

Minutes of the April 3, 2024, 2024  
Board of Chiropractic Meeting

**1. ROLL CALL**

Dr. Scott Misek, Chairperson, called the meeting of the Board of Chiropractic to order at 9:01 AM on April 3, 2024, 2024, in the Goldenrod Conference Room at the Nebraska State Office Building located at 301 Centennial Mall South, Lincoln, Nebraska. In accordance with Neb. Rev. Stat. § 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were e-mailed to the Board members and other interested parties, posted on the DHHS website at <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx>, and posted in the Licensure Unit on January 30, 2024.

Misek announced that this is an open meeting, and the Open Meetings Act is posted.

**Members Present:** The following members answered roll call:

Dr. Scott Misek, Chair  
Dr. Heather Henrichs, Vice-Chair  
David Henske, Member

**Members Absent**

Dr. Brian Stevens

**Staff Present:**

Claire Covert-ByBee, Program Manager  
T.J. O'Neill, Assistant Attorney General  
Danielle Sund, DHHS Legal Counsel  
Mark Myerson, DHHS Investigations  
Jeff Newman, DHHS Investigations  
Anna Harrison, DHHS Compliance Officer (via Webex)  
Vonda Apking, DHHS Program Manager  
Kim Hitzel, Licensure Board Coordinator

**Members of the Public**

**2. ADOPTION OF AGENDA**

**MOTION:** Henske moved, seconded by Henrichs, to adopt the agenda. Voting aye: Henske, Misek, and Henrichs. Voting nay: none. Motion carried.

### **3. REAFFIRMATION OF MAIL BALLOT**

The Board reaffirmed the mail ballot approving the February 7, 2024, Meeting Minutes on February 14, 2024. Members Stevens, Henske, Henrich, and Misek, voted to approve the minutes as written. The minutes were approved.

### **4. CLOSED SESSION**

**MOTION:** Henrichs moved, seconded by Henske, to move into closed session at 9:04 a.m. to hear discussions regarding confidential information and to protect the reputation of individuals named or referenced in such discussions. Voting aye: Henske, Henrichs, and Misek. Voting nay: none. Motion carried.

### **5. BOARD RECOMMENDATIONS ON APPLICATIONS**

The Board returned to open session 9:57a.m.

There were no board recommendations.

### **6. Presentation by Vonda Apking on X-Rays Performed by Chiropractic Assistants**

Vonda Apking, DHHS Program Manager, gave a presentation to explain the licensure procedures for a radiographer technician with details about the training and exams required to qualify for licensure. This information was presented for informational purposes.

Chiropractors are not required to have a separate license or training as it is covered by their scope of practice, but a Chiropractic Assistant would be required to have a limited or medical radiographer license to operate the X-Ray equipment.

### **7. Scope of Practice**

The Board has decided to table this agenda item until the next Board meeting on June 5, 2024.

### **8. PRECEPTORSHIP**

Discussion was held on preceptorships in Nebraska. No action was taken at this time.

## **9. Regulations Update**

Covert-ByBee informed the Board there was a small adjustment was made from Item L. It removes “sexual orientation” to “basis of sex.”

## **10. FCLB Report**

The annual meeting will held at the end of April and beginning of May 2024.

## **11. NBCE UPDATE**

The meeting will be held June 7-9, 2024. There may be changes to the Part I and Part IV of the exams. An update will be presented to the Board after the next meeting.

## **12. LEGISLATIVE UPDATE**

Covert-ByBee stated that LB 16 passed and adds language to the Occupational Board reform Act. There will be changes to licensure regulations and reciprocity applications. Covert-ByBee will keep the Board informed as these changes are implemented.

## **13. LICENSURE DATABASE UPDATE**

Covert-ByBee informed the board that the Department is working with the contractor, and it is expected that it to be completed as scheduled.

## **14. LICENSURE APPLICATION PROCESSING REPORT**

This report is for informational purposes only.

## **15. REVIEW/REVISE OCTOBER 2, 2024 MEETING DATE**

October 23, 2024, was selected as the new meeting date. The meeting will begin at 9 am.

## **16. TOPICS FOR NEXT MEETING**

Topics to be discussed at the next meeting are Legislative Update, Licensure Database Update, Licensure Application Processing Report, Preceptorship, FCLB and NBCE reports outs, Scope of Practice Questions, and Regulation Update.

## **17. Public Comment**

*These minutes have been approved by the Board of Chiropractic on April 17, 2024.*

There was no public comment.

## **18. ADJOURNMENT**

There being no further business, the meeting adjourned at 11:08 a.m.

Respectfully submitted,

Dr. Brian Stevens, Board Secretary