

**STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING
BOARD OF CHIROPRACTIC EXAMINERS**

**MINUTES OF MEETING
APRIL 14, 2006**

The staff of the Division of Corporations, Business and Professional Licensing prepared these draft minutes. They have not been reviewed or approved by the board.

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 State Board of Chiropractic Examiners was held on April 14, 2006 in Juneau, Alaska.

Call to Order/Roll Call

The meeting was called to order by Dr. Gregory Culbert, President, at 8:06 a.m. Those present, constituting a quorum of the board, were:

Gregory M. Culbert, DC, President
R. Clark Davis, DC, Secretary
Jeff Garness, Public Member
David J. Mulholland, DC, Vice President
Rosemary Zimmerman, DC

Present from the Division of Corporations, Business and Professional Licensing was:

Cori Hondolero, Records and Licensing Supervisor
Jenny Strickler, Chief
Cathy Mason, Administrative Manager
Cindy Roccodero, Licensing Examiner

Present from the Division of Corporations, Business and Professional Licensing telephonically was:

Margaret McQuaid, Investigator

Present from the Department of Law was:

Gayle Horetski, Assistant Attorney General

Visitors present were:

Nicholas Morris, DC
John Shannon, DC

Agenda Item 1 **Review Agenda**

Dr. Culbert, President, asked if there were any changes to the agenda.

Cindy Roccodero, Licensing Examiner stated that since the board's agenda was full, she recommended that Mr. Jeff Garness watch the state ethics video (Agenda Item 2), near the end of the meeting if time permitted. If time did not permit Mr. Garness to watch the video, he could watch the video at the next board meeting.

There were no changes made to the agenda.

Agenda Item 2 **Ethics Disclosures**

There were no ethic violations to report. Dr. Culbert, President signed the quarterly board ethics disclosure report for submission to the Department of Law.

Agenda Item 3 **Review Minutes**

The board reviewed the October 14, 2005 meeting minutes and requested that Ms. Roccodero clarify the last paragraph of page 11, so that the record reflected properly for the next sunset audit review.

Ms. Roccodero suggested the following revisions to the last paragraph on page 11:

"...The agenda was revised and the meeting was scheduled to end at 2:30 p.m. Although the meeting was scheduled to end at 2:30 p.m., it does not mean that the board would have concluded its business for the day by 2:30 p.m., the meeting could have run longer."

On a motion duly made by Dr. Zimmerman, seconded by Dr. Clark, and approved unanimously, it was

RESOLVED to approve the October 14, 2005 meeting minutes, as amended.

Break. Off record at 8:29 a.m. Back on record at 8:34 a.m.

Agenda Item 4 **Investigative Unit** (8:30 a.m.)

Investigative Report

Margaret McQuaid, Investigator to the board was not available at the scheduled time.

Ms. McQuaid joined the meeting at 9:10 a.m.

Ms. McQuaid informed the board that there is one open case concerning violation of professional ethics, 2 closed cases and one chiropractic physician who is on probation.

Discussion - Amulance Chasing

Dr. Culbert, provided the board and staff with copies of documents from licensed chiropractic physician Dr. James J. Pizzadili, DC.

The documents are titled "How to Avoid the **6 Deadly Mistakes** After Your Automobile Accident!", "What Automobile Accident Victims Can Do To Avoid A Lifetime of Pain" and a letter from Dr. Pizzadili as the Executive Director of the Automobile Accident Victim's Right Institute.

Ms. McQuaid stated that she spoke with Dr. Pizzadili who admitted that he is not the Executive Director of the Automobile Accident Victim's Right Institute and that he made up the title and will stop using the title.

Dr. Culbert informed the board that there has been a complaint filed with the investigative unit, indicating that Dr. Pizzadili has approached an individual shortly after they have had an accident, offering his services. The complainant was upset as to how Dr. Pizzadili found out that they were involved in an accident.

Ms. McQuaid informed the board that Dr. Pizzadili stated the information he obtained concerning accident victims is public record.

In order to determine if the type of solicitation currently being used by Dr. Pizzadili is affecting patients and license holders, the board will place in its next newsletter a request license holders to inform the board about their experiences concerning this topic.

Discuss Twiford Application

I, Dr. Gregory Culbert, move that that Alaska State Board of Chiropractic Examiners enter into executive session in accordance with AS 44.62.310(c)(2) and (3), and Alaska Constitutional Right to Privacy Provisions for the purpose of discussing the application submitted by Christopher J. Twiford.

Board entered into executive session at 9:10 a.m.

Board returned from executive session at 9:25 a.m.

On a motion duly made by Dr. Culbert, seconded by Dr. Zimmerman, and approved unanimously, it was

RESOLVED to table Dr. Twiford's application for an Alaska Chiropractic Physician's license until the board receives directly from the Texas Board the final outcome of the two current investigations on Dr. Twiford.

In addition, the board is requesting that Dr. Twiford request the from the Texas Board of Chiropractic Examiners, which is to be sent directly to the Division of Corporations, Business and Professional Licensing

- Copies of complaints filed against him.
- Copies of findings of any investigations.
- Summary report current status of the ongoing investigations against him.

Agenda Item 5 Prescription Nutritional Supplements

At the request of the board president, Dr. Shannon presented his findings and facts to the board at 8:30 a.m. concerning prescription nutritional supplements (injectable).

The following is taken from supporting documents provided by Dr. Shannon, which was presented to the board for review during his testimony. Note: The information provided are those portions that were “underlined, circled or partially bracketed” by Dr. Shannon. Those portions of the supporting documents that were “circled” are in **bold** type below.

1. AS 08.20.100(a) – “A person may not practice chiropractic or use chiropractic core methodology in the state without a license. (b)(1) A person licensed under this chapter may analyze, diagnose, or treat the chiropractic condition of a patient by chiropractic core methodology or by ancillary methodology; (b)(5)(B) sign reports for excuses from employment and from attendance at school or participation in sports activities.”
2. AS 08.20.141(6) Licensure by Credentials
“The board may issue a license by credentials to an applicant who ... presents satisfactory proof that the applicant has completed 120 hours of formal training in physiological therapeutics or has passed, to the satisfaction of the board a physiological therapeutics examination of the National Board of Chiropractic Examiners required by the board.”
3. AS 08.20.230(1) - “The practice of chiropractic addresses ramifications of health and disease with a special emphasis on biomechanical analysis, interpretation and treatment of the structural and functional integrity of skeletal joint structures, and the physiological efficiency of the nervous system as the matters relate to subluxation complex; (2) involves the diagnosis, analysis, or formulation of chiropractic diagnostic impression regarding the chiropractic conditions of the patient to determine the appropriate method of chiropractic treatment.”
4. AS 08.20.900(1)(A) Definitions – “‘ancillary methodology’ means employing within the scope of chiropractic practice, with appropriate training and education those methods, procedures, modalities, devices, and measures commonly used by trained and licensed health care providers and includes physiological therapeutics; (3) ‘chiropractic’ is the clinical science of human health and disease that focuses on the detection, correction, and prevention of the subluxation complex and the employment of physiological therapeutic

procedures preparatory to and complementary with the correction of the subluxation complex for the purposes of enhancing the body's inherent recuperative powers, without the use of surgery or prescription drugs; the primary therapeutic vehicle of the chiropractic is chiropractic adjustment; (5) 'chiropractic core methodology' ... does not incorporate the use of prescription drugs, surgery, needle acupuncture, obstetrics, or x-rays used for therapeutic purposes; (7) 'chiropractic examination' means an examination of a patient conducted by or under the supervision of a person licensed under this chapter for the express purpose of ascertaining whether symptoms of subluxation complex exist and consisting of an analysis of the patient's health history, current health status, results of diagnostic procedures including x-ray and other diagnostic imaging devices; (9) 'physiological therapeutics' means the therapeutic application of forces that induce a physiologic response and use, or allow the natural processes of the body to return to a more normal state of health; physiological therapeutics encompasses the diagnosis and treatment of disorders of the body, utilizing... (B) nutrition ... (C) trigger point therapy and other forms of therapy."

5. 12 AAC 16.280 – “The purpose of continuing chiropractic education is to insure that the renewal of licenses is contingent upon proof of continued competency and to assure the consumer of an optimum quality of chiropractic health care by requiring licensed chiropractors to pursue education designed to advance their professional skills and knowledge.”
6. 12 AAC 16.320 – “To be approved the by the board, a subject must contribute directly to the professional competency of a person licensed to practice as a chiropractor ...; (1) treatment ... nutrition and dietetics.”
7. 12 AAC 16.300(a) – “Nonacademic continuing education programs requiring class attendance **are approved** if the board”
8. 12 AAC 16.340(a)– “The following programs are approved by the board: (2) educational classes, if (A) ... and (B) the program sponsor or the applicant for renewal of a chiropractic license (ii) demonstrates to the board's satisfaction that the educational classes meet the requirements of 12 AAC 16.320 and 12 AAC 16.330....”
9. The Rural Alaska Health Career Guide – Physician Assistant (PA)
“The physician assistant ... are trained to perform physical examinations, compile patient medical histories, and order and interpret diagnostic testing, including echocardiograms, laboratory tests, and x-rays. PAs often perform therapeutic procedures (including suturing and cast application), develop and monitor patient treatment plans based on medical diagnosis, and counsel patients about preventive care and risk management. In the state of Alaska, PAs can prescribe medications and controlled substances ...”

10. Definitions:

Prescription

- Medical Dictionary - "1: a written direction for the preparation, compounding, and administration of a remedy. 2: a prescribed remedy"

Venipuncture

- Medical Dictionary – "... or for administration of intravenous fluids or drugs."

11. Medtexas.com – IV Therapy: "...LPN's, RN's, EMT's... 18 workshop hours...."

12. Texas Chiropractic College: Chiropractic Injectable Nutrients Certification Program Course is designed to augment the Chiropractic physician's ancillary therapeutic modalities through the application of injectable procedures in which nutritional pharmacotherapeutic substances are clinically administered.

24 hours of lecture and "hands-on" lab, B12 injections, Trigger point injections, Neural therapy injections, Scar injections and IV protocols

13. Dr. Shannon's Texas Chiropractic College "Injectable Nutrients Certification Course Transcript" –24 hours course.

14. Controversion Notice from Arctic Adjusters, Inc. denying reimbursement for trigger point injections performed by Dr. Shannon.

The following is a summation of Dr. Shannon's testimony:

- Companies will not sell prescription nutrients to chiropractors because each state has a different scope of practice and its too much work for the company to determine which state can use prescription nutrients and which state cannot.
- Heel Company would like a letter from the Alaska State Board stating that licensed chiropractic physicians can obtain prescription nutritional supplements.
- Heel Company considers prescription nutritional supplements to be a drug.
- Dr. Shannon uses off label nutritional supplements and stated the only difference between the using a prescription nutritional supplement and an off label is that one states it is for injections and the other states it is not for injections; they are manufactured the same, identical in every respect.
- Dr. Shannon stated the problem for him, is in order to use the prescription nutritional supplements he has to complete three pages of FDA paper work.
- Since 1963 FDA has allowed physicians to use off label products.

The board informed Dr. Shannon that it is concerned he is administering off label products to patients.

Dr. Shannon stated that he would like to receive continuing education (CE) credit and approval for his injectable nutrient's certification course. Dr. Mulholland stated that the sponsor should have applied prior to Dr. Shannon taking the course. Dr. Shannon stated there was not enough time to and that is what he is doing right now, applying for CE.

Dr. Mullholand informed, Dr. Shannon that if he wishes to receive credit for the injectable nutrient's certification course he needs to have the sponsor submit the appropriate information to the licensing examiner.

Dr. Shannon requested that the following from the board:

1. Re-respond to the Controversion Notice from Arctic Adjusters, Inc.
2. Inform Heel Company that Alaskan Chiropractic Physicians can use injectable prescription nutritional supplements.
3. Write a letter to all license holders informing them that they can administer injectable prescription nutritional supplements.
4. Approve CE for the course Dr. Shannon has taken through Texas Chiropractic College on Injectable Nutrients Certification.

Dr. Davis was assigned the task of informing Arctic Adjusters, Inc. that their Controversion Notice contained misstated information concerning board comments and the use of injectable nutrients. The letter will be cross-copied to Dr. Shannon, M.R. Spikes, Heel Inc. and The Key Company.

Dr. Mulholland was assigned the task of researching injectables.

Agenda Item 6 Regulations

Break. Off record at 9:26 a.m. Back on record at 9:39 a.m.

Readopt October 2005 Regulations

Gayle Horetski, Assistant Attorney General from the Department of Law joined the meeting at 9:39 a.m. Ms. Horetski had questions concerning proposed regulations 12 AAC 16.030 and .420 that were adopted by the Board in October 2005.

Ms. Horetski stated that the board's intent was not clear regarding changes made to the adopted regulations.

Ms. Horetski provided the board with proposed wording to 12 AAC 16.030 and .420, which makes the board's intent clear.

Ms. Horetski informed the board that its request to define when a doctor-patient relationship exists has been denied. Ms. Horetski stated that there are already laws in place that define doctor-patient relationship.

On a motion duly made by Dr. Zimmeran, seconded by Dr. Davis, and approved unanimously, it was

RESOLVED to readopt 12 AAC 16.030, .031, .033, .046, .150, .170, .200, .340, .420, .920, and .930 as presented.

New Proposed Regulations

Continuing education credit for participation in the National Board of Chiropractic Examiners (NBCE) Part IV practical examination.

Ms. Roccodero informed the board that it is not eligible to receive continuing education credit for participation in the NBCE Part IV examination. To do so would be a direct violation of the Public Officers and Employees Alaska Executive Branch Ethics Act. In particular, AS 39.52.120, Misuse of Official Position. A public officer may not accept receive, or attempt to benefit a personal or financial interest in performance of their official duties. Ms. Horestki confirmed Ms. Roccodero's statement.

Dr. Culbert asked Ms. Horestki if board members could take a continuing education course that was offered to them at a discount from a sponsor as the sponsor's way of saying thank you to licensing boards for the work they do.

Ms. Horestki stated that she believes the board would have to complete an ethics disclosure report. Ms. Horestki was not positive and stated that she would provide Ms. Roccodero with the Assistant Attorney General's telephone number that who strictly on ethics to answer Dr. Culbert's question.

Ms. Roccodero informed that board that a currently licensed chiropractic physician in this state could obtain continuing education credit for their participation in the NBCE Part IV examination, if there were a regulation in place permitting continuing education credit for their participation.

Background Check of Initial License Applicants

To help ensure public safety and reduce operating costs the board has determined that it will require all initial applicants to provide a criminal conviction background check from the state, in which the applicant resides. The background check would be sent directly to the Department of Corporations, Business and Professional Licensing from the state law enforcement agency performing the background search.

Request for Continuing Education Credit Approval

After some discussion and research the board has found that a significant portion of its operating costs are due to the processing of requests for continuing education credit approval. The cost of processing these requests is seen in an increase of license fees.

In an effort to offset the operating costs, the board will be requiring applicants who are requesting continuing education credit approval to pay a fee.

Dr. Zimmerman was assigned the task of finding out what other state boards charge for requests of continuing education credit approval.

Application Deadline

Ms. Roccodero informed the board that the current 45 day deadline for submission of applications and supporting documents does not provide enough time to process everything and inform the candidate that the board has approved them to sit for the state chiropractic examination.

Ms. Roccodero stated that since she has been the examiner for the board, she has noted that by the time she receives a quorum of votes approving an applicant to sit for the state chiropractic examination it is approximately 2 to 2.5 weeks before the scheduled examination date. By the time the applicant is informed they are scheduled to sit for the examination the applicant has little time to purchase their airline ticket, resulting in paying more for their airfare.

If the applicant was given more notice that they are scheduled to sit for the examination they would be able to purchase cheaper airfare. The board stated it felt 60 days would be enough time to process the applications and inform the applicant that they can sit for the state chiropractic examination.

12 AAC 16.430 Professional Standards

After some discussion the board determined that further clarification is required concerning the code of conduct for licensed chiropractic physicians.

Dr. Zimmerman was assigned the task of developing regulatory wording concerning code of conduct for licensed Alaska Chiropractic Physicians.

12 AAC 16.920(a)(12)

At the next meeting the board will discuss further if it needs to clarify this section of the regulations.

Since the board intends to submit regulation projects to the Division at its next meeting, Ms. Roccodero recommended that the board group all of its regulations together in one project, which will help keep the boards cost down.

Define Discretion

Dr. Culberts definition of discrete: The quality of being discrete, the freedom or the powers to act on ones own. Discrete means having caution and self-restraint, prudent.

PACE are we ready?

Ms. Roccodero informed the board that a moment ago it had readopted regulation that would give a license holder credit for any program that was approved through PACE. The regulation will go into effect 30 days after the Lt. Governor signs the readopted regulations.

Ms. Roccodero asked Ms. Horetski approximately how long would it be before the readopted regulations would go to the Lt. Governor.
Ms. Horetski stated after she receives the signed adoption order, the affidavit of minutes and a copy of the minutes from the regulation specialist that it would be a few days before the readopted regulations would go to the Lt. Governor's office for signing.

Agenda Item 7 **Public Comment** (11:30 a.m.)

There were no visitors present for public comment.

Break. Off record 11:50 a.m. to 12:05 p.m.

Agenda Item 8 **Peer Review Committee (PRC)**

Fee Facts Received

The board determined that since there are two liaisons to the PRC it is important that there are two sets of Fee Facts.

Dr. Mulholland was assigned the task of writing to Fee Facts and asking if the board could make copies of their booklet for internal use.

Review and Discuss New PRC Member Informational Packet

The board informed Ms. Roccodero that they were impressed with the New Peer Review Committee Member Informational Packet. No changes needed.

Appoint an Alternate Liaison

Dr. Zimmerman was appointed as the alternate liaison to the PRC.

Discuss Committee Name Change

Dr. Culbert asked Dr. Mulholland if he has received a response from his letter to the Alaska Chiropractic Society (ACS) requesting legislative assistance in changing the name of the Peer Review Committee to Utilization Review Committee. Dr. Mulholland stated that he has not received a written or verbal response from ACS.

Dr. Mulholland was assigned the task of inviting ACS's lobbyist to the next board meeting.

Agenda Item 9 **Federation of Chiropractic Licensing Boards (FCLB)**

Appropriate Managed Care

The board reviewed a letter from FCLB concerning appropriate managed care organizations, which requests member boards take regulatory action that will identify inappropriate managed care criteria and processes which interfere with the doctor-patient relationship or restrict necessary patient care.

The board noted that the content of the letter is touching on Independent Medical Examiners, which has been a taboo subject with the Department of Law.

Dr. Clark stated that at the annual FCLB/NBCE meetings there are breakout sessions where brain storming occurs. In order to assist the board in determining what FCLB wants and if the board can do anything Dr. Clark stated that he would put this topic out for discussion.

Slate of Nominees, Proposed Bylaws Amendments, District Director Candidates
Dr. Clark stated that if any of the board members had comments concerning the FCLB's April 4 letter, to let him know and he will take the appropriate action at the annual meeting.

Agenda Item 10 Goals and Objectives

The board reviewed its goals and objectives and made the following amendments:

Goal 1: No changes.

Goal 2: Objective 1 – 6: No changes.

Goal 2: Object 7: Move to new Goal 8.

Goal 3: Objective 1 – 3: No changes.

Goal 3: Objective 4: Now reads- Support the Alaska Chiropractic Society (ACS) in pursuing statutory authority for authorization of chiropractic physicians to perform school and sports physicals.

Goal 3: Objective 5: Deleted.

Goal 4: Objective 1: Now reads – Assess and evaluate continuing education requirements for x-ray.

Each member of the board was assigned the task of providing additional objectives for this section.

Goal 5, 6, and 7: No changes.

New -Goal 8: Ethics and Professional Standards.

Objective 1: Remind licensed chiropractic physicians that they are legally required to report child abuse.

Objective 2: Continue to emphasize the importance of informing battered or suspected abused adults of the community resources available to them.

Objective 3: Remind licensed chiropractic physicians to adhere to OSHA standards.

Objective 4: Remind licensed chiropractic physicians the importance of handling and disposing of hazardous materials in accordance with state and federal law.

Objective 5: Remind licensed chiropractic physicians that they are to keep themselves current in emergency training.

Dr. Zimmerman was assigned the task of providing additional information for Goal 8 from her code of conduct task.

Agenda Item 11 **October Assigned Tasks Update**

Dr. Davis

Dr. Davis was assigned the task of listening to tapes of past meetings to determine if Rick Urion, Division Director stated that he would always approve a board member for out-of-state travel to attend the annual FCLB/NBCE meeting.

After reviewing the tapes, Dr. Davis noted that Mr. Urion stated that the board should inform him if the agenda has something uniquely important to it.

Dr. Davis stated that what he has been doing is sending Mr. Urion a letter through Ms. Roccodero emphasizing the importance of board participation in the annual FCLB/NBCE meeting. By doing this it has resulted in Mr. Urion approving travel to participate in the annual FCLB/NBCE meeting.

Dr. Mulholland

Dr. Mulholland was assigned the task of requesting assistance from the Alaska Chiropractic Society in pursuing statutory authority for authorization of chiropractic physicians to perform school and sports physicals and changing the Peer Review Committee title to Utilization Review Committee. This task is addressed under agenda item 6.

Agenda Item 12 **National Board of Chiropractic Examiners (NBCE)**

Dr. Davis is the designated voting delegate and representative for the annual NBCE meeting in May. Dr. Zimmerman requested Dr. Davis provide the board with a summary of topics discussed at the annual meeting.

Agenda Item 13 **Review Correspondence**

The board received correspondence from the following individuals:

1. Two correspondences from the National Board of Chiropractic Examiners, informational no response required.
2. Three correspondences from the Council on Chiropractic Education, informational no response required.
3. Reeder Chiropractic Health Care, informational no response required.
4. The Key Company-Correspondence, questions concerning injectable dietary supplements. Response addressed under Agenda Item 5.
5. M.R. Spikes, Attorney at Law, concerning Dr. Shannon and Arctic Adjusters, Inc. Response addressed under Agenda Item 5.
6. New Hampshire Board of Chiropractic Examiners- Correspondence, survey. Response required.
7. Heel Inc., Questions concerning prescription injectable dietary supplements. Response addressed under Agenda Item 5.
8. American Chiropractic Association Council on Neurology-Correspondence, informational no response required.

Agenda Item 14 New Business

Dr. Culbert assigned Dr. Mulholland the task of responding to an e-mail correspondence from Dr. Beane that was received between meetings. Dr. Beane asked the following question:

“...can he utilize staff to evaluate and manage each clinical nutritional patient and have Dr. Lisa Fitzwilliams make the medical decision over the phone from Oregon with Dr. Fitzwilliams being the consultant/independent contractor and me being the supervising physician and have the services billed under my tax ID number?”

Dr. Mulholland responded by stating, “I see no prohibition from that in regs... it only addresses the people whom are receiving treatment and their location, not the location of the doctor.... He may wish to contact an attorney or his malpractice carrier.”

“I think he is billing for services that are being performed by someone else, through his office. That ... is not expressly prohibited by statute. I would recommend he contact a ...attorney.”

Discussion Concerning Meetings and

From the Division of Corporations, Business and Professional Licensing, Cori Hondolero, Records and Licensing Supervisor, Cathy Mason, Administrative Manager, and Jenny Strickler, Chief joined the meeting at 4:00 p.m.

To follow are the items of discussion between Ms. Strickler, Ms. Hondolero and the board:

Board Concerns:

- Limiting the board to two meetings a year is not permitting the board to discuss issues in depth, so that the board can address the issues appropriately.
5% of the boards' budget is board meetings, a relatively small percent of the total budget. We want to keep things streamlined and manageable. How can the board do this? 5% of costs is the cost of three meetings.
- The board used to have three meetings a year, which allowed the board to more thoroughly address issues. Recently the board has been limited to two meetings a year, resulting in being rushed through a meeting and not addressing issues in detail. This does not allow the board to do the best job it can.
- Dr. Culbert repeatedly asked Ms. Strickler how long would it take her to make a decision if a meeting is approved after receiving the agenda. Ms. Strickler did not provide an answer.

Ms. Strickler's Response to Board Concerns:

"It is unfortunate that boards have been forced into the financial role. It was never intended to be that way, but because of the self-sufficiency statute, boards are required to pay costs. Boards have very little control over the costs.

I had a legislative audit at my desk stating that this board is wasting too much time on issues that it has been informed it has no control over. The board should be held to the statutorily required two meetings a year."

Ms. Strickler stated she receives an agenda when the examiner questions whether there should be a meeting. An agenda that does not consist of a full workday (7.5 hours) will not be approved. I can't justify paying airfare, hotel, ground transportation, and meals for two people if the meeting is 4 hours long.

When an agenda is received, she reviews the agenda to see who guest speakers are. Ms. Strickler calls the guest speakers and asks if it is vital that they meet with the board or can it wait until a later date. If the topic(s) can wait, and the meeting is short, the meeting will be canceled.

Ms. Strickler stated that she should be advised by the board, as to the meeting topics and the importance of the topics in order to make an informed decision concerning whether the board should meet or not.

Ms. Hondolero stated that she would "review the board's agenda and respond to the examiner within 5 business days as to whether or not the board could meet."

Continuing Education Requests for Approval

The board requested that Ms. Roccodero not be so quick to process continuing education requests for approval, just in case one comes in with a note that questions a course.

The board and Ms. Roccodero noted that courses that are not approved subjects have been approved.

Dr. Culbert asked the board to slow down when reviewing request for continuing education approval. Do not assume that Dr. Risch is correct, not to rubber stamp the requests for continuing education approval.

Agenda Item 15 **Board Business**

Review Budget Report

Cathy Mason, Administrative Manager joined the meeting at 4:00 p.m. and reviewed the board's budget. Ms. Mason informed the board that within the next couple of months she would be reviewing the board's budget and fees to determine the licensing fees for the 2007/2008 licensing cycle.

FY06 Annual Report Due

Ms. Roccodero reminded the board that its annual performance report is due by the close of business on August 1.

Ms. Roccodero stated that she would be providing the statistical reports, narrative statement, goals and objectives, identification of the board and accomplishments.

Ms. Roccodero recommended that since Dr. Davis has attended past annual FCLB/NBCE meetings and is attending the annual FCLB/NBCE meeting, held this May, it would be appropriate for him to provide the Board Needs portion of the annual report, section 1- "Profession Related Annual Meeting" information.

Dr. Davis was assigned the task of providing Ms. Roccodero with the "Profession Related Annual Meeting" information, section 1 for the annual report.

Ms. Roccodero recommended that since both Dr. Mulholland and Dr. Zimmerman have participated in the administration of the NBCE Part IV practical examinations it would be appropriate for the two of them to collaborate and provide the Board Needs portion of the annual report, section 2 – "Participation National Board of Chiropractic Examiners (NBCE) Examination" information.

Dr. Mulholland and Dr. Zimmerman were assigned the task of providing Ms. Roccodero with the "Participation National Board of Chiropractic Examiners (NBCE) Examination" information, section 2 for the annual report.

Dr. Culbert will provide Ms. Roccodero the summary, budget recommendation, and the sunset performance audit report.

All annual report will be presented to Dr. Culbert for final approval before submission to the Division Director on August 1.

Agenda Item 16 Sunset Audit Report

Discussion

Dr. Culbert reminded the board how important it is that each member thoroughly looks over the minutes to ensure that all discussions are in the minutes. Legislative audit reviews these minutes and uses them as a basis for their determination as to whether or not the board is working in an efficient manner and in the interest of public safety.

Agenda Item 17 Office Business

Sign Wall Certificates

No wall certificates requiring signatures.

Sign October 2005 Minutes

Minutes require revision and are not ready for signing by the board president.

Review Assigned Tasks

Dr. Culbert

- Annual Performance Report: Summary Report, Budget Recommendation and Sunset Performance Report. Due to Ms. Roccodero by close of business August 1.
- Write objectives for goal 4 of the boards goals and objectives.

Dr. Mulholland

- Research injectables.
- Write letter to Fee Facts asking if the board can photocopy their book.
- Write letter to the Alaska Chiropractic Society inviting its lobbyist to the next board meeting.
- Write objectives for goal 4 of the boards goals and objectives.
- Annual Performance Report: Work with Dr. Zimmerman on section 2 of the Boards Needs and provide final draft to Ms. Roccodero before August 1.

Dr. Davis

- Write newsletter. Newsletter is to contain a questionnaire concerning chiropractic physicians directly contacting accident victims.
- Write letter to Arctic Adjusters, Inc. informing them that their Controversion Notice contains misstated information concerning the board and use of injectable nutrients. Letter will be cross-copied to Dr. Shannon, M.R. Spikes, Heel Inc. and The Key Company.
- FCLB brainstorming session concerning managed care organizations.
- Provide board with summary of topics from the May FCLB meeting.
- Write objectives for goal 4 of the boards goals and objectives.
- Provide to Ms. Roccodero before August 1, with section 1 of Board Needs of the Annual Performance Report.
- Provide Ms. Roccodero airline receipt/itinerary, hotel receipt and taxi receipts.

Dr. Zimmerman

- Research what other state boards charge for processing of continuing education requests for approval.
- Develop regulatory wording for code of conduct, under 12 AAC 16.430.
- Write objectives for goal 4 of the boards goals and objectives.
- Write objectives for goal 8 that relates to code of conduct.
- Annual Performance Report: Work with Dr. Zimmerman on section 2 of the Boards Needs and provide final draft to Ms. Roccodero before August 1.

Jeff Garness

- Write objectives for goal 4 of the boards goals and objectives.

Cindy Roccodero

- Draft meeting minutes.
- Amend last page of October 2005 minutes and send to Dr. Culbert for his signature.
- Submit board quarterly ethics report to the Department of Law.
- Submit proposed regulation adoption order to regulation specialist.
- Provide regulation specialist with copy of board minutes reflecting the adoption of readopted regulations.
- Submit board receipts for reimbursement.
- Grade examinations and mail examination result's letters.
- Write Dr. Twiford the board decision concerning his application.
- Publish February newsletter on the boards web page.
- Coordinate logistics of the July examination.
- Reserve meeting space for the September board meeting in Anchorage.
- Public notice the September board meeting.
- Prepare September agenda.
- Respond to New Hampshire State Chiropractic Boards survey.
- Submit draft Annual Performance Report to Dr. Culbert for final approval.
- Submit on July 1 the board's statistical report.
- Submit no later than August 1, the boards Annual Performance Report.
- Mail Dr. Mulholland five statute books.

Collect TA's and Receipts

Collected airline receipts/itineraries and hotel receipts from Dr. Culbert, Dr. Zimmerman and Dr. Mulholland.

Dr. Davis and Mr. Garness stated they would submit their receipts to Ms. Roccodero after they return home.

Confirm Meeting Date

Ms. Roccodero informed the board that she has an obligation from October 9 – 11, which will prevent her from being able to properly prepare for the scheduled October 13 meeting in Anchorage.

Ms. Roccodero asked the board if they would consider meeting sometime in September. The board agreed to change the meeting date to September 22 in Anchorage.

The meeting was adjourned at 5:55 p.m.

Respectfully submitted:

Cindy Roccodero, Licensing Examiner

Approved:

Dr. Gregory Culbert, DC, President
Board of Chiropractic Examiners

Date: _____