

Board Members present: President Otto J. Schmidt, D.C., Vice-President Norman J. Gloekler, D.C., Gregory P. Palkowski, D.C. and Jeffrey O. Brown, Esq.

Others present: Kelly A. Caudill, Executive Director; Elizabeth Moore, Executive Assistant; Charissa Payer, Principal AAG; Henry Appel, Principal AAG and Angela Sullivan, AAG.

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

The four hundred and twenty-second Board meeting was called to order at 9:03 a.m. The meeting was held at the Vern Riffe Center for Government and the Arts; 77 South High Street, 19th Floor, Room 1936, Columbus, Ohio.

MICHAEL T. WILSON, D.C., CASE NO. 2016 CHR 023

APPEARANCES

In accordance with Board Rule 4734-4-13 (G), Mr. David C. Gibbs, attorney for Dr. Wilson, submitted a prior request, and was approved, to address the Board members before their consideration in the matter of Michael T. Wilson, D.C., Case No. 2016 CHR 023.

Mr. Gibbs and the Principal AAG representing the Board in this matter, Henry G. Appel, were each permitted 15 minutes to address the Board.

Prior to adjourning to consider the matter of Michael T. Wilson, D.C., President Dr. Schmidt asked each Board member if they had reviewed the Hearing Transcript, State's Exhibits, Respondent's Exhibits, Respondent's Closing Arguments, State's Closing Arguments, Respondent's Objections to the Report and Recommendation and Amended Objections, and the Report and Recommendation. Dr. Gloeker, Mr. Brown and Dr. Schmidt all confirmed they had reviewed the documents. As Board Designate, Dr. Palkowski recused himself from the matter.

ADJOURN – 9:26 A.M.

Mr. Brown moved and Vice-President Dr. Gloekler seconded a motion to adjourn the meeting for the purpose of engaging as a quasi-judicial body for deliberation regarding the matter of Michael T. Wilson, D.C. Voting Aye: Mr. Brown, Vice-President Dr. Gloekler and President Dr. Schmidt. Voting Nay: None. Abstaining, Dr. Palkowski. Motion passed.

The Board meeting was called back to order at the conclusion of the deliberation at 10:38 a.m. (Dr. Palkowski did not participate in the deliberation.)

Mr. Brown moved and Dr. Gloekler seconded a motion to accept the Findings of Fact and Conclusions of Law in the Hearing Examiner's December 30, 2016 Report and Recommendation and ORDERED the following:

The license of Michael T. Wilson, D.C. to practice chiropractic in the state of Ohio shall be

suspended for a term of one hundred eighty days (180). Ninety (90) days of the suspension shall be stayed. Dr. Wilson shall pay a civil fine in the amount of \$2,000.

The general public does not understand what the acronym “D.C.” means and that is why the rule was implemented requiring that chiropractors use “chiropractic” “chiropractor” “doctor of chiropractic” or “chiropractic physician” in all advertisements and solicitations. The failure to do so is misleading to the public.

Voting Aye: Mr. Brown, Vice-President Gloekler and Dr. Schmidt. Voting Nay: None. Abstaining: Dr. Palkowski. Motion passed.

REVIEW OF MINUTES

Dr. Palkowski moved and Mr. Brown seconded a motion to approve the minutes of the December 1, 2016 Board meeting. Voting Aye: President Dr. Schmidt, Vice-President Dr. Gloekler, Dr. Palkowski and Mr. Brown. Voting Nay: None. Abstaining: None. Motion passed unanimously.

RATIFICATION OF CHIROPRACTIC LICENSES

Mr. Brown moved and Dr. Palkowski seconded a motion to ratify the following chiropractic licenses issued to Scott C. Kayatin, Hilary S. Maxam, Jessica L. Kowalski, Brandon L. Rennicker, Anthony-Jared Lino, Michael E. McIntyre, Jeffrey M. Kamzik, Trent G. Kozman, Jon E. Scott, Ryan D. Butts, Michael D. Suplicki, Leigh A. Porther, John C. Homan, Serif Krkic, Brittany K. Kahle, Bo C. Mathias, Ali Akhavan-Rajabi, Marisa K. Marquis, Alaina B. Sloman, Kelsey M. Stolarski, Laura D. Piehl, Tom D. Pappas, Timothy J. Zittle, Taryn L. Lewis, Ryan P. Marrow, Tony K. Tran and Amanda S. Zimmerman. Motion passed unanimously.

RATIFICATION OF ACUPUNCTURE CERTIFICATES

Vice-President Dr. Gloekler moved and Mr. Brown seconded a motion to approve the acupuncture certificates issued to Drs. Andrew J. Limle and Sunni L. Lomnicki. Motion passed unanimously.

RATIFICATION OF PRECEPTORSHIP APPLICATIONS

Vice-President Dr. Gloekler moved and Mr. Brown seconded a motion to ratify the preceptorships approved for Brian Ballitch with Ted Sazdanoff, D.C.; Kody Severino with Gary Minorik, D.C.; Margaret Adams with Kreg Huffer, D.C. and Kendall R. Hange with Rebecca Ault, D.C. Motion passed unanimously.

ACUPUNCTURE PROGRAM

Vice-President Dr. Gloekler moved and Mr. Brown seconded a motion to ratify the approval of Parker University’s 300 hour Eastern Medicine Institute Acupuncture Program as an approved course to prepare licensees for an acupuncture certificate. Motion passed unanimously.

EXECUTIVE DIRECTOR’S REPORT

Director Caudill reviewed the Executive Director’s report with the Board which included the Board Docket, Legislative Matters, Administrative Rules, Investigative Statistics and miscellaneous matters.

Director Caudill reported that 132nd GA: HB 7 was introduced to grant qualified civil immunity to certain medical providers who provide emergency medical services as a result of a disaster among multiple other issues in regard to medical claims. Chiropractors are only included in a portion of the bill.

Director Caudill reported that 131st GA: HB 276: Chiropractic scope of practice was signed by the Governor on January 4, 2017 and is set to become effective April 4, 2017.

Director Caudill reported that HB 290 was introduced and contains provisions to permit health care professionals to earn continuing education credit by providing volunteer health care services to indigent and uninsured persons.

Director Caudill gave a report of her attendance at the FARB Annual Forum held January 26-29, 2017 in San Antonio, TX.

Director Caudill reported that the Board's biennial audit will begin next week and last for approximately 2-3 weeks with final testing wrapping up in June/July.

Director Caudill reported that an email seeking early stakeholder input will be going out for the rules that are coming up for 5 year rule review.

Mr. Brown moved and Dr. Palkowski seconded a motion to accept the Director's Report as presented. Motion passed unanimously.

Vice-President Dr. Gloekler moved and Dr. Palkowski seconded a motion to approve the attendance of Director Caudill, Ms. Moore, Drs. Palkowski and Gloekler at the FCLB Annual Meeting being held May 3-7, 2017 in Orlando, FL. Motion passed unanimously.

Mr. Brown moved and Vice-President Dr. Gloekler seconded a motion to approve Dr. Palkowski as the FCLB and NBCE voting delegate and Dr. Gloekler as the alternate voting delegate at the FCLB Annual Meeting being held May 3-7, 2017 in Orlando, FL. Motion passed unanimously.

Vice-President Dr. Gloekler moved and Mr. Brown seconded a motion to approve the participation of Drs. Palkowski and Gloekler in the NBCE Part IV examination being held May 19-21, 2017. Motion passed unanimously.

Dr. Palkowski moved and Mr. Brown seconded a motion to approve the attendance of Drs. Schmidt and Gloekler at the World Federation of Chiropractic's 14th Biennial Congress being held March 15-18, 2017 in Washington, DC. Motion passed unanimously.

LEGAL ACTIVITIES

CONSENT AGREEMENT, CASE NOS. 2015 CHR 043 and 2016 CHR 015

Mr. Brown moved and Vice-President Dr. Gloekler seconded a motion to accept the proposed Consent Agreement for the doctor cited in Case Nos. 2015 CHR 043 and 2016 CHR 015 as presented. Voting Aye: President Dr. Schmidt, Vice-President Dr. Gloekler and Mr. Brown. Voting Nay: None. Abstaining: Dr. Palkowski. Motion passed.

Mr. Brown moved and Dr. Palkowski seconded a motion to adjourn the meeting. Motion passed unanimously.

With no further business to be brought before the Board, President Dr. Schmidt adjourned the meeting at 12:45 p.m.

Approved By Majority of Board:

Attested By Its Secretary:

Otto J. Schmidt, D.C.
President

Kelly A. Caudill
Executive Director

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