

**CHIROPRACTIC EXAMINING BOARD
MEETING MINUTES
APRIL 27, 2011**

- PRESENT:** Steven Conway, Kathleen Schneider, Wendy Henrichs, James Koshick, Steven Silverman
- BY PHONE:** Mania Moore
- STAFF:** Denise Aviles, Bureau Director; Yolanda McGowan, Legal Counsel; Michelle Solem, Bureau Assistant; other DRL staff
- GUESTS:** Morna Foy, Mike Turowski, Ron Ehli, Sue Turowski, Mike McMahon, Jodi Griffith, Jeff Wilder, Russ Leonard, Paul Turows, John Church, Kristen Finnel, Tom Moor and Elizabeth McLean

CALL TO ORDER

Chair Wendy Henrichs called the meeting to order at 8:48 a.m. A quorum of 6 members was confirmed.

ADOPTION OF AGENDA

- MOTION:** Kathleen Schneider moved, seconded by James Koshick, to adopt the agenda as published in the red folder. Motion failed.

Amendments

- Amend the agenda to include update on 09 CHI 016 – John T. Riegleman in open session under presentations and in closed session under deliberation.

- MOTION:** James Koshick moved, seconded by Kathleen Schneider, to adopt the agenda as published in the red folder and amended. Motion carried unanimously.

APPROVAL OF MINUTES OF MARCH 17, 2011

Corrections

- Change the motion related to the agenda from “approve the agenda” to “adopt the agenda.”

- MOTION:** Kathleen Schneider moved, seconded by Steven Silverman, to approve the minutes of March 27, 2011 as corrected. Motion carried unanimously.

ADMINISTRATIVE REPORT

Denise Aviles provided updates regarding case advisor training, and the latest policy regarding reimbursement receipts.

PRESENTATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

DOE attorneys presented a Proposed Stipulation, Final Decision and Order in the disciplinary proceedings against the following:

- 1) 10 CHI 003 – William J. Seder, D.C.
- 2) 10 CHI 012 – Michael J. Court, D.C.
- 3) 09 CHI 016 – John T. Riegleman, D.C.

These matters will be deliberated in closed session.

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LEGISLATION/ADMINISTRATIVE RULE MATTERS

The Board conducted a Public Hearing, received public comments (both written and oral), and reviewed and discussed the Legislative Clearinghouse comments relative to “Continuing Education for Chiropractors, Chiropractic Radiological Technicians and Chiropractic Technicians.”

MOTION: James Koshick moved, seconded by Mania Moore, to revise the rule CHIR 5.02(1) (a) to remove the section “or other college with a chiropractic radiological technician or chiropractic technician program approved by the Board.” Roll Call Vote: Steven Conway – No; Wendy Henrichs – Yes; James Koshick – Yes; Mania Moore – Yes; Kathleen Schneider – Yes; Steven Silverman – No. Motion carried.

MOTION: Kathleen Schneider moved, seconded by James Koshick, to delegate authority to Wendy Henrichs to give final approval of the rule draft as revised consistent with the Board’s intent as reflected in the record of today’s meeting, Motion carried unanimously.

Yolanda McGowan clarified that it is the intent of the Board to have all entities approved by the board so those words “approved by the Board” should not be removed.

CREDENTIAL MATTERS

Preceptor Approval

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>
<u>Palmer</u>	Jeff Below	05/04/1983
	John Schoenenberger	12/14/1989
	Mary Gonstead	10/26/1985
	David Hackbarth	03/19/1992
	William Johnson	08/19/1985
	Kenneth Krimpelbein	01/06/1995
	Steven Scheuing	12/30/2002
	Patrick Stoiber	06/30/1988
	Tom Thompson	10/13/1995
	Darren Werner	04/14/2005
Brenda White	07/24/2001	
<u>Northwestern</u>	Doug Jacot	07/26/1979
	Wesley Johnson	02/18/2003
	Chris Resch	03/12/1991
	Dawn Rottier	07/18/1996
	Chad Schultz	03/20/1997
	Thomas Siegel	04/05/2000

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MOTION: James Koshick moved, seconded by Steven Silverman, to approve all the pregrad and postgrad preceptors as presented. Motion carried unanimously.

Preceptor Extension Request

Yolanda McGowan indicated that the rules of the Chiropractic Examining Board do not allow the Board to grant the request submitted.

Licensure of Endorsement Candidates Under New Law

MOTION: Steven Silverman moved, seconded by Kathleen Schneider, to continue to assess endorsement candidate applications and the need to take the practical exam on a case by case basis. Motion Carried. Abstained - James Koshick

NOTE: All Endorsement applications are to be submitted to the Board for review and approval.

DIVISION OF ENFORCEMENT MATTERS

Review Sample Discipline Grid

The Board discussed changes to be included in the grid for continued discussion at the next meeting.

PRACTICE ISSUES

Discussion Regarding Massage Therapy as an adjunctive Service

This item was tabled to a future meeting.

PUBLIC COMMENTS

Comments were received from Morna Foy.

CLOSED SESSION

MOTION: Mania Moore moved, seconded by Steven Conway, to adjourn to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.; to 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: Steven Conway - yes Wendy Henrichs – yes; James Koshick – yes; Mania Moore – yes; Steven Silverman – yes; Kathleen Schneider - yes. Motion carried unanimously.

Open session recessed at 10:57 a.m.

RECONVENE TO OPEN SESSION

MOTION: James Koshick moved, seconded by Kathleen Schneider, to reconvene in open session at 11:50 a.m. Motion carried unanimously.

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VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

09 CHI 016

MOTION: Kathleen Schneider moved, seconded by Steven Silverman, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of 09 CHI 016 – John T. Riegleman, D.C. Motion carried. Abstained – James Koshick.

10 CHI 003

MOTION: James Koshick moved, seconded by Kathleen Schneider, to reject the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of 10 CHI 003 – William J. Seder, D.C. Motion carried. Abstained - Mania Moore

10 CHI 012

MOTION: James Koshick moved, seconded by Steven Conway, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of 10 CHI 012 – Michael J. Court, D.C. Motion carried unanimously.

JURISPRUDENCE ESSAY

MOTION: James Koshick moved, seconded by Mania Moore, to authorize use of a jurisprudence essay created by the Division of Enforcement as part of the disciplinary process. Motion carried unanimously.

ADMINISTRATIVE WARNING

MOTION: Kathleen Schneider moved, seconded by Mania Moore, to reject the administrative warning in case 10 CHI 042. Motion carried. Abstained – Steven Conway

Wendy Henrichs authorized Denise Aviles to sign the stipulation for case 09 CHI 016 on her behalf.

MOTION: Mania Moore moved, seconded by James Koshick, to thank both Dr. Silverman and Dr. Conway for their service to the Board, the profession, the State of Wisconsin and the public of Wisconsin. Motion carried unanimously.

ADJOURNMENT

MOTION: Kathleen Schneider moved seconded by Mania Moore, to adjourn the meeting at 11:57 a.m. Motion carried unanimously.