

State of Alaska
Department of Commerce, Community and Economic Development
Division of Corporations, Business and Professional Licensing

BOARD OF CHIROPRACTIC EXAMINERS

MINUTES OF THE TELECONFERENCE MEETING

Tuesday, March 28th, 2017

By authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a special meeting of the Board of Chiropractic Examiners was held via teleconference on March 28th, 2017.

Tuesday, March 28th, 2017

Agenda Item 1 **Call to Order/Roll Call** **Time: 8:03**
a.m.

The meeting was called to order by Chair, Walter Campbell at 8:03 a.m.

Board Members Present, constituting a quorum:

Walter Campbell, Doctor of Chiropractic
Brian Larson, Doctor of Chiropractic
Jeffrey Reinhardt, Doctor of Chiropractic
Jonathan Vito, Doctor of Chiropractic
John Wayne Aderhold, Public Member

Division Staff present were:

Aiko Zaguirre, Licensing Examiner
Laura Carrillo, Records and Licensing Supervisor

Present from the Public:

John Murphy, Utilization Review Committee Lead
Evan Frisk, Doctor of Chiropractic, Utilization Review Committee
Member
N. Todd Lovell, Doctor of Chiropractic, Utilization Review Committee
Member

Benjamin Pontius, Doctor of Chiropractic, Utilization Review
Committee Member
Thomas DeSalvo, Doctor of Chiropractic

Agenda Item 2 Utilization Review Committee Report Time: 8:07 a.m.

Chair, Dr. Walter Campbell informed the Board that the purpose of the meeting is to close a pending case that was forwarded to the Utilization Review Committee a few months ago. Dr. Campbell asked the committee members to present their findings and recommendations to the Board to take action. Dr. Evan Frisk, as suggested by the committee lead, Mr. John Murphy, informed the Board that he will be reporting on behalf of the Utilization Review Committee.

Licensee, Dr. Thomas DeSalvo, asked the Board to have the report be presented under executive session. Dr. Campbell asked Ms. Zaguirre if the report needs to be presented in executive session, otherwise, he would suggest doing it in public record. Ms. Zaguirre explained that since the case is still pending and is yet to be concluded, the records are still considered confidential. With Ms. Zaguirre's explanation, Chair, Dr. Campbell opened the floor for a motion to enter into executive session.

On a motion duly made by Jonathan Vito, seconded by Jeffrey Reinhardt, and approved unanimously, it was:

RESOLVED to enter into executive session in accordance with AS 44.62.310(c), and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing Subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion and Matters which by law, municipal charter, or ordinance are required to be confidential and for the purpose of discussing confidential disciplinary matters for the purpose of discussing investigations and reports.

Off the record at 8:10 a.m.

Back on the record at 10:00 a.m.

Dr. Campbell noted that staff, Ms. Carrillo and Ms. Zaguirre, current members of the Utilization Review Committee, and Dr. DeSalvo were present during the meeting under executive session, and that no motions were made while under executive session.

On a motion duly made by Walter Campbell, seconded by John Wayne Aderhold, and approved by roll call vote, it was

RESOLVED to recommend Dr. Thomas DeSalvo to engage in 6 additional credit hours of continuing education in coding and documentation for the 2019 renewal period.

Roll Call Vote:

Board Member	Approve	Deny	Recuse
Dr. Walter Campbell	X		
Dr. Brian Larson	X		
Dr. Jeffrey Reinhardt			X
Dr. Jonathan Vito	X		
Mr. John Wayne Aderhold	X		

The Board agreed that Dr. DeSalvo has the right to know the Board's recommendations immediately. Ms. Carrillo expressed her agreement with the Board's stance, and offered to email Dr. DeSalvo regarding the results of the meeting, and also offer an apology for the delays in closing the matter. Dr. Larson asked the staff how Dr. DeSalvo will be notified of the Board's recommendations. Ms. Carrillo explained that Dr. DeSalvo will be notified by the Division Paralegal, Marilyn Zimmerman, who will be drafting the consent agreement that the Board will be reviewing on their next meeting in May. Ms. Carrillo added that Chair, Dr. Campbell, and the licensee, Dr. DeSalvo will be asked to sign the consent agreement. Dr. Campbell explained that the Board does not need to provide any extensive action on the case as they are simply taking the review and recommendations of the Utilization Review Committee to provide a course of action. Ms. Carrillo agreed to Dr. Campbell's suggestion, and also added that as the Board's liaison to the committee, he can inform the committee of the Board's action on the case, or simply delegate that to the Board's licensing examiner.

TASK:

Ms. Carrillo will contact Dr. DeSalvo via email to inform him of the Board's decision regarding the case.

TASK:

Ms. Zaguirre will inform the Utilization Review Committee of the action taken by the Board regarding this case.

Ms. Carrillo informed the Board that she made a new workflow for a more efficient review process for requests submitted for review to the Utilization Review Committee. Dr. Campbell asked Ms. Carrillo if there is anything that the Board would need to do to formally delegate the Board Chair as the liaison to the committee. Ms. Carrillo explained that as shown on the new Utilization Review workflow, the Chair is automatically assigned as the liaison to the committee. Ms. Carrillo also added that in order to streamline the process, all requests will first be submitted to the Records and Licensing Supervisor to determine if there is a necessity to be reviewed by the Division's investigations unit, or further by the Utilization Review Committee. Ms. Carrillo explained that due to the Division's Investigations unit's high workload, the review process may take longer than expected, which is why she suggested to follow the Division's protocol of submitting review requests to the Records and Licensing Supervisor prior to any other review, if still needed.

On a motion duly made by Walter Campbell, seconded by Brian Larson, and approved unanimously by a roll call vote, it was

RESOLVED to adopt the new Utilization Review workflow as presented.

Roll Call Vote:

Board Member	Approve	Deny	Recuse
Dr. Walter Campbell	X		
Dr. Brian Larson	X		
Dr. Jeffrey Reinhardt	X		
Dr. Jonathan Vito	X		
Mr. John Wayne Aderhold	X		

Ms. Carrillo asked the Board if they would like the new review workflow to be posted on the website for transparency, which Chair, Dr. Campbell highly encouraged.

In addition, Ms. Zaguirre informed the Board that as of date, she has not received any applications for Utilization Review Committee appointment, and suggested that the Board might want to allow involvement with the Board as a member or as part of a committee to be credited as continuing education for renewals, which other Boards have implemented through their regulations. Ms. Carrillo recalled that this topic has been previously discussed by the Board, and also exemplified the Board of Certified Real Estate Appraisers, who had drafted a regulation allowing Board participation to be credited for continuing education. Dr. Campbell pondered if there will be any ethical issues should the Board decide to pursue this and be added to their regulations.

Ms. Carrillo stated that she is not certain if there will be any ethical issues to specifically affect the Board, but she explained that from an administrative perspective, seeing other licensing Boards push forth with it, there has not been any issues. Ms. Carrillo added that there should be a specific criteria provided in order to prevent any concerns, and also affirmed that this will offer some incentive to those who participate and are involved with the Board, especially since it takes away volunteer time. If the Board would like to consider doing this in the future, Ms. Carrillo offered help in drafting regulations. Dr. Campbell thanked Ms. Carrillo, and asked to add this suggestion in the Agenda for the next Board meeting.

TASK:

Ms. Carrillo will forward samples of regulation drafts from other programs who implemented Board involvement credit incentives to the Board.

Dr. Vito asked if the next Board meeting is still set for May 12th, which Ms. Zaguirre affirmed. Ms. Zaguirre explained that Ms. Carrillo will be attending the FCLB conference in Florida, and will just be calling-in during the meeting to present her update. Dr. Vito explained that there was no indication on the website that the next examination/meeting date will be on May 12th, which he has received a couple of inquiries about. Ms. Carrillo apologized, and asked Ms. Zaguirre to communicate with the Division's Publication Specialist to post the next meeting date on the website. Dr. Vito asked if the Board can still accept applications to sit for the May exam. Ms. Carrillo explained that in the past, the Board has been lenient in approving late applications, which will be fair if the Board continues this practice. Ms. Carrillo added that although there is leniency, she suggested not to advertise this, as there is only one staff to process applications, and the Board still approves applications on a case-by-case basis. Ms. Carrillo also asked the Board if they can schedule their next meetings so that they can be posted on our website. Dr. Campbell suggested that the Board does this during their May 12th meeting, and asked the other members to be prepared to present their suggested meeting dates by that time.

Agenda Item 3

Adjourn

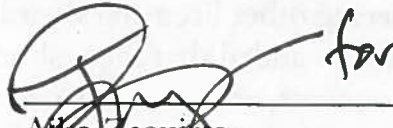
Time: 10:20 a.m.

With no further issues to discuss, the Board has decided to adjourn their meeting.

On a motion duly made by Walter Campbell, seconded by Jonathan Vito, and approved unanimously, it was

RESOLVED to adjourn the meeting at 10:20 a.m.

Respectfully Submitted by:


Anko Zaguirre
Licensing Examiner

Date

Approved by:

 12/15/17

Dr. Walter Campbell, Chair Date
Alaska State Board of Chiropractic Examiners