



Present from the Public:

Kevin Meyer, Senator, representing District M, Alaska

Via teleconference:

Sheri Ryan, Chief Operating Officer, Alaska Chiropractic Society

**Agenda Item 4**

**Review Agenda**

**Time: 9:33 a.m.**

After the Roll Call, Chair, Dr. Campbell asked the Board to review the agenda.

**On a motion duly made by Jonathan Vito, requesting unanimous consent, and approved unanimously without any objections, it was**

**RESOLVED to approve the agenda as written.**

The Board discussed the possibility of having Senator Kevin Meyer join the meeting.

**On a motion duly made by Walter Campbell, requesting unanimous consent, and approved unanimously without any objections, it was**

**RESOLVED to amend the agenda by adding a discussion with Senator Kevin Meyer to the agenda at 2:30.**

**Dr. Campbell called for a break at 9:41 a.m.**

*Off Record at 9:41 a.m.*

*On Record at 9:57 a.m.*

**Agenda Item 5**

**Review/Approve Meeting Minutes**

**Time: 9:57 a.m.**

The Board reviewed the meeting minutes from September 15<sup>th</sup> and December 15<sup>th</sup>, 2017.

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

**RESOLVED to approve the meeting minutes for September 15<sup>th</sup>, 2017 and December 15<sup>th</sup>, 2017 as written.**

**Agenda Item 6**

**Board Business**

**Time: 10:00 a.m.**

Election of New Officers

Chair, Dr. Campbell proceeded to the election of new officers. Dr. Campbell nominated the following officers to be sworn in March 1<sup>st</sup>, 2018:

- Chair – Brian Larson
- Vice Chair – Jeffrey Reinhardt
- Jonathan Vito – Secretary

On a motion duly made by Walter Campbell, requesting unanimous consent, and approved unanimously without any objections, it was

**RESOLVED to approve the election of new officers as discussed.**

**Agenda Item 14**

**New Business**

**Time: 10:04 a.m.**

**GEICO**

Dr. Campbell provided the Board with a brief explanation of a new GEICO policy regarding coverage limits on medical payments concerning chiropractic care in Alaska. The Board decided to address this issue, in more detail, during the ACS Update and/or New Business on the agenda.

**Agenda Item 6**

**Board Business**

**Time: 10:09 a.m.**

**Ethics Report**

Dr. Campbell addressed ethics reporting. There were no ethical violations to report.

**Review Goals and Objectives**

With no ethical issues to report, Renee Hoffard began conversation with the Board on their goals and objectives. Ms. Hoffard reminded the Board that they will need to, at their next meeting, draft their goals and objectives for Fiscal Year 2018. She reminded Dr. Larson that, as the new Chairman, he will need to write the narrative in the annual report.

**Ratify Licenses**

Hearing nothing further on goals and objectives, Thomas Bay moved to address the ratification of licensees for applicants who sat for the September 15<sup>th</sup>, 2017 examination.

**On a motion duly made by Jonathan Vito, seconded by Jeffrey Reinhardt, and approved unanimously without any objections, it was**

**RESOLVED to ratify the licenses for Daniel Buckley, Collin Kuoppala, Nancy Miggins, and Joshua Christensen.**

**Continuing Education Course Approval Application Review**

After the ratification of their new licensees, the Board discussed continuing education course approval guidelines and application review. The following courses were approved by voting ballot via the Board:

- #16464 – “NUCCA Spring Conference,” submitted by Life Chiropractic College West
- #16509 – “Sports Injuries: Shoulder Disease and Injuries,” submitted by Life University
- #16510 – “Personal Injury Practice Series,” submitted by Life University
- #16511 – “HIPPA Security Awareness,” submitted by the Arctic Administrators Group
- #16516 – “Cardiovascular Health,” submitted by Logan University
- #16517 – “2018 ACBSP Chiropractic Sports Science Symposium,” submitted by the Southern California University of Health Sciences

Dr. Jonathan Vito recused himself from the following course, which was approved by the remaining Board members via voting ballot:

- #16515 – “November 2017 Part IV Exam (Proctoring),” submitted by Dr. Vito on behalf of The National Board of Chiropractic Examiners

#### Specialty Designation Application Review

Upon finishing the continuing education course approvals, Mr. Bay addressed a specialty designation application to the Board for review. The Board reviewed and approved, via Board ballot, the specialty designation application for Dr. Daniel W. Holt, providing him with a specialty designation as a Certified Chiropractic Sports Physician.

#### Position Statements

With no other applications to review, the Board was prompted by Chairman Campbell to discuss their position statements. Dr. Larson discussed dry needling with the Board and will have a position statement ready to submit for a teleconference soon following this Board meeting.

Dr. Larson discussed return-to-play guidelines with the Board and informed them that he would not have a position statement ready until the next Board meeting because the information he needs will not be available until April.

#### **TASK:**

**Dr. Larson will draft the language for the Board’s position statement on Dry Needling and present it in the upcoming teleconference.**

#### **TASK:**

**Dr. Larson will draft the language for the Board’s position statement on concussive analysis and return-to-play guidelines during the next Board meeting.**

#### **Agenda Item 7**

#### **Utilization Review Committee Update**

**Time: 10:30 a.m.**

Having finished their Position Statements, the Board addressed possible candidates to fill vacant seats for the Utilization Review Committee. The Board provided candidates that Mr. Bay will contact. Dr. Campbell mentioned to the Board that he would be willing to be on the committee, after his term with the Board is up.

**On a motion duly made by Jonathan Vito, seconded by Jeffrey Reinhardt, and approved unanimously without any objections, it was**

**RESOLVED to approve Dr. Walter Campbell to the Utilization Review Committee, effective March 1<sup>st</sup>, 2018.**

#### **TASK:**

**Mr. Bay will contact candidates for the Utilization Review Committee.**

**Agenda Item 8**

**FCLB/NBCE/CCE Update**

**Time: 10:39 a.m.**

The Board discussed travel options to the annual FCLB conference in Dallas, Texas, which runs from May 3<sup>rd</sup>-6<sup>th</sup>, 2018. Dr. Larson confirmed that he will be applying for travel to the conference. The Board decided to ask incoming Board member, Dr. Morris, if he would also be able to attend the conference.

**TASK:**

**Dr. Larson will apply for travel to attend the FCLB/NBCE conference.**

**TASK:**

**Mr. Bay will ask Dr. Morris if he can attend the FCLB/NBCE conference.**

Having nothing further to address regarding the FCLB, NBCE, or CCE the Board decided to utilize extra time by moving Old Business ahead of schedule.

**On a motion duly made by Walter Campbell, seconded by Jonathan Vito, and approved unanimously without any objections, it was**

**RESOLVED to amend the agenda, by moving Old Business after the FCLB/NBCE/CCE updates.**

**Agenda Item 13**

**Old Business**

**Time: 10:45 a.m.**

**SB 69 Regulations Project**

Mr. Bay informed the Board that there was still work to do on regulation changes for SB 69. The Board worked on defining the scope of practice for a chiropractic clinical assistant, while also further delineating the definitions of general and personal supervision.

**Dr. Campbell called for a break at 11:10 a.m.**

*Off Record at 11:10 a.m.*

*On Record at 11:26 a.m.*

**Agenda Item 13**

**Old Business**

**Time: 11:26 a.m.**

**SB 69 Regulations Project**

The Board was able to come up with definitions for the scope of practice for a chiropractic clinical assistant, as well as the definitions of general and personal supervision.

**On a motion duly made by Brian Larson, seconded by Jonathan Vito, and approved unanimously without any objections, it was**

**RESOLVED to propose the following amendments to 12 AAC 16.052:**

**(a) ...perform the following procedures:**

- (1) diagnostic imaging studies;**
- (2) examination procedures;**
- (3) use ancillary methodologies as defined in AS 08.20.900(1).**

(b) A chiropractic clinical assistant may not provide chiropractic diagnosis, chiropractic adjustment as in SEC 08.20.900(6,) and formulation or alteration of treatment plans.

On a motion duly made by Brian Larson, seconded by Jonathan Vito, and approved unanimously without any objections, it was

**RESOLVED** to propose the following amendments to 12 AAC 16.990:

(c) In 12 AAC 16.052

(1) "general supervision" means the directing of the authorized activities by a licensed chiropractor and shall not be construed to require the physical presence of the supervisor when directing such activities;

(2) "personal supervision" means that the physician or non-physician practitioner must be present on the same campus where the services are being furnished.

The Board addressed Dr. Campbell's term expiring, as a board member, and it was delineated that he be appointed to a committee for regulation & legislation of SB 69.

On a motion duly made by Jonathan Vito, seconded by Jeffrey Reinhardt, and approved unanimously without any objections, it was

**RESOLVED** to approve Dr. Walter Campbell to a committee for regulation & legislation as needed.

**TASK:**

Mr. Bay will get SB 69 regulation changes to the Regulations Specialist for processing.

Dr. Campbell called recess for lunch at 12:00 p.m.

*Off Record at 12:00 p.m.*

*On Record at 1:18 p.m.*

**Agenda Item 10**

**ACS Update**

**Time: 1:18 p.m.**

*Sheri Ryan, COO, Alaska Chiropractic Society, joined the meeting at 1:18 p.m.*

After lunch, Chair, Dr. Campbell asked Ms. Ryan to provide her ACS Update to the Board. Ms. Ryan began her update by bringing up the issue with GEICO, and their limitations on medical payments (Med Pay), which is \$2500, to patients who are seen, in any aspect, by a chiropractor. Ms. Ryan reminded the Board that this Med Pay is directed not only at chiropractors, but to any institute that is owned by a chiropractor, suggesting that the limitation of Med Pay is a public health risk. Ms. Ryan told the Board that ACS is working with attorneys to find out what type of action is needed to show that this Med Pay is discrimination by provider type, and will get back to the Board pending further information. Dr. Campbell informed Ms. Ryan that he will be writing a letter, from the Board, to GEICO. Ms. Hoffard spoke with Ms. Ryan about a meeting she had just attended with the Association of Regulatory Boards, where she spoke with Tara Isa Koslov, Acting Director of the Office of Policy Planning for the Federal Trade Commission, covering issues about promoting

competition between regulated professions. Ms. Hoffard informed both Sheri and the Board that she will send them Ms. Koslov's PowerPoint presentation and contact information.

Chair, Walter Campbell asked Sheri if there was anything that ACS would like them to talk to Senator Meyer about. Ms. Ryan suggested that the Board talk to Senator Meyer about issues with SB 112 regarding worker's compensation, and disability parking permits, which cannot be issued by chiropractors.

*Sheri Ryan, COO, Alaska Chiropractic Society, left the meeting at 1:48 p.m.*

**TASK**

**Dr. Campbell will write a letter to GEICO regarding issues the Board has with GEICO's Med Pay policy.**

**TASK**

**Ms. Hoffard will contact Ms. Ryan and the Board with Tara Isa Koslov's PowerPoint presentation and contact information.**

**Agenda Item 11**

**Investigative Report**

**Time: 1:48 p.m.**

*Jasmin Bautista, Investigator, joined the meeting at 1:31 p.m.*

The Board's investigator, Jasmin Bautista, presented to the Board with 0 opened matters as of the last Board meeting. Ms. Bautista presented to the Board that there are still seven complaints open under the intake stage, with one open case, #2017-000642, still under investigation. Ms. Bautista hopes that there will be a conclusion for the open case by the next Board meeting.

*Jasmin Bautista, Investigator, left the meeting at 1:53 p.m.*

**Agenda Item 12**

**Budget Report/Division Updates**

**Time: 1:59 p.m.**

*Melissa Dumas, Administrative Officer, joined the meeting at 1:59 p.m.*

Chairman Campbell asked Administrative Officer, Melissa Dumas, to proceed with the Division Update and Budget Report for the 1<sup>st</sup> and 2<sup>nd</sup> quarters of FY18. Ms. Dumas began by providing the Board with their financial status using her budget report. Ms. Dumas broke down total revenue and total expenditures, which ultimately came to a deficit. She addressed that the deficit will turn around once the next renewal period comes into effect.

*Melissa Dumas, Administrative Officer, left the meeting at 2:08 p.m.*

**Agenda Item 13**

**Old Business**

**Time: 2:12 p.m.**

**HB 89(Radiologic Technologists)**

Having finished with the Budget Report/Division Updates, Dr. Campbell addressed HB 89 with the Board. Dr. Campbell noted that the bill's sponsor had been pulled and that the bill was likely not moving forward, so the Board moved on to the next topic.

Applications with Lapse in Chiropractic Practice/Work History

Ms. Hoffard reminded the Board that there was still work to be done regarding license applications with lapse in chiropractic practice/work history. The Board spoke at length about possible changes to the amount of continuing education credits, when applying for a license after it had been lapsed. The Board stopped discussion, as Senator Meyer arrived for his scheduled meeting time.

**Agenda Item 18**

**Senator Kevin Meyer**

**Time: 2:33 p.m.**

Disability Parking Permits

Dr. Campbell and the Board addressed an issue, with Senator Meyer, regarding disability parking permits and how the DMV has cited a statute that keeps chiropractors from issuing disability permits, although, prior to 2017, chiropractors have always been, under statute, allowed to. Dr. Campbell informed Senator Meyer that the DMV has cited one classification of physicians, which listed certain physicians under a specific statute, to issue disability permits, and that chiropractors are listed as physicians, but under a separate statute. The Board believes this issue impacts the public, both physically and monetarily. Senator Kevin Meyer said his office would look into the matter.

SB 112

Having finished conversation on disability parking permits, Dr. Campbell expressed concern with SB 112. Dr. Campbell explained that the Board's issues are that the bill will allow employers to dictate what providers their employees can see, it was going to allow insurance companies to dictate the care plan, and that an employee should have legal counsel provided by the state, instead of having to pay for it themselves. Senator Meyer mentioned that the bill is in its early stages and he does not think it will be going very far. He mentioned that there are issues with several groups, concerning the bill, and that it has been difficult to please everyone. He does not think the bill will go far.

GEICO

Dr. Reinhardt brought up the GEICO issue discussed earlier in the meeting. Dr. Campbell explained the issues the Board has with the Med Pay policy. Dr. Campbell voiced, to Senator Meyer, that the Board just wanted him to be aware of the issue at this time.

**Agenda Item 13**

**Old Business**

**Time: 2:51 p.m.**

Applications with Lapse in Chiropractic Practice/Work History

After speaking with Senator Meyer the Board continued its work on license applications with lapse in chiropractic practice/work history. After a thorough conversation the Board decided to add language to the regulations already in place.

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

**RESOLVED to propose the following amendments to 12 AAC 16.030(a) to add:**

- (6) if the applicant holds or has ever held a license to practice chiropractic:**
  - (A) verification of present status; and**
  - (B) documentation of 64 credit hours of approved continuing education taken within 2 years of the date of application as listed:**
    - (i) 16 hours in radiographic safety, radiographic techniques & interpretation, or diagnostic imaging;**
    - (ii) 8 hours in coding & documentation;**

- (iii) 8 hours in ethics & boundaries;
- (iv) 4 hours in cardiopulmonary resuscitation;
- (v) 28 hours in clinical education not to include business management.

**TASK:**

Mr. Bay will get SB 69 regulation changes to the Regulations Specialist for processing.

**Agenda Item 14**

**New Business**

**Time: 3:07 p.m.**

**HB 90**

Ms. Hoffard brought to the Board's attention HB 90, which combines all investigative costs of all boards and assesses them across all licenses. The Board has issues with the bill because their field has always had low investigative costs and are afraid that other professions will make their fees go up over time. The Board decided to table discussion on HB 90, citing further information from the division.

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

**RESOLVED to table discussion on HB 90 until further information is provided by the budget division.**

**TASK:**

Sarah Chambers will contact the Board with a copy of HB 90 and the costs associated with it.

**Agenda Item 15**

**Public Comment/Correspondence**

**Time: 3:16 p.m.**

**FAA Basic Med Exam for Pilots**

The Board addressed an inquiry into whether chiropractors in Alaska can perform the FAA Basic Med exam for private pilots. After a thorough conversation, the Board recognized that chiropractic physicians licensed in the State of Alaska are qualified to perform the exam and that Jonathan Vito will write a determination regarding the ability and qualifications chiropractors have to administer the exam.

**Public Comment**

**Time: 3:30 p.m.**

There was no one present from the public.

**Clarification of Intra-oral TMJ Work**

In response to an inquiry, the Board determined that chiropractors in Alaska could do treatment on the temporomandibular joint (TMJ) and internal coccyx. However, the Board would like to write a position statement on the subject, specifically on the subject of working on children in such cases.

**NBCE 2018 Call for Delegates**

In response to an inquiry from the National Board of Chiropractic Examiners, the Board will have Dr. Brian Larson the delegate and, if possible, incoming Board member, Dr. James Morris, the alternate delegate, to vote on the behalf of the Board of Chiropractic Examiners in Alaska.

**TASK:**

**Dr. Vito will write a determination of the Board that shows chiropractors are qualified to perform the FAA Basic Med exam for pilots.**

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**TASK:**

Mr. Bay will get the required paperwork to the NBCE regarding delegates from the Board of Chiropractic Examiners.

**TASK:**

Dr. Larson will write a position statement on TMJ, particularly on the inner coccyx and working on minors.

**Agenda Item 16**

**Administrative Business**

**Time: 3:49 p.m.**

Set Meeting Dates

The Board proceeded to set their next meeting dates. The Board decided to meet February 27<sup>th</sup>, 2018, for a special teleconference. The Board also decided to set the next Board meeting for Friday, May 18<sup>th</sup>, 2018. Tentative Board meeting dates were also set for Friday, September 14<sup>th</sup> and Friday, November 30<sup>th</sup>, 2018.

Ms. Hoffard reminded the Board to keep their receipts for their travel, and email them to Mr. Bay or directly to the Travel Desk.

**Agenda Item 17**

**Adjourn**

**Time: 4:05 p.m.**

On a motion duly made by John Wayne Aderhold, requesting unanimous consent, and approved unanimously without any objections, it was

**RESOLVED to adjourn the meeting at 4:05 p.m.**

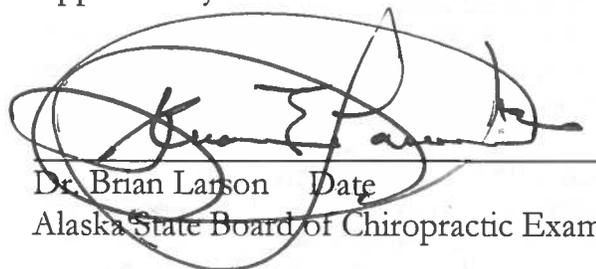
Respectfully Submitted by:



Thomas Bay  
Licensing Examiner

05/18/2018  
Date

Approved by:



Dr. Brian Larson Date  
Alaska State Board of Chiropractic Examiners