

State of Alaska

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

BOARD OF CHIROPRACTIC EXAMINERS

MINUTES OF THE MEETING

Thursday, April 23rd, 2020

By authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the Board of Chiropractic Examiners was held via teleconference on April 23rd, 2020.

Thursday, April 23rd, 2020

Agenda Item 1

Call to Order/Roll Call

Time: 9:14 a.m.

The meeting was called to order by Chairman, Brian Larson, at 9:14 a.m.

Board members present, constituting a quorum:

Brian Larson, Doctor of Chiropractic
Jonathan Vito, Doctor of Chiropractic
James Morris, Doctor of Chiropractic
John Lloyd, Doctor of Chiropractic

Division staff present were:

Sara Chambers, Division Director (*arrived at 9:55 a.m.*)
Colleen Kautz, Professional Licensing Program Coordinator (*arrived at 9:40 a.m.*)
Thomas Bay, Occupational Licensing Examiner
Dawn Dulebohn, Occupational Licensing Examiner

Other State of Alaska staff present were:

Gina Ritacco, Director of Boards and Commissions, Office of Governor Mike Dunleavy

Present from the public were:

Sheri Ryan, Chief Operating Officer, Alaska Chiropractic Society
David Edwards-Smith, Chairman, Alaska Board of Massage Therapists
Gabriel Antuna-Rivera, Government Relations Chair, American Massage Therapy Association, Alaska Chapter
Anonymous Person, Ave Holistic Health & Chiropractic
Anonymous Person, #70674

The board moved on to Health Mandate 15 (HM15).

- Health Mandate 15: Dr. Larson provided an overview of HM15: Services by Health Care Providers. Specifically, Dr. Larson addressed Section II of the mandate, which allowed health care facilities and providers defined in Section I of HM15 to be able to resume services that required minimal protective equipment as long as they followed the guidance listed in Section II. Mr. Bay informed the board that someone had joined the meeting. Colleen Kautz, the division's program coordinator for professional licensing, joined the meeting.

Colleen Kautz, Professional Licensing Program Coordinator, joined the meeting at 9:40 a.m.

The board welcomed Ms. Kautz to the meeting and continued discussion on HM15. Dr. Larson informed the board that he had already written a draft for clarification of HM15 as it related to chiropractic. After reviewing Dr. Larson's draft, the board added "In a clinical setting all PPE is required to be supplied by the employer" to the paper, and agreed to post it online as a board clarification statement regarding HM15.

On a motion duly made by John Lloyd, seconded by Jonathan Vito, and approved unanimously by a roll call, it was

RESOLVED to post Dr. Larson's letter regarding clarification of Health Mandate 15 on the board's website and to include the additional statement regarding PPE, as discussed, prior to posting the paper.

TASK: Mr. Bay will post Dr. Larson's letter regarding clarification of Health Mandate 15 on the board's website after adding the additional statement regarding PPE.

Mr. Bay informed Dr. Larson that it was time to address public comment.

Agenda Item 5

Public Comment

Time: 9:45 a.m.

Dr. Larson opened public comment. Sheri Ryan, from the Alaska Chiropractic Society (ACS) reminded the board that the deadline for chiropractic clinical assistants (CCA's) with 2,000 hours or more of experience to complete the requirements of the Certified Chiropractic Clinical Assistant Program (CCCA), was coming up rather quickly (August 23rd, 2020) and asked where the board was on getting that date extended (February 23rd, 2021), as they discussed at their last meeting. Dr. Larson asked Mr. Bay where the board was on getting the date extended. Mr. Bay reminded the board that the date change was required to be done through a regulations project and that he was waiting for the FAQ worksheets from the board so the regulations project could go out for public comment. The board reassured Ms. Ryan that they would get the regulations project out for public comment and have more information at the board's next meeting on May 15th, 2020. Director Sara Chambers joined the meeting.

Sara Chambers, Division Director, joined the meeting at 9:55 a.m.

The board thanked Director Chambers for attending the meeting. With no additional members of the public wanting to speak, Dr. Larson closed public comment. With public comment closed, the board continued discussion on HM15.

The board began discussion on the Board of Massage Therapists (BoMT) guidance to their licensees regarding HM15.

- Health Mandate 15: Dr. Larson asked the BoMT Chair, David Edwards-Smith, to provide the board with an overview on where the BoMT stands on HM15. Chairman Edwards-Smith informed the board that the BoMT had an emergency teleconference earlier in the week to address HM15 and created guidelines for massage therapists, and that it was currently being vetted by the Department of Law (LAW) and the Department of Health and Social Services (DHSS). He described a number of things that were in the guidelines but did not go into too much detail because it had not been approved by LAW and DHSS. The board agreed to wait to address the BoMT guidance until it was approved. Dr. Lloyd asked if whether or not the board was required to follow HM15 or the BoMT guidelines. Director Chambers informed the board that licensing boards still have the statutory responsibility to govern their respective professions and that chiropractors would be required to follow the BoMT guidelines. The board voiced concern with a requirement for increased air flow and circulation. Chairman Edwards-Smith assured the board that the increased air flow could be something as simple as a fan in the room or an open window, and that they did not need to go to drastic measures to fulfill the requirement. Director Chambers informed the board that they could provide their licensing examiner, Thomas Bay, with a list of concerns regarding the BoMT's HM15 guidelines, and she would try to get that list to LAW and DHSS before the document was approved and provided to the public. The board agreed to wait for approval of the guidelines to come out before addressing them. The board moved onto discussing the Chiropractic State Jurisprudence Examination.

State Jurisprudence Examination

The board began discussion on their upcoming Chiropractic State Jurisprudence Examination. Mr. Bay informed Director Chambers that the examination was coming up on May 15th, 2020, and that there was no direction on whether or not the offices would be open. His concern, he explained, was that he had exam candidates that would be required to come to Alaska and quarantine for two weeks in advance of the exam, and that they would need to buy plane tickets immediately if they were going to need to fly in. Director Chambers suggested that the easiest way to do the examination would be to change how they do it administratively and do it "in-person" but through Zoom. She explained that other boards have already started the process of offering online exams and that there was a way to still do it "in-person" without ruining the integrity of the exam. The board discussed and approved the exam to be done administratively through Zoom, citing that this would be the best choice because of office closures, social distancing recommendations, and ease of access during the pandemic.

On a motion duly made by John Lloyd, seconded by Jonathan Vito, and approved unanimously by a roll call, it was

RESOLVED to have the Chiropractic State Jurisprudence Examination on May 15th, 2020, administered through Zoom.

TASK: Mr. Bay will get the exam ready to be administered through Zoom and notify the exam candidates.

