

These minutes were approved by the Board of Chiropractic on October 17, 2019.

Minutes of the June 27, 2019 Board of Chiropractic Meeting

Dr. Wurth, Chairperson, called the meeting of the Board of Chiropractic to order at 9:02 a.m. on Thursday, June 27th, 2019, in the Nebraska State Office Building, Lower Level B Conference Room, 301 Centennial Mall South, Lincoln, Nebraska. The meeting was duly publicized by distribution of the Notice of Meeting Agenda at least 10 days prior to the meeting and by posting the agenda at the entrance of the Department of Health and Human Services at least 24 hours prior to the meeting.

The following Board members and Department Staff were present at the meeting: Dr. Mark Wurth, Chairperson; Dr. Jeremiah Rethwisch, Vice-Chairperson; Maryann Gamble, Secretary; Dr. David Lauer, Professional Member; Claire Covert-ByBee, Program Manager; Antonio Carranza, Health Licensing Coordinator; Anna Harrison, Compliance Monitor; Larry Wiehn, Investigator, Ami Huff, Assistant Attorney General and Dr. Douglas Vander Broek, member of the public.

Rethwisch moved, seconded by Gamble to adopt the agenda. Voting aye: Gamble, Lauer, Rethwisch and Wurth. Voting nay: None. Motion carried.

Lauer moved, seconded by Rethwisch to approve the minutes from the February 28th, 2019 meeting as presented. Voting aye: Gamble, Lauer, Rethwisch and Wurth. Voting nay: None. Motion carried.

Gamble moved, seconded by Lauer to go into closed session at 9:03 a.m. to hear discussions regarding confidential information and to protect the reputation of individuals named or referenced in such discussions. Voting aye: Gamble, Lauer, Rethwisch and Wurth. Voting nay: None. Motion carried.

Rethwisch moved, seconded by Gamble to return to open session at 9:21 a.m. Voting aye: Gamble, Lauer, Rethwisch and Wurth. Voting nay: None. Motion carried.

(Harrison left the meeting at 9:21 a.m.)

There were no recommendations.

The Board reaffirmed the Mail Ballot to approve the revisions made to the regulations regarding Licensure of Chiropractors/Chiropractic Physicians discussed at the February 28, 2019 Chiropractic Board Meeting. Gamble, Lauer and Wurth voted to approve the revisions. Rethwisch did not respond. The revisions were approved with three votes.

The Board reviewed a scope of practice question regarding the procedure of "Cool Sculpting" otherwise known as cryolipolysis. Lauer stated the procedure involves focused, superficial cooling but does not include any cuts or injections. Lauer moved, seconded by Gamble, it is the Board's opinion that Cool Sculpting, otherwise known as cryolipolysis is within the scope of practice for chiropractors in the State of Nebraska.

(Wiehn left the meeting at 9:52 a.m.)

Covert-ByBee provided an update on relevant legislation. LB 112 passed which will waive initial licensure fees for applicants age 18-25, active duty military and their families and individuals whose

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income meet federal poverty guidelines. LB 110, the Medical Cannabis Act stalled and was not passed. LB 44 passed allowing mobile massage therapy salons.

Covert-ByBee updated the Board on the regulations process. She stated that there had been direction that all regulations be promulgated in the previously reported Executive Order format by the end of summer 2019. The Department is currently in the process of submitting regulations to be implemented. The regulations regarding the Licensure of Chiropractors/Chiropractic Physicians were submitted to legal and returned with a few items to review and clarify. Vander Broek elaborated on the process as a member of the Board of Health and explained their role in approving the regulations. The Board reviewed the revised regulations. The Board suggested approving cosmetic changes and duplicative language highlighted by DHHS legal. The Board suggested changing the word "complement," to "assist," in regards to unlicensed personnel working with chiropractors. The Board recommended changing the wording for continuing education hours to indicate that independent study hours cannot be used towards either four hour requirement for technical skills or practice issues. The Board also agreed with revision to move "Acupuncture," to the definitions.

Covert-ByBee stated that two members of the Board will be completing their first five year term this year and will be up for reelection. Gamble stated she will not be seeking reelection. Covert-ByBee asked the board what sort of qualities, achievements, qualifications, etc. they would recommend as most important in new members going forward and the Board provided feedback.

Covert-ByBee provided the Board with information regarding the application processing report. It was for informational purposes only.

Suggested topics for next meeting include scheduling meetings for 2020, appreciation for Maryann Gamble, regulation update and possible new board member announcement.

There being no further business, the meeting adjourned at 11:07 a.m.

Respectfully submitted,

Maryann Gamble, Secretary