

**FULL BOARD MEETING MINUTES – OPEN SESSION
OF THE
BOARD OF CHIROPRACTORS
301 S PARK, 4TH FLOOR LARGE CONFERENCE ROOM, HELENA, MT
1:10 PM – 5:05 PM – April 17, 2015**

1. CALL TO ORDER- ESTABLISH QUORUM-INTRODUCTION OF BOARD AND STAFF MEMBERS PRESENT (00:00:00)

The meeting was called to order at 1:10 p.m.

Board Members Present:

Dr. Cathleen Fellows, DC, President

Dr. Lee Hudson, DC, Vice President

Dr. Amy Pezo, DC

Ms. Alice Whiteman, Public Member

Board Staff Present:

Mr. Dennis Clark, Executive Officer

Ms. Darcee Moe, Board Counsel

Ms. Susan Asplund, Administrative Specialist

Mr. Todd Younkin, Division Administrator

Others Present:

Dr. Jim Brandau

2. REAPPOINTMENT OF BOARD MEMBERS: (00:00:34)

Dr. Lee Hudson and Dr. Amy Pezo confirmed by the Senate on March 31, 2015.

3. INTRODUCTION OF TODD YOUNKIN, NEW DIVISION ADMINISTRATOR: (00:03:04)

4. APPROVAL AND TENTATIVE MODIFICATION OF AGENDA ORDER: (00:01:30)

April 17, 2015

The Board approved the April 17, 2015 agenda by consensus.

5. REVIEW AND APPROVE MINUTES (00:01:35)

October 3, 2015

Motion (00:01:53): Dr. Lee Hudson moved to accept the October 3, 2014 minutes as presented. Dr. Amy Pezo seconded. The motion carried unanimously.

6. PUBLIC OPPORTUNITY TO COMMENT (00:02:18)

There was no public comment.

7. BOARD ACTION

a. NON-ROUTINE APPLICATIONS: (00:19:29)

Rodney Langel DC (00:20:36)

Motion (00:28:06): Dr. Amy Pezo moved that the non-routine application for Dr. Rodney Langel must meet the requirements necessary for an endorsement application, and the Board will reconsider once the requirements are fulfilled, specifically, passage of either the SPEC exam or Part IV of the NBCE. Ms. Alice Whiteman seconded. The motion carried unanimously.

Michael Cagle DC (00:30:58)

Motion (00:35:25): Ms. Alice Whiteman moved that in order to have Dr. Michael Cagle's application to be reconsidered, he must pass the SPEC exam or Part III and IV of the NBCE. Dr. Amy Pezo seconded. Discussion followed. The motion carried unanimously.

Richard Gallagher DC (00:37:45)

Motion (00:39:38): Ms. Alice Whiteman moved to approve Dr. Richard Gallagher's application for licensure based on he has previously passed the SPEC exam and has current licensure in another state. Dr. Lee Hudson seconded. The motion carried unanimously.

b. UNLICENSED PRACTICE (Closed Session): (00:40:46)

Presiding Officer Statement: "A decision on whether to hold a meeting in executive session is at the discretion of the Presiding Chair pursuant to Section 2-3-203 MCA. The Presiding Chair has determined that the individuals under discussion at this meeting have a right to privacy which outweighs the public's right to know. Therefore, the Board meeting will be conducted in closed session for a review of an unlicensed practice complaint unless the individuals who enjoy the right of privacy waive that right and request that the matter be discussed in open session. Following the closed session, the Chair will summarize the Board's disposition of the matters in open session."

Executive Session Summary: (00:42:06)

Regarding complaint 2014-CHI-UNLIC-1431, it was dismissed in Executive Session and a Letter of Instruction from the Board will be sent to the person the complaint was filed against.

c. RULE REVIEW: (00:42:57)

Review rules for possible repeal:

[24.126.405](#) BOARD MEETINGS (00:45:58)

[24.126.406](#) RECORD OF MINUTES AND HEARINGS (00:46:38)

[24.126.2101](#) RENEWALS (00:47:35)

Motion (01:08:37): Dr. Lee Hudson moved to accept Board Counsel's proposal to repeal ARM 24.126.405, 406 and 2101. Dr. Amy Pezo seconded. The motion carried unanimously.

Motion (01:10:30): Dr. Amy Pezo moved the Board finds no significant and direct impact to small businesses in Montana for the repeal of ARM

24.126.405, 406, and 2101. Dr. Cathleen Fellows seconded. The motion carried unanimously.

d. LEGISLATIVE: (01:11:47)

Senate Bill 81 signed by the Governor. One additional professional member will be added to the board membership.

Senate Bill 76 – Administrative suspension of licenses – Signed by Governor.

Senate Bill 79 – Clarify Fees Charged In Relation To Licensing Boards – Signed by Governor 4/2/2015.

e. CE COURSES FOR APPROVAL: (01:21:23)

Dr. Wendi Turner - revisit CE approval request, Nutrition, for 6 hours, Adrenal Fatigue, for 6 hours, Documentation and Record Keeping, for 6 hours.

(01:21:26)

Motion (01:45:23): Dr. Cathleen Fellows moved to not approve the continuing education request for Nutrition for 6 hours from Dr. Turner. Dr. Lee Hudson seconded. The motion carried unanimously. Reason: Lacked teaching credentials or curriculum vitae demonstrating her teaching experience in this area of continuing education.

Motion (01:48:43): Ms. Alice Whiteman moved to not approve the continuing education request for Adrenal Fatigue for 6 hours from Dr. Wendi Turner. Dr. Amy Pezo seconded. The motion carried unanimously. Reason: Lacked teaching credentials or curriculum vitae demonstrating her teaching experience in this area of continuing education.

Motion (01:53:46): Dr. Cathleen Fellows moved to not approve the continuing education request for Documentation and Record Keeping for 6 hours from Dr. Wendi Turner. Ms. Alice Whiteman seconded. The motion carried unanimously. Reason: The presenter does not have proper credentialing to teach the topic, and missing times and content of the syllabus/brochure.

Fetterman Events – Chiropractic Treatment of Shoulders and Common Injuries For 12 hours. **(01:54:32)**

Motion (01:57:43): Dr. Lee Hudson moved to approve Fetterman Event's application for continuing education for Chiropractic Treatment of Shoulders and Common Injuries for 12 hours of CE credit. Dr. Cathleen Fellows seconded. Discussion followed. The motion carried unanimously.

Amend Motion (02:04:08): Dr. Lee Hudson amended the motion to include in the letter to Fetterman Events that the 12 hours must be classroom hours. Lunch and extended breaks cannot be included in the 12 hours. Dr. Amy Pezo seconded. The motion carried unanimously.

Medical Minds in Motion – Kinesiology Taping Strategies for 7 hours.
(02:05:39)

Motion (02:11:08): Ms. Alice Whiteman moved to approve Medical Minds in Motion’s application for continuing education for Kinesiology Taping Strategies for 7 hours CE credit. Dr. Cathleen Fellows seconded. The motion carried. Dr. Amy Pezo abstained.

Dr. Craig Martin – Practical Applications of Nutrition II, Sugars, Sweeteners, Fruits, with Professional Boundaries for 13 hours (02:12:37)

Motion (02:21:15): Dr. Cathleen Fellows moved to not approve Dr. Martin’s application for continuing education for Practical Applications of Nutrition II, Sugars, Sweeteners, Fruits, with Professional Boundaries for 13 hours. Dr. Martin is to submit his information to the Providers of Continuing Education (PACE) for review. Dr. Lee Hudson seconded. The motion carried unanimously.

f. DRY NEEDLING: (02:21:55)

Montana Physical Therapy Board minutes regarding dry needling

8. EXECUTIVE OFFICER REPORT: (02:30:38)

Appropriation for Fiscal year 2015 (to June 30, 2015)
Current financial report

9. FEDERATION OF CHIROPRACTIC LICENSING BOARDS (FCLB): (02:31:06 and 02:43:41)

FCLB national meeting New Orleans May 6-10, 2015
FCLB regional meeting in Coeur D’Alene, Idaho, October 1-4, 2015. Approval for travel.

Motion (02:55:59): Dr. Lee Hudson moved to approve travel for four Board members and the Executive Officer to attend the FCLB meeting in October 2015. Dr. Amy Pezo seconded. The motion carried unanimously.

10. NOMINATIONS FOR PRESIDENT, VICE PRESIDENT, AND SECRETARY TREASURER: (02:56:55)

Motion (02:57:01): Dr. Cathleen Fellows moved to nominate Dr. Lee Hudson for President, Dr. Amy Pezo for Vice President, and new Board member Secretary/Treasurer. **Motion withdrawn. (02:58:42)**

Motion (02:58:48): Dr. Cathleen Fellows moved to maintain herself as President for 2015, Dr. Lee Hudson for Vice President for 2015, and Dr. Amy Pezo for Secretary/Treasurer for 2015. Dr. Lee Hudson seconded. The motion carried unanimously.

11. ADJOURN (02:59:32)

The meeting was adjourned at 5:05 p.m.

Motion (02:59:32): Dr. Lee Hudson moved adjourn the meeting. Dr. Amy Pezo seconded. The motion carried unanimously.