

**CHIROPRACTIC EXAMINING BOARD
MEETING MINUTES
OCTOBER 21, 2010**

PRESENT: Wendy Henrichs, James Koshick, Kathleen Schneider and Steven Silverman

BY PHONE: Mania Moore

EXCUSED: Steven R. Conway

GUESTS: Carl Heigl, Elizabeth McLean and Sue Turowski

STAFF: Angela Arrington, Bureau Director; Yolanda McGowan, Legal Counsel; Michelle Solem, Bureau Assistant; and other DRL Staff

CALL TO ORDER

Chair, Wendy Henrichs called the meeting to order at 8:37 a.m. A quorum of 5 members was present.

ADOPTION OF AGENDA

Corrections:

- Remove Robert C. Kurtz, D.C. from the section titled "Presentation of Proposed Stipulations, Final Decisions and Orders or Any Signed after Mailing of Agenda"
- Change bullet point under "Legislative/Administrative Rules" to be "Discuss CT/CRT Rule Making."

MOTION: Mania Moore moved, seconded by James Koshick, to approve the Agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF AUGUST 12, 2010

Corrections:

- Legislative/Administrative Rules
 - Change first sentence to read "Wendy Henrichs invited Russ Leonard, Executive Director of the Wisconsin Chiropractic Association (WCA), to address the Board to explain the statutory changes that the WCA had lobbied in support of.
 - Change last sentence in first paragraph to include "but did not feel it would prohibit anyone from taking the exam.
 - Change first sentence in second paragraph to include "new" law.
 - Change the last sentence to read, "Mr. Leonard indicated that the Association does not have the confidence in the Department to carry out the development and administration of the intent of the legislation put forth by the WCA as it relates to the practical exam."
 - In the last paragraph, add "in instances of financial hardship" to the end of the second sentence.
- Martha C. Pakan Motion
 - The motion should end with Technician.

MOTION: Kathleen Schneider moved, seconded by James Koshick, to approve the Minutes of August 12, 2010 as corrected. Motion carried unanimously.

ADMINISTRATIVE REPORT

Angela Arrington reviewed the information that was included in the red folder for this meeting.

PRECEPTOR APPROVALS OR ANY RECEIVED AFTER PRINTING OF AGENDA

The following requests for approval of preceptors have been submitted to the DRL 45 days in advance of the beginning of the school's next trimester:

	<u>Chiropractor Lic.</u>	<u>Granted</u>
Palmer (<i>postgrad</i>)	Steven Scheuing	12/30/2002
	Timothy Smykal	03/09/1995
	Michael Fletcher	07/19/1984
	David Stoiber	02/17/1976
	Christine Krsko	11/17/1976
Northwestern (<i>pregrad</i>)	Earl Roth	03/19/1998
	Michael Beyler	07/27/1978
	Christopher Resch	03/12/1991
Northwestern (<i>postgrad</i>)	Christopher Clifford	12/23/2002
	Michael Beyler	07/27/1978
	John Corsi	12/14/2001
	Brad Wildberg	07/30/1980
	Dawn Rottier	07/18/1996

MOTION: Steven Silverman moved, seconded by Kathleen Schneider, to approve the preceptors and postceptors as presented. Motion carried unanimously.

LEGISLATION/ADMINISTRATIVE RULES

Legislative/Administrative Rules

Angela Arrington indicated that she is still working on the scope statement and hopes to have it ready for the November meeting. Yolanda McGowan explained the rule-making process to the Board. She also suggested that all rule changes that are necessary based on the recently enacted legislation should be completed in one rule change package. It was suggested that the rules for CE for CT and CRT mirror the rules currently in existence for the DC. The Board would like the scope of practice to mirror that in CHI 10. The Board agreed that there would be no age requirement but there would be an education requirement of holding a high school diploma or equivalent. Steven Silverman asked that the scope include notification that the person delegating the "delegated practice" must also be trained in the delegated practice.

CREDENTIALING/EDUCATION AND EXAMINATION ISSUES

Discussion Related to Re-Consideration of Life University Continuing Education Department's Koren Specific Technique Seminar/Program

The Board reviewed the materials. The technique that was presented is not taught at any Chiropractic College as part of the under- or post-graduate program. Dr. Carl Heigl, told the Board that he was disappointed that this program was not approved.

MOTION: James Koshick moved, seconded by Mania Moore, to affirm the prior denial of continuing education approval for the Koren Specific Technique Seminar/Program as presented in the agenda packet. Motion carried unanimously.

Discussion Related to Chiropractic Technicians/Chiropractic Radiological Technicians Curriculum and Internships – Moraine Park Technical College

The Board discussed the approval request and noted that, according to statute, they do not have the legislative authority to approve the request. Ms. McGowan will review the legislation and determine if the Board would have the authority to grant this request.

PRACTICE QUESTIONS

Use of Ionic Footbaths

Dr. Silverman told the Board that he had done a great deal of research and did not find enough information to be able to include this in the scope of practice. The Board found that there is no evidence supporting the claims made by these devices and on that basis finds that this practice is not recognized as an effective therapy and thus disallowed by 4.05.

MISCELLANEOUS CORRESPONDENCE/INFORMATION AND PHONE INQUIRIES

Letter Requesting Board to Recognize Florida Chiropractic Association as a Continuing Education Provider

The Board noted that the Florida Chiropractic Association should submit a CE provider application to that Department.

PUBLIC COMMENTS

Elizabeth McClain, Moraine Park Technical College (MPTC), noted that Wisconsin Technical Colleges are excluded as providers of CE for CT and CRT in Wisconsin for the next biennium. MPTC is not considered a Chiropractic organization but noted that the advisory board consists of many chiropractors and their program was developed by chiropractors and they do place many students in chiropractic offices each year. Ms. McClain noted that the medical schools are not a chiropractic organization but are considered as providers of CE for CT and CRT.

CLOSED SESSION

MOTION: Mania Moore moved, seconded by Steven Silverman, to adjourn to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.; consider closing disciplinary investigation with Administrative Warning (s. 19.85(1)(b), Stats. and 440.205, Stats., to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g), Stats.). Roll Call Vote: Wendy Henrichs – yes; James Koshick – yes; Mania Moore – yes;

Chiropractic Examining Board

October 21, 2010 Minutes

Steven Silverman – yes; Kathleen Schneider – yes. Motion carried unanimously.

Open session recessed at 10:14 a.m.

RECONVENE TO OPEN SESSION

MOTION: Jim Koshick moved, seconded by Kathleen Schneider, to reconvene in open session at 11:53 a.m. Motion carried unanimously.

CREDENTIALING/EDUCATION & EXAMINATION ISSUES

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

MONITORING

MOTION: Steven Silverman moved, seconded by Kathleen Schneider, to reinstate full licensure for Robert C. Kurtz, D.C. Motion carried unanimously.

CASE CLOSINGS

09 CHI 001

MOTION: James Koshick moved, seconded by Kathleen Schneider, to close case 09 CHI 001 for insufficient evidence. Motion carried unanimously.

09 CHI 018

MOTION: Steven Silverman moved, seconded by Kathleen Schneider, to close case 09 CHI 018 for insufficient evidence. Motion carried unanimously.

DELIBERATION OF PROPOSED ADMINISTRATIVE WARNINGS INCLUDING ANY THAT MAY HAVE BEEN RECEIVED AFTER MAILING OF AGENDA

09 CHI 018 M.S.D.

MOTION: Steven Silverman moved, seconded by Kathleen Schneider, to issue the Administrative Warning in the matter of 09 CHI 018 M.S.D. Motion carried unanimously.

DOE SIGNATURE COLLECTION

ADJOURNMENT

MOTION: James Koshick moved, seconded by Kathleen Schneider, to adjourn the meeting at 11:54 p.m. Motion carried unanimously.