015-008: Mr. Brown moved and Dr. Wilson seconded a motion to approve the attendance of Dr. Schmidt as an alternate voting delegate at the FCLB Annual Meeting to be held May 6-10, 2015 and the NBCE Annual Business Meeting to be held May 8, 2015 in New Orleans, LA. Motion passed unanimously.

MOTION 2015-009: Dr. Schmidt moved and Mr. Brown seconded a motion to approve the attendance of Dr. Wilson as a second alternate at the FCLB Annual Meeting to be held May 6-10, 2015 and the NBCE Annual Business Meeting to be held May 8, 2015 in New Orleans, LA. Motion passed unanimously.

MOTION 2015-010: Dr. Schmidt moved and Mr. Brown seconded a motion to conditionally approve Dr. Palkowski as the voting NBCE Delegate conditionally if reappointed. Motion passed unanimously.

MOTION 2015-011: Mr. Brown moved and Dr. Schmidt seconded a motion to conditionally approve Dr. Schmidt as the alternate voting NBCE Delegate. Motion passed unanimously.

MOTION 2015-012: Mr. Brown moved and Dr. Schmidt seconded a motion to approve Dr. Wilson as the alternate voting NBCE Delegate. Motion passed unanimously.

LEGAL ACTIVITIES

The Board's new AAG, Matt Lampke formally introduced himself and introduced Akmal Yacoub, a Paralegal intern for the Attorney General's Office.

PUBLIC RULES HEARING

A Public Rules Hearing was held at 10:00 a.m. on the 16th Floor, in the Chiropractic Board Office regarding the following rules: 4734-3-01 Personal information systems definitions; 4734-3-02 Procedures for accessing confidential personal information; 4734-3-03 Valid reasons for accessing confidential personal information and 4734-3-04 Confidentiality laws.

No testimony was offered at the hearing or received prior to the hearing. The hearing concluded at 10:06 a.m.

MODIFICATION OF CONSENT AGREEMENT, CASE NO. 2010 CHR 036

MOTION 2015-013: Mr. Brown moved and Dr. Schmidt seconded a motion to approve the proposed Modification of Consent Agreement for the doctor cited in Case No. 2010 CHR 036 as presented. A roll call vote was taken. Voting Aye: Dr. Wilson, Dr. Schmidt and Mr. Brown. Voting Nay: None. Abstaining: None. Motion passed unanimously.

MODIFICATION OF CONSENT AGREEMENT, CASE NO. 2014 CHR 072

MOTION 2015-014: Dr. Schmidt moved and Mr. Brown seconded a motion to approve the proposed Modification of Consent Agreement for the doctor cited in Case No. 2014 CHR 072 as presented. A roll call vote was taken. Voting Aye: Dr. Wilson, Dr. Schmidt and Mr. Brown. Voting Nay: None. Abstaining: None. Motion passed unanimously.

CONSENT AGREEMENT, CASE NO. 2013 CHR 007

MOTION 2015-015: Mr. Brown moved and Dr. Schmidt seconded a motion to approve the proposed Consent Agreement for the doctor cited in Case No. 2013 CHR 007 as presented. A roll call vote was taken. Voting Aye: Dr. Wilson, Dr. Schmidt, and Mr. Brown. Voting Nay: None. Abstaining: None. Motion passed unanimously.

PUBLIC RULES HEARING DELIBERATION

The Board deliberated in public session on the rules considered at the Public Rules Hearing.

MOTION 2015-016: Dr. Schmidt moved and Mr. Brown seconded a motion to approve final filing rules 4734-3-01 Personal information systems definitions; 4734-3-02 Procedures for accessing confidential personal information; 4734-3-03 Valid reasons for accessing confidential personal information and 4734-3-04 Confidentiality laws with JCARR with authority to Director Caudill to make any non-substantive changes that may be recommended by JCARR. Motion passed unanimously.

ADMINISTRATIVE RULES – FIVE YEAR RULE REVIEW

Director Caudill presented Board Rule 4734-1-15 up for five year rule review and reported that CSI recommended the Board proceed with rescinding the rule as proposed.

MOTION 2015-017: Mr. Brown moved and Dr. Schmidt seconded a motion to file Board Rule

4734-1-15 as rescinded with JCARR with authority to Director Caudill to make any non-substantive changes that may be recommended by JCARR. Motion passed unanimously.

ADMINISTRATIVE RULE REVIEW

Director Caudill presented Board Rules 4734-7-01; 4734-7-02; 4734-7-03; 4734-7-04; 4734-7-05; 4734-10-04 and 4734-10-06 with proposed draft amendments the Board instructed her to make at the December 4, 2014 Board meeting. The Board instructed Director Caudill to make further amendments to the rules to: require 18 of the required 36 hours earned for CE to be earned at a live seminar that the licensee physically attends; redefine the acceptance of college courses for CE credit to require 300 level or above courses for a maximum of 18 hours of CE credit. Director Caudill will present drafts of the rules proposed for amendment to the Board at the April 9, 2015 meeting.

MOTION 2015-018: Mr. Brown moved and Dr. Schmidt seconded a motion to adjourn the meeting. Motion passed unanimously.

With no further business to be brought before the Board, Dr. Wilson adjourned the meeting at 11:05 a.m.

Approved By Majority of Board:

Attested By Its Secretary:

Brian S. Wilson, D.C.

Kelly A. Caudill
Executive Director

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