

TENNESSEE BOARD OF CHIROPRACTIC EXAMINERS

DATE: August 13, 2009
TIME: 9:00 A.M.
LOCATION: Health Related Boards Conference Center
Poplar Room, 227 French Landing
Nashville TN 37243

BOARD MEMBERS

PRESENT: Michael Massey, D.C., President
Craig Ratcliff, D.C. Vice President
Chris Alexander, D.C., Secretary
Barry Kelton, D.C.
Andrea Selby, D.C.
Sheila Fitzgerald, Citizen Member
Gina Hampton, Citizen Member

STAFF PRESENT: Sherry Owens, Board Administrator
Elizabeth Miller, Director, Health Related Boards
Barbara Maxwell, Administrative Director
Andrea Huddleston, Advisory Attorney

Dr. Massey, President, called the meeting to order at 9:02 a.m. A quorum was present.

Minutes

Dr. Selby made a motion, seconded by Ms. Fitzgerald, to approve the May 14, 2009 Board meeting minutes as written. The motion carried.

Conflict of Interest Policy Statement

Ms. Huddleston discussed the Conflict of Interest Policy with the Board asking all members to disclose any potential conflicts to determine if the members should recuse themselves.

Office of General Counsel

Rule 0260-2-.03, .07, 15; 0260-3-.14; 0260-5-.14 pertaining to titles, interviews and conditions went into effect January 10, 2009 and Rule 0260-2-.12; 0260-3-.12; 0260-5-.12 pertaining to continuing education went into effect on January 12, 2009. The rulemaking hearing scheduled for Rule 0260-02-.12 and 0260-02-.17 pertaining to continuing education and change of address was postponed due to additional changes.

There are five (5) open disciplinary cases in the Office of General Counsel.

Investigative Report

The Board has twenty-eight (28) open complaints in Investigations against Chiropractors and five (5) against CTA's.

Monitored Practitioners Report

There are currently seven (7) practitioners being monitored.

Financial Report

The Board had a surplus of \$29,722.51 as of June 30, 2008.

Administrative Report

There are currently 1005 licensed chiropractors, 108 licensed chiropractic x-ray technicians and 432 licensed chiropractic therapy assistants.

Continuing Education Audit

The Board reviewed and ratified all Agreed Citations issued after the 2008 continuing education audit.

Scope of Practice

Alison Cleaves, Deputy Counsel, discussed the amendments to Rule 0260-02-.02 scope of practice, with the Board. Ms. Cleaves said that she would have another draft of the amendments for scope of practice at the November 12, 2009 Board Meeting.

Rules

Rule 0260-02-.02(4) to add language that if a chiropractic physician intends to practice acupuncture they must provide proof that they have met the requirements. Rule 0260-02.12(1) to say if the licensee practices acupuncture, six (6) of the twenty-four (24) hours shall be classroom hours in acupuncture courses approved by the Board; amend Rule 0260-02 by adding a new section 0260-02-.27 regarding practice of acupuncture which requires that (1) before a licensed Chiropractic physician may engage in the practice of acupuncture, evidence shall be provided to the Board that there is compliance with the requirements of Rule 0260-02-.02(4). (2) Upon receipt of proof of compliance with Rule 0260-02-.02(4) and the appropriate acupuncture fee from a licensed chiropractic physician, the Board shall send certificate of authorization to practice acupuncture. Change rule 0260-03.12(6)(4), requiring CXT's and CTA's to complete six (6) hours of continuing education online in the odd years.

Dr. Alexander asked if the Board would consider removing the Rule 0260-05-.12(6)(b) and 0260-03-.12(6)(b). Dr. Ratcliff made a motion, seconded by Dr. Alexander, to delete rules 0260-05-.12(6)(b) and 0260-03.12(6)(b). The motion carried. The revision will be scheduled for a rule making hearing.

Rule 0260-5-.03(3) stating a CTA must pass the exam and then the internship must take place. If the Internship will go longer than a year the applicant must come before the Board for approval. Rule 0260-5-.05(3) #4 and #6 remove the grandfather clause.

There was a discussion regarding the mandatory sexual boundaries, risk management and Tennessee jurisprudence course required in Rule 0260-02-.12 (2)(a). The six (6) hours must be taken in addition to the twenty-four (24) hours required annually for continuing education. Dr. Selby made a motion, seconded by Dr. Alexander. The motion carried.

Review/Approve Newly Licensed Chiropractors, CXT's and CTA's

Upon review, Dr. Kelton made a motion, seconded by Dr. Alexander, to approve/deny the following Chiropractors, CTA's and CXT's:

Chiropractors

Kenneth Alexander
Jesse Angle II
Margaret Angle
Carol Baker
Raymond Bates
Jacob Becker
Ross Clark
Dustin Cupp
Adam Dixon
Jacob Fletcher
Shawn Hall
Maura Heavey
Cory Kenyon
Glenn Krieger
Neemisha Master
Ruth McKinney
Erik Morganstern
Ashley Owens
Jason Reinharts
Jennifer Rousseau
Priscilla Santiago
Lee Thomas

CTA's

Donna Bare
Andrea Beecham
Angela Echols
Teresa Farmer
Serena Farris
Amber Haynes
Clinton Kraft
Rhonda Layne
Rose Leeth
Donna Lineberger
Erin Matheny
Pattie Rowe
Deborah Royer
Jessica Snell
Corie Vandiver
Aleesa Wade
Amber Wells
Darla Werth

CXT's

Angela Echols
Jeanna Palmer
Timothy Perry

The motion carried.

Continuing Education Course Review

Upon review, Dr. Alexander made a motion, seconded by Dr. Selby, to approve the following continuing education courses:

When East Meets West/Life University**DENIED******

June 13, 2009
Marietta GA
Various Speakers
8 hours
****DENIED****

Certified Chiropractic Extremity Practitioner Modules/Life University

2009
Marietta GA
Various Speakers
105 hours

Texas Chiropractic College 2009 Homecoming and License Renewal

July 16-18, 2009

Galveston TX

Various Speakers

16 hours

DC's only

DC Tracts 2009/The Female Athlete Lectures 1 and 2, Chronic Pain, Pelvic Pain and Thoracic Spine/Logan

Online 2009

6 hours max online

DC's only

Florida Chiropractic Association Summer Convention and Exposition 2009

June 4-7, 2009

Boca Raton FL

Various Speakers

Up to 91 hours

******The following courses are not approved at this convention******

Florida Licensing Laws and Rules

Get It In Writing by Desgin, Not Default

Q&A for PIP Billing and Reimbursement

Q&A for Common Coding Mistakes to Avoid

The Games People Play

Medical Errors: Quality and Safety Issues

Chiropractic Philosophy for Success in the 21st Century

Foundations for a Successful Weight Management

Brining Order out of Chaos

Practice Solutions to Pocket More Cash

HIV/AIDS Education Update and Immune Support

Essential Nutrition for the Less Than Perfect Lifestyle

ChiroCredit.com/University of Bridgeport

2009

Online

Up to 6 hours DC's only

The following are approved:

Nutrition 101-129

Physical Diagnosis 101-119

Physical Diagnosis 122, 124-127

Physical Therapy 101-104

Physical Diagnosis classes NOT APPROVED 120, 121,123,128,129,130

Practical and Effective Chiropractic Management of Upper and Lower Extremity Injuries

2009

Locations thru out the State of Tennessee

James L Schroder DC

24 hours

The Vitamin Complexes/Texas Chiropractic College

July 25-26, 2009

Nashville TN

Michael Dobbins DC

12 hours

Logan Homecoming 2009

June 10-14, 2009

Chesterfield MO

Various Speakers

Up to 40 hours

The following are DENIED courses at Logan Homecoming 2009

The Secrets Behind a High Retention Family Wellness Practice

Balanced Living- A Four Part Approach

Raising Wellness Families

Meditation to Wellness

CPR

Ethics ChiroCredit.com/University of Bridgeport

Online

2009

Max 6 hours

Mastering Natural Healing at Sea Seminar/Integrative Medicine/Standard Process

October 31-November 7, 2009

Janet Konefal and Michael Dobbins, DC

12 hours

*****DENIED*****

Ulan Nutritional Systems, Inc./Standard Process

July 16-19, 2009

Clearwater, FL

Bradley Kristiansen, DC

16 hours

OUM Home Study 2009/Risk Management/Logan

2009

Online

Max 6 hours

Kinesio Taping Certification Program/National

August 8-9, 2009 and September 12-13, 2009

St. Petersburg FL

Vince DeBono, DC and David Parish, DC

28 hours

Nutrition for the Chiropractic Practice/Texas Chiropractic

August 8-9, 2009

Louisville KY

Bruce Bond DC

12 hours

Whiplash and Brain Injury Traumatology/Croft Seminars

Year 2009

Various locations

Arthur Croft DC

12 hours per module

Modules 1, 2, and 3 approved

*****Module 4 DENIED*****

Chiropractic Research: The Year in Review

November 7, 2009
Nashville TN
M.B. Drybread DC
12 hours

Diabetes in Depth/Pri-Med/American Diabetes Association

October 16, 2009
Nashville TN
9 hours
DENIED*

Traumatic Cervical Syndrome

July 31-August 1, 2009 and September 12-13, 2009
Orange Beach AL and Birmingham AL
Daniel Dock DC
12 hours

SurpraSegmental 2009 Brain Symposium/Life University

July 24-26, 2009
Marietta GA
Various speakers
16 hours

Functional Medicine and Clinical Nutrition Foundations**DENIED******

August 1 and 15, 2009
Miami FL
Bill Beakey D.O.M and Dennis McInerney, BS
16 hours
*****DENIED*****

Orthopedic Review 2009/Parker College

August 14-16, 2009....**Changed to September 18-20, 2009**
Dallas TX
Various speakers
24 hours

Chiropractic Professionals Program/Parker College

September 24-26, 2009
Dallas TX
Various speakers
24 hours

The following speakers are APPROVED for this program. If the speaker is not listed there is no credit for that class in Tennessee.

- A. Allen*
- B. P. Gentempo*
- C. T. Foshanh*
- D. P. Bodnar*
- E. B. Bond*
- F. C. Colloca*
- G. Riffe/Robinette*
- H. N. Lenderman*
- I. S. Troyanovich*

J. M. Hall
K. K. Smith
L. L. Wilson

Clinical Nutrition A to Z/Texas Chiropractic

August 15-16, 2009
Little Rock AR
Michael Dobbins DC
12 hours

Chiropractic Approach to the Treatment and Management of Headaches/DC Seminars

December 5-6, 2009
Atlanta GA
Guy Annunziata DC
15 hours

Practical Reviews Radiology/Oakstone Medical Publishing

Online
2009
6 hours

Certified Chiropractic Sports Physician

October 10-11 and November 7-8, 2009
St Louis MO
Larry Nelson DC and Marianne Genenbach DC
12 hours

Pediatric Kinesio Taping (K3)/Logan

October 24-25, 2009
Chesterfield MO
Tracy Barnes DC
12 hours

Chiropractic Rehab; Integrating Active Training and Exercise for Spinal and Health Wellness

October 17-18, 2009
Knoxville TN
John Hyland DC
12 hours

Chiropractic Association of Louisiana

October 2-4, 2009
Baton Rouge LA
Various speakers
18 hours

Advanced Acupuncture: Meridian Graphing/Logan

October 3-4, 2009
Dennis Baker DC
6 hours only

Florida Chiropractic Association National Convention and Exposition 2009 and IACN Summer Symposium Final 2009

August 27-20, 2009

Kissimmee FL

Various speakers

Up to 20

THE FOLLOWING ARE NOT APPROVED FOR CREDIT HOURS IN TENNESSEE:

Workers Compensation Certification Course

What is Chapter 456 and Why Should I Care?

Reversing Killer Diseases

Advanced Estate Planning

Risk Management and Course Compliance

Modern Diagnosis and Treatment Protocols

Chiropractic Business Building...Reinvented!

Iodine: Why You need It and Why You Cant Live Without It

Salvation in Documentation

The Four Secrets to Escaping the Passive Therapy Trap in an Active Care World

Ten Critical Decisions for the Future of Chiropractic

Georgia Laws and Rules 2009

HIV/AIDS: Education Update and Immune Support

Right Start for New DC's: 3rd Party Overview

Right Start for New DC's

Chiropractic Philosophy for Success in the 21st Century

New Solutions for Stress and Adrenal Health

Massage your Practice

Class IV Laser Overview, Safety, Protocols and Case Studies

Digestive Wellness and Essential Fatty Acids

3 Simple Steps for Weight Management and Bio-Detoxification for the Chiropractic Practice

Laser Safety and Laser Therapy Protocols

Corporate Wellness Program "A Chiropractic Approach to Corporate Wellness"

CPT Coding, Documentation and Medical Necessities

Cardiovascular Health: Complementary Care for the Chiropractic Patient

Medical Errors

The motion carried.

Correspondence

The Board discussed a letter from **Andrea Bookhardt CTA** requesting waiver of the 2009 continuing education requirements. Ms. Fitzgerald made a motion, seconded by Dr. Ratcliff, to deny the request for waiver. The motion carried.

The Board discussed a letter from **Laura Anderson DC** regarding retirement of chiropractic license in March of 2008. The Board will send a letter to the Department of Revenue stating the date cannot be changed in the RBS system but the Board will recognize the March 2008 retirement date. Dr. Ratcliff made a motion, seconded by Dr. Kelton, with Ms. Fitzgerald voting no to approve the request. The motion carried.

The Board discussed a letter from **Jodi Lawrence CTA and Debe Williams DC** requesting an extension of 3 months of the 2 hour ethics requirement for CTA's within the 1st year of licensure.

Dr. Ratcliff made a motion, seconded by Dr. Kelton, to grant the request but ask the CTA to try to attend the West Tennessee class before the end of 2009. The motion carried.

The Board discussed a letter from **Brenda Medina DC** requesting a waiver of her 2009 continuing education requirement. Dr. Ratcliff made a motion, seconded by Ms. Fitzgerald, to grant the hardship waiver. The motion carried.

The Board discussed a letter from **Judith Lewis DC** requesting a waiver of her 2008 continuing education requirement and the penalty. Dr. Ratcliff made a motion, seconded by Ms. Fitzgerald, to grant the request of waiver of the 24 hours in 2008 and penalty. The motion carried.

The Board discussed a letter from **Brendan Wright DC** requesting a waiver of his 2008 continuing education penalty. Ms. Fitzgerald made a motion, seconded by Dr. Alexander, to grant the request for waiver. The motion carried.

The Board discussed a letter from **Thomas Dueker DC** requesting a waiver of his 2008 continuing education penalty. Ms. Fitzgerald made a motion, seconded by Dr. Alexander, to deny the request for waiver. The motion carried.

The Board discussed a letter from **Darla Smith CTA** requesting a waiver of her 2008 continuing education penalty. Ms. Fitzgerald made a motion, seconded by Dr. Ratcliff, to grant the request for waiver. The motion carried.

The Board discussed a letter from **John Hofmann DC** requesting a waiver of his 2008 continuing education requirement and to be allowed to make up the hours in acupuncture courses by the end of 2009. Dr. Kelton made a motion, seconded by Ms. Fitzgerald, to grant the request. The motion carried.

The Board discussed a letter from **Kevin Moore DC** requesting a waiver of his 2008 continuing education penalty. Dr. Selby made a motion, seconded by Dr. Alexander, to deny the request for waiver. The motion carried.

The Board discussed a letter from **Nyoka Lytle DC** requesting a waiver of her 2008 continuing education penalty. Ms. Fitzgerald made a motion, seconded by Ms. Hampton, to deny the request for waiver. The motion carried.

The Board discussed a letter from **Jenny Kim DC** requesting a waiver of her 2008 continuing education penalty. Dr. Ratcliff made a motion, seconded by Ms. Fitzgerald, to grant the request for waiver. The motion carried.

Agreed Citations

All Agreed Citations that were issued for the 2008 continuing education audit were presented to the Board and the Board Chair for signature. Dr. Ratcliff made a motion, seconded by Dr. Alexander, to approve all of the Agreed Citations. The motion carried.

With no other Board business to conduct Dr. Selby made a motion, seconded by Dr. Alexander, to adjourn the board meeting at 11:45 a.m. The motion carried.