

Board Members present: President Gregory P. Palkowski, D.C., Vice-President Norman J. Gloekler, D.C., Mickey E. Frame, D.C., Kelly J. Roush, D.C. and Jessica Voltolini.

Others present: Kelly A. Caudill, Executive Director; Elizabeth Moore, Executive Assistant and LaTawnda Moore, AAG.

Members excused: None.

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*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**

President Dr. Palkowski called the four hundred and thirty-second Board meeting to order at 9:20 a.m. at the Vern Riffe Center for Government and the Arts; 77 South High Street, 16th Floor, Columbus, Ohio.

### **REVIEW OF MINUTES**

**Ms. Voltolini moved and Dr. Frame seconded a motion to approve the minutes of the August 23, 2018 Board meeting.** Motion passed unanimously.

### **RATIFICATION OF CHIROPRACTIC LICENSES**

**Ms. Voltolini moved and Vice-President Dr. Gloekler seconded a motion to ratify approval of the chiropractic licenses issued to Margaret Clough, Nathan Briggs, Xuan-My Tran, Cecil Pardave, Beth Liles, Amanda Cline-Grant, Shaina Hickman, Halle Bensen and Tyson Pottenger.** Motion passed unanimously.

### **RATIFICATION OF PRECEPTORSHIPS**

**Dr. Roush moved and Vice-President Dr. Gloekler seconded a motion to ratify approval of the preceptorships for Derek Billing with Dr. Kreg Huffer; Yannick Schultz with Dr. Steven King; Brandon Krueger with Dr. Jenny Pamer; Julian Pelfrey with Dr. Debbie Hamilton and Austin Warden with Dr. Paul Baker.** 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, Budget, Investigative Statistics and miscellaneous matters.

Director Caudill reported that she met with CSI representatives on October 22, 2018 to discuss the Referral made by the Medical Board regarding the light based medical device procedure rules.

Director Caudill reported that the FCLB Fall District II meeting scheduled for October 11-14, 2018 was rescheduled for November 30-December 1, 2018 in Fort Walton Beach, FL.

Director Caudill requested approval to attend the FARB Annual Forum scheduled for January 24-27, 2019 in New Orleans, LA.

Director Caudill reminded all Board members that mandatory ethics training must be completed by

December 31, 2018.

Director Caudill advised the Board that CSI provided their recommendation for rules 4734-5-04 and 4734-5-06 and the hearing on the rules is scheduled for November 16, 2018. Director Caudill requested a motion from the Board to proceed with filing the rules with JCARR provided no opposing testimony is received.

**Vice-President Dr. Gloekler moved and Dr. Frame seconded a motion to accept the Director's Report as presented.** Motion passed unanimously.

**Vice-President Dr. Gloekler moved and Dr. Frame seconded a motion to approve the attendance of Director Caudill and Ms. Moore at the FCLB Fall District II meeting scheduled for November 30-December 1, 2018 in Fort Walton Beach, FL.** Motion passed unanimously.

**Ms. Voltolini moved and Dr. Roush seconded a motion to approve the attendance of Director Caudill at the FARB Annual Forum scheduled for January 24-27, 2019 in New Orleans, LA.** Motion passed unanimously.

**Ms. Voltolini moved and Dr. Roush seconded a motion to final file 4734-5-04 Initial approval of chiropractic educational institutions or programs and 4734-5-06 Revocation of approval of a doctor of chiropractic degree program with JCARR provided no comments are received at the November 16, 2018 public rules hearing and with authority to Director Caudill to make any non-substantive changes that may be recommended by JCARR.** Motion passed unanimously.

### **PUBLIC RULES HEARING**

The Board held a Public Rules Hearing at 10:00 a.m. on the 16<sup>th</sup> Floor in the Board office regarding the following rules:

#### **Rules To Be Rescinded:**

- 4734-1-03 Payment of fees
- 4734-10-05 Application for acupuncture certificate

#### **Rules To Be Rescinded & Drafted As New:**

- 4734-6-05 License for voluntary public service
- 4734-6-07 Addresses of licensees
- 4734-9-01 Fine schedules
- 4734-9-08 Professional ethics
- 4734-9-10 Conduct following action against a license
- 4734-10-03 Application for acupuncture certificate

#### **Proposed Rule Amendments:**

- 4734-5-01 Board approved chiropractic educational institutions and programs
- 4734-7-03 Continuing education credit for providing health care to indigent and uninsured persons as a volunteer
- 4734-8-02 Unlicensed supportive personnel
- 4734-8-03 Quality intervention program
- 4734-8-05 Examination and prescription protocols
- 4734-8-06 Board consideration of sanctions
- 4734-8-08 Universal precautions

4734-8-09 Concussion management  
4734-9-11 Prepayment plans

Written testimony in support of the proposed amendment to 4734-8-09 Concussion management was received from Joseph S. Ferezy, D.C. on behalf of the International Academy of Chiropractic Neurology. The hearing concluded at 10:16 a.m.

Upon conclusion of the hearing, the Board deliberated in public session on the rules.

**Dr. Roush moved and Ms. Voltolini seconded a motion to final file the following rules with JCARR with authority to Director Caudill to make any non-substantive changes that may be recommended by JCARR: Rules to be rescinded: 4734-1-03 Payment of fees and 4734-10-05 Application for acupuncture certificate. Rules to be rescinded & drafted as new: 4734-6-05 License for voluntary public service; 4734-6-07 Addresses of licensees; 4734-9-01 Fine schedules; 4734-9-08 Professional ethics; 4734-9-10 Conduct following action against a license and 4734-10-03 Application for acupuncture certificate. Amended rules: 4734-5-01 Board approved chiropractic educational institutions and programs; 4734-7-03 Continuing education credit for providing health care to indigent and uninsured persons as a volunteer; 4734-8-02 Unlicensed supportive personnel; 4734-8-03 Quality intervention program; 4734-8-05 Examination and prescription protocols; 4734-8-06 Board consideration of sanctions; 4734-8-08 Universal precautions; 4734-8-09 Concussion management and 4734-9-11 Prepayment plans. Motion passed unanimously.**

## **LEGAL ACTIVITIES**

### **CONSENT AGREEMENT, CASE NO. 2019 CHR 001**

**Ms. Voltolini moved and Dr. Frame seconded a motion to accept the proposed Consent Agreement in Case No. 2019 CHR 001 as presented. Voting Aye: Vice-President Dr. Gloekler, Dr. Frame, Dr. Roush and Ms. Voltolini. Voting Nay: None. Abstained: President Dr. Palkowski. Motion passed.**

### **CONSENT AGREEMENT, CASE NO. 2019 CHR 016**

**Ms. Voltolini moved and Dr. Roush seconded a motion to accept the proposed Consent Agreement in Case No. 2019 CHR 016 as presented. Voting Aye: Vice-President Dr. Gloekler, Dr. Frame, Dr. Roush and Ms. Voltolini. Voting Nay: None. Abstained: President Dr. Palkowski. Motion passed.**

### **CONSENT AGREEMENT, CASE NO. 2018 CHR 025**

**Dr. Frame moved and Dr. Roush seconded a motion to accept the proposed Consent Agreement in Case No. 2018 CHR 025 as presented. Voting Aye: Vice-President Dr. Gloekler, Dr. Frame, Dr. Roush and Ms. Voltolini. Voting Nay: None. Abstained: President Dr. Palkowski. Motion passed.**

### **MODIFICATION OF CONSENT AGREEMENT, CASE NO. 2018 CHR 015**

**Vice-President Dr. Gloekler moved and Dr. Frame seconded a motion to accept the proposed Modification of Consent Agreement in Case No. 2018 CHR 015 as presented. Voting Aye: Vice-President Dr. Gloekler, Dr. Frame, Dr. Roush and Ms. Voltolini. Voting Nay: None. Abstaining: President Dr. Palkowski. Motion passed.**

**LETTER OF ADMONITION, CASE NO. 2019 CHR 011**

**Dr. Roush moved and Vice-President Dr. Gloekler seconded a motion to accept the proposed Letter of Admonition in Case No. 2019 CHR 011 as presented.** Voting Aye: Vice-President Dr. Gloekler, Dr. Frame, Dr. Roush and Ms. Voltolini. Voting Nay: None. Abstaining: President Dr. Palkowski. Motion passed.

**ELECTIONS**

President Dr. Palkowski called for nominations for President. Dr. Roush nominated Dr. Frame. With no other nominations, Dr. Palkowski closed the nominations.

**Dr. Roush moved and Vice-President Dr. Gloekler seconded a motion to elect Dr. Frame as President. Voting Aye: President Dr. Palkowski, Vice-President Dr. Gloekler, Dr. Frame, Dr. Roush and Ms. Voltolini. Voting Nay: None. Abstaining: None.** Motion passed unanimously.

As President, Dr. Frame designated Dr. Roush as Vice-President.

**Ms. Voltolini moved and Dr. Roush seconded a motion to adjourn the meeting.** Motion passed unanimously.

With no further business to be brought before the Board, President Dr. Palkowski adjourned the meeting at 11:00 a.m.

Approved By Majority of Board:

Attested By Its Secretary:

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Gregory P. Palkowski, D.C.  
President

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Kelly A. Caudill  
Executive Director

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