



Alaska Board of Chiropractic Examiners June 29, 2023 regular meeting Minutes

Alaska Division of Corporations, Business and Professional Licensing
Jun 29, 2023 at 9:00 AM AKDT

@ Suite 1560 , Atwood Building, 550 West 7th Ave. Anchorage, AK 99501 and via Zoom

Attendance

Present:

Members: Walter Campbell, Roanld Gherman, Timothy Kanady, Brian Larson, John Lloyd

Absent:

Guests: Reid Bowman, Stefanie Davis

I. Zoom information

Board Meeting is inviting you to a scheduled Zoom meeting.

Topic: June 29, 2023 - CHI Examiners board meeting

Time: Jun 29, 2023 09:00 AM Alaska

Join Zoom Meeting

<https://us02web.zoom.us/j/85765790290?pwd=Wk1vYWVWN6dlBuV0RkMzAzaVlFcTk4UT09>

Meeting ID: 857 6579 0290

Passcode: 046538

II. Call to Order/Roll Call

The meeting was called to order at 9:07 a.m. by Board President Dr. Brian Larson. Dr. John Lloyd was not present and a quorum was achieved.

III. Review/Approve Agenda

The board discussed the agenda and added a section to address correspondence from the Alaska Chiropractic Society (ACS).

Motion:

RESOLVED to ACCEPT the agenda as written.

Motion moved by Timothy Kanady. The motion passed unanimously through roll call.

The board discussed amending the agenda to add the discussion of workman's compensation coding as requested by the ACS.

Motion:

RESOLVED to ADD a section on workman's compensation coding to the agenda.

The motion passed unanimously through roll call.

Dr. John Lloyd entered the meeting at 9:13 a.m.

IV. Ethics Reporting

Board president Brian Larson asked each member individually if there were any ethics issues to report. All members stated there were no issues to report.

V. Public Comment

Public comment was solicited as scheduled. No members of the public were in attendance.

VI. Board Business

A. Regulation discussion - 12 AAC 16.990 Definitions (b)(2) - Surgery

Dr. Larson presented a potential change in 12 AAC 16.990 (b)(2)(A) removing the definition of surgery from the chiropractic regulations. Dr. Larson stated the only place in regulation surgery is noted is in the chiropractic regulations, and the current regulation has caused confusion.

 [ABOCE Reg Proposals 6_23-1.pdf](#)

Motion:

RESOLVED to BEGIN a regulations project as drafted to repeal 12 AAC 16.990 (b)(2) (A) and (B) and approve them for public comment.

Motion moved by Timothy Kanady and motion seconded by John Lloyd. The motion passed unanimously through roll call.

B. Regulation discussion - Jurisprudence exam language cleanup.

12 AAC 16.030 (a) ..at least 45 days prior to next scheduled exam

12 AAC 16.030(b) schedule state exams for students

12 AAC 16.033 (a) ..at least 45 days prior to next scheduled exam

12 AAC 16.130 - 170 various

12 AAC 16.200 --Temp licenses - valid until exam can be taken - exam is now offered with receipt of application and fees.

In 2022 the board revised the method of jurisprudence examination administration to be open book and on-demand. This is a variation from the previous method of requiring in-person attendance to take the exams. With that change a number of regulations that refer to scheduled exams no longer apply. Mr. Bowman provided a list of regulations that appear to need revision for clarification and the board discussed and voted on each in turn. The board also discussed possible future changes to 12 AAC 16.200 to broaden the conditions under which a temporary

license would be issued. No action was taken on that issue, but the board was interested in adding a regulation which meets the intent of the universal temporary license bill introduced in the Alaska legislature during the 2023 session. Dr. Campbell volunteered to draft some language for presentation at the next meeting. Mr. Bowman was tasked with getting the information about the Universal Temporary Licensing bill to Dr. Campbell.

Motion:

RESOLVED to BEGIN a regulation project to amend 12 AAC 16.030 (a) to state “(a) A person applying for chiropractic licensure by examination shall submit:” ; repeal 12 AAC 16.030 (b); and amend 12 AAC 16.033 (a) to eliminate the need to apply 45 days prior to the next examination.

Motion moved by Timothy Kanady and motion seconded by Walter Campbell. The motion passed unanimously through roll call.

Motion:

RESOLVED to BEGIN a begin a regulation project to amend 12 AAC 16.0.130 to repeal (b); and amend 12 AAC 16.150 to add “An applicant who has failed the state chiropractic examination may apply for reexamination no sooner than 7 days after failing the exam.” and remove references to the next examination; and repeal 12 AAC 16.170

Motion moved by Timothy Kanady and motion seconded by Ronald Gherman. The motion passed unanimously through roll call.

C. Regulation discussion - CE cleanups

The board took up discussion about 12 AAC 16.030 (6) which requires applicants by exam to submit 32 hours of continuing education credits if they have ever been licensed in another jurisdiction. Some board members felt that with recent chiropractic school graduates, there was little need to continue that barrier to licensure. The board discussed remedies presented by ACS and took action to start regulation change to eliminate the need for continuing education if an applicant graduated from chiropractic college within three years of applying in Alaska.

 [Fw_ 12 AAC 16.030 + 16.390\(d\) Regulations Project.pdf](#)

Motion:

RESOLVED to BEGIN a regulation project to amend 12 AAC 16.030(6) to add “unless the applicant has graduated from chiropractic school in the three years immediately preceding the date of application.”

Motion moved by Timothy Kanady and motion seconded by John Lloyd. The motion passed unanimously through roll call.

The board discussed their desire to expand the terms under which a continuing education hardship waiver could be granted by adding the ability to ask for a hardship waiver for license reinstatement and amending the final sentence to state "In this section, "reasonable cause or excusable neglect" includes, [but is not limited to:]"

Motion:

RESOLVED to BEGIN a regulation project to amend 12 AAC 16.390 (d) to add "or reinstatement" and remove limitations as drafted.

Motion moved by Timothy Kanady and motion seconded by John Lloyd. The motion passes unanimously through roll call. The drafted language is as follows with amendments to current regulation in brackets: 12 AAC 16.390 (d) A licensee unable to obtain the required continuing education hours for renewal [add- or reinstatement]... 12 AAC 16.390 (e) In this section, "reasonable cause or excusable neglect" includes, [add- but is not limited to:]

The board recessed at 10:27 a.m. and returned to the record at 10:47 a.m., all members were present and a quorum was maintained.

The board discussed their desire to remove the section in their regulation defining surgery. It was proposed to remove 12 AAC 16.990 (b)(2)(A) and (B) stating The only definition of surgery in Alaska law is in chiropractic regulation. Chiropractic physicians do not perform surgical procedures, so therefore probably should not be defining such.

It was also proposed to add:

12 AAC 16.990(b)(1) (C) (Chiropractic physicians, with board-approved education and training, may perform venipuncture, intramuscular, intravenous and subcutaneous injections, dry needling, needle EMG and other common uses of hypodermic and filiform needles in accordance with their designed purposes; Chiropractic Physicians may not perform acupuncture unless specifically licensed under AS 08.06.010. After discussion the board was not interested in adding this section.

The board discussed whether it was beneficial to add regulations in 12 AAC 16.990(a) defining nutritional substances per this draft:

(9) "nutrition or nutritional substance" means a vitamin (naturally occurring or synthetic), mineral, plant or extract, herb or extract, homeopathic, whole tissue or extract, hormone or bioidentical hormone, sugar, amino acid, enzyme, or saline or

sterile water, intended for use in the diagnosis, treatment, or prevention of disease in humans; nutritional substances include food grade and pharmaceutical grade substances that can be purchased and administered by professionals without a federal Drug Enforcement Administration registration.

(10) Epipen or epinephrine, lidocaine (or other topical amides, ie. procaine, ibivucaine, etc.), Naloxone and similar “Emergency Lifesaving” drugs and devices as trained.

The board also discussed adding a definition of a drug as drafted and decided to start a regulation project:

ADD 12 AAC 16.990(c)(1) Consistent with AS 08.80.480(9) A “Drug” means an substance article intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or animal; an article other than food, intended to affect the structure or function of the body of man or animal; and an article intended for use as a component of an article specified in this paragraph but does not include devices or their components, parts, or accessories; however in this section, drugs do not include substances specifically listed in regulation as “nutrition” or “nutritional substances” or substantially similar products.

Motion:

RESOLVED to BEGIN a regulation project to amend 12 AAC 16.990(a) as drafted adding (9) and (10), repealing 12 AAC 16.990(b)(1)(B) and adding 12 AAC 16.990(c)(1) defining a drug.

Motion moved by Timothy Kanady and motion seconded by John Lloyd. The motion passed unanimously through roll call.

- D. Workmans compensation discussion- coding
This topic was not taken up at this meeting.

VII. Administrative Business

A. Task List

The following tasks were assigned:

Mr. Bowman -

- Get a copy of the drafted universal temporary license bill to Dr. Campbell
- Add discussion of the proposed changes to 12 AAC 16.990 regarding dry needling and venipuncture for discussion at the October meeting
- Send document about workman's compensation from Dr. Larson to the board members.
- Coordinate board travel with Dr. Campbell

VIII. Adjourn

The meeting was adjourned at 12:19 p.m.

These minutes were adopted as presented at the October 27, 2023 regular meeting by unanimous board vote.