

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF HEALTH



899 North Capitol St. NE, 2nd Floor
Washington, DC 20002
September 13, 2016
1:32pm – 2:16pm

**BOARD OF CHIROPRACTIC
OPEN SESSION
MINUTES**

Board of Chiropractic Mission Statement:

“To serve and protect the public and ensure high standards of chiropractic care and professionalism through best practices in regulation, education, and outreach.”

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BOARD MEETING PARTICIPANTS:

BOARD MEMBERS	
KEITA VANTERPOOL, DC	
MIYA BAZLEY, DC	Absent
TOREY MACK, MD	
JUSTIN PALMER	
BOARD STAFF:	
FRANK MEYERS, JD – EXECUTIVE DIRECTOR	
AJAY GOHIL, ESQ. – BOARD ATTORNEY ADVISOR	
MARY HARRIS – HEALTH LICENSING SPECIALIST	Absent
ANGELA BRAXTON – HEALTH LICENSING SPECIALIST	
AISHA NIXON – HEALTH LICENSING SPECIALIST	
MARK DONATELLI – INVESTIGATOR	
DIANE MOORE – IT SUPPORT	
DOH STAFF:	
DR. LAQUANDRA NESBITT, MD, MPH	Absent

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MEETING MINUTES, CONSENT AGENDAS AND BOARD REPORTS

<p>OS-16-012 All</p>	<p><u>MINUTES</u></p> <p>Board Action: The Open Session minutes from the July 12, 2016 meeting were presented for adoption and approval.</p> <p>Motion:</p> <p>Motion made by Mr. Palmer to adopt and approve the July 13, 2016 open session minutes. Second by Dr. Torey Mack.</p> <p>Dr. Vanterpool, Dr. Mack and Mr. Palmer voted in favor of the motion. The motion passed unanimously.</p>	
<p>OS-16-013</p>	<p><u>REPORTS</u></p> <p>A. Board Chair's Report</p> <p>Travel to Tennessee for FCBL District III Meeting Dr. Vanterpool discussed her upcoming trip to Tennessee as a Representative of District 3 and not the DC Board of Chiropractic due to the Mayor's travel ban. Dr. Vanterpool plans to use this meeting as an opportunity to start a conversation on the need for FCLB to stay updated on laws that are passed that effect the whole United States which may result in travel bans to said states.</p> <p>World Federation of Chiropractic's 14th Biennial Congress The World Federation of Chiropractic's 14th Biennial Congress is being held in DC from March 13-18, 2017. Dr. Vanterpool expressed desire to host an event for the Federation. Board Attorney Gohil stated that the Director of the Department of Health (DOH) was informed about the upcoming meeting, as there may be interest at the city level to participate.</p>	<p>KV</p>

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Newsletter

Dr. Vanterpool would like all new board members and the Executive Director to do a Bio for publication in the next Board newsletter. Mr. Meyers stated that he has talked to Nancy Kofie, the editor of the Board of Chiropractic Newsletter, and she will be reaching out to Dr. Vanterpool to begin work on the newsletter.

Community Outreach Activities re: Access to Care

Dr. Vanterpool expressed interest in participating in Department of Health (DOH) community outreach activities with other DOH agencies to support DC resident access to chiropractic services. This is one of the goals from the FY 2016 Strategic Planning Meeting.

Scope of Practice/New Regulations Language

Dr. Vanterpool expressed concern about the need to update existing statutes and regulations re: the scope of practice of chiropractic.

Awards / Grants

Dr. Vanterpool expressed interest in having the Board apply for certain awards and/or grants offered by the Federation of Chiropractic Licensing Boards (FCLB). The Donna Liewer-Cohen Grant would help with the cost to send a Board member to the May 3-7 FLCB meeting in Orlando, Florida. Dr. Vanterpool would very much like to send the entire Board.

BOC Workforce Capacity Report

Dr. Vanterpool asked the members of the public in attendance if they would be interested in becoming a member of the Board workforce capacity taskforce

B. Executive Director's Report

Chiropractor Census Report

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Executive Director Mr. Frank Meyers was not present to give his report. Instead, Mr. Ajay Gohil gave the Board the chiropractor census report. Currently there are one hundred ninety-two (192) licensed chiropractors in the District, of which eighty-one (81) hold ancillary procedures in physiotherapy.

Renewals

Mr. Gohil also informed the Board that the email renewal blast went out to all licensees on September 6, 2016, informing them of the upcoming renewal cycle. The email also informed the licensees they will not have to complete a new background check if one has already been completed.

November Meeting Date

Mr. Gohil informed the Board that Mr. Meyers proposed changing the November meeting date since it falls on election day or scheduling a phone conference. Mr. Palmer pointed out that it is an exam date and one of the Board Members would need to be present to complete the case study portion of the Jurisprudence Exam.

C. Board Attorney Report

Regulatory Amendments

Board Attorney Ajay Gohil reported that the first phase of the regulatory amendments has been completed and that the Board received no comments regarding changes. Mr. Gohil anticipates the rules will be finalized within the next sixty (60) days, once published in the DC Register. Some of the specific updates are as follows:

- The number of times an applicant can retake the Jurisprudence Exam;
- Increase in the Continuing Education (CE) required and the inclusion of the LGTBQ cultural competency requirements;
- Preceptorship;
- Requirements for Chiropractors visiting DC and working specifically at sports or arts events on a temporary basis; and
- The utilization of the PACE program to vet continuing

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	<p style="text-align: center;">education courses.</p> <p>Board Attorney Ajay Gohil informed the Board that part two (2) of the regulatory updates may require changing the definition of the practice of chiropractic in the HORA. If the Board wants to expand the scope of practice to include, for example, the performance of sports physicals and the current definition does not give them authority to do so, the definition has to be changed, Changing the definition would involve going thru the DC Council and the Mayor's office.</p> <p>Changing the Regulations/ Dry Needling Board Attorney Ajay Gohil reported that if the board wanted to add Dry Needling as a procedure, the Board would need to change the scope/ definitions of the practice of chiropractors in the HORA.</p> <p>Travel to Treat Mr. Gohil also reported on the Travel to Treat regulations set forth in Rule 4811.3. Mr. Gohil reported that Travel to Treat is only on sport events in DC. Mr. Gohil stated that administratively an application will need to be developed for Travel to Treat. Mr. Palmer pointed out that clarification may be needed regarding chiropractors coming into the District for educational purposes.</p>	
MISC. TOPICS AND REQUESTS		
<p>OS-16-014 All</p>	<p><u>REQUEST FOR CE APPROVAL</u></p> <p>Board Action: The Board reviewed the request for approval of continuing education (CE) credits from Texas Chiropractic College.</p> <p>Background: The Board received a request for approval of CE from Texas Chiropractic College. Pursuant to 4807.1(e) and 4808.1, the Board may grant continuing education credit for whole hours only, with a minimum of fifty (50) minutes constituting one (1) credit hour.</p> <p>Motion: A motion was made by Mr. Palmer to approve the courses for continuing education credit. Motion seconded by Dr. Torey Mack.</p>	

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	<p>Dr. Vanterpool, Dr. Torey Mack and Mr. Palmer voted in favor of the motion. The motion passed unanimously.</p>	
DEPARTMENT OF HEALTH PRESENTATION		
<p>OS-16-015 All</p>	<p><u>DIRECTOR OF DEPARTMENT OF HEALTH PRESENTATION</u></p> <p>Background: The Director of the Department of Health (DOH), Dr. LaQuandra Nesbitt, was scheduled to provide an update to the Board on topics of interest to both DOH and the Board, specifically on the upcoming presidential inauguration in January.</p> <p>Board Action: This matter was tabled as Dr. Nesbitt was unable to attend the meeting.</p>	
STRATEGIC PLANNING RETREAT		
<p>OS-16-016 All</p>	<p><u>STRATEGIC PLANNING RETREAT</u></p> <p>Board Action: The Board of Chiropractic (Board) held its annual Strategic Planning Retreat during the remainder of the meeting.</p> <p>Background: The Board of Chiropractic Strategic Planning Retreat is held annually to present the results of the Chiropractic Workforce Survey for the prior renewal period and to discuss the Board's strategic plan for the next renewal period. As the Workforce Survey is not yet complete, this item was not included as part of the current agenda.</p> <p>The retreat included a discussion of the following:</p> <ul style="list-style-type: none"> A. Introduction <ul style="list-style-type: none"> a. Executive Director, Frank B. Meyers, JD, began the meeting with a brief introduction and discussed the overall agenda. B. Keynote Speaker <ul style="list-style-type: none"> a. Mr. John Falardeau, Senior Vice President for Government Relations for the American Chiropractic 	

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	<p>Association (ACA), presented on the issues of importance in the field of chiropractic.</p> <p>C. Ethics Training from the Board of Ethics and Government Accountability (BEGA)</p> <ul style="list-style-type: none">a. Mr. Johnny Barton presented on the requirements Boards must follow as related to the DC Open Meetings Act.b. Mr. Brian Flowers presented on the role of BEGA. In addition, he provided the board members with the Board of Ethics and Government Accountability training. <p>D. Review of Strategic Plan and Regulations</p> <ul style="list-style-type: none">a. The Board tabled examining the progress made on FY15-17 goals and discussing setting future goals for FY16-18, until all members are present. <p>E. Board Attorney Presentation</p> <ul style="list-style-type: none">a. The Board attorney, Ajay Gohil, provided an update on the status of current proposed regulations governing the practice of chiropractic in the District.	
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Motion to Close

A motion was made by Mr. Palmer to go into closed session for the following purposes:

1. To consult with an attorney to obtain legal advice and to preserve the attorney-client privilege between an attorney and a public body, or to approve settlement agreements pursuant to 2-575(b)(4)(a);
2. Preparation, administration, or grading of scholastic, licensing, or qualifying examinations pursuant to section 2-575(b)(6);
3. To discuss disciplinary matters pursuant to section 2-575(b)(9);
4. To plan, discuss, or hear reports concerning ongoing or planned investigation of alleged criminal or civil misconduct or violations of law or regulations, if disclosure to the public would harm the investigation pursuant to section 2-575(b) (14).

Motion seconded by Dr. Mack.

Dr. Vanterpool, Dr. Mack and Mr. Palmer voted in favor of the motion. The motion passed unanimously.

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Motion to Adjourn

A motion was made by Mr. Palmer to adjourn the meeting. Seconded by Dr. Mack.

Dr. Vanterpool, Dr. Mack and Mr. Palmer voted in favor of the motion. The motion passed unanimously.

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Not Yet Ratified