

# Minutes of the November 12, 2015 Board of Chiropractic Meeting

## **CALL TO ORDER**

David Lauer, Chairperson, called the meeting of the Board of Chiropractic to order at 9:00 a.m. on Thursday, November 12, 2015, in the Nebraska State Office Building, Lower Level Conference Room B, 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 posting the agenda at the entrance of the Department of Health and Human Services at least 24 hours prior to the meeting.

Dr. Lauer announced that this is a public meeting and the Open Meetings Law was posted.

The following Board members and Department Staff were present at the meeting: Maryann Gamble, Dr. David Lauer, Dr. Mark Wurth, Rene' Tiedt, Program Manager, Jacye LaFayette-Dymacek, Health Licensing Coordinator, Ed Vierk, Assistant Attorney General, Suzanna Glover-Etrich, Department Legal Counsel, Larry Wiehn, Investigations, and Matthew Hayden, Health Licensing Specialist.

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

Dr. Wurth moved, seconded by Ms. Gamble to approve the minutes from the June 18, 2015 meeting with the adding the following sentence to the end of the scope of practice opinion: "That out of state licensed professional is not required to hold a Nebraska license." Voting aye: Gamble, Lauer, and Wurth. Voting nay: None. Absent: Rethwisch. Motion carried.

## **CLOSED SESSION**

Dr. Wurth moved, seconded by Ms. Gamble to go into closed session at 9:09 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, and Wurth. Voting nay: None. Absent: Rethwisch. Motion carried.

## **OPEN SESSION**

Dr. Wurth moved, seconded by Ms. Gamble to return to open session at 9:32 a.m. Voting aye: Gamble, Lauer, and Wurth. Voting nay: None. Absent: Rethwisch. Motion carried.

## **DECISIONS**

After discussion, Dr. Wurth moved, seconded by Ms. Gamble to offer Levi Taylor Bowlin a three-year probationary license based on his misdemeanor convictions and diagnosis of alcohol abuse. Voting aye: Gamble, Lauer, and Wurth. Voting nay: None. Absent: Rethwisch. Motion carried.

## **SCOPE OF PRACTICE**

After discussion, Dr. Wurth moved, seconded by Ms. Gamble that it is the Board's opinion that fire cupping is part of the scope of practice of chiropractic in the State of Nebraska. Voting aye: Gamble, Lauer, and Wurth. Voting nay: None. Absent: Rethwisch. Motion carried.

## **NEW BUSINESS**

Ms. Tiedt introduced the new Health Licensing Specialist, Matthew Hayden. Mr. Hayden filled the position previously held by Susan Kopera Crumb.

Ms. Tiedt provided information regarding the FTC vs. NC Board of Dentistry received from the Attorney General's Office.

Ms. Tiedt shared a document from the Council on Chiropractic Education regarding accreditation actions. This document was for informational purposes only.

Ms. Tiedt provided an update on the proposed changes to 172 NAC 29 and 30. The Department has received direction regarding the format that has been approved for use. Dr. Lauer provided suggestions regarding changes and additions that he feel will be beneficial to retain or add to the new set.

Dr. Wurth attended the FCLB Districts I & IV District Meeting in Coeur d'Alene, Idaho. Some topics included the inability of other jurisdictions to order drug testing, functional medicine, pastoral medicine, and CIN-BAD.

Ms. Tiedt shared a newsletter from Online Continuing Ed, LLC – Home of ChiroCredit.com and OnlineCE.com. This was for informational purposes only.

Ms. Tiedt presented an updated application processing report. This report was for informational purposes only.

The 2016 Board of Chiropractic meetings are scheduled for February 11, June 23, and November 3. These meetings will be held at 9:00 a.m. unless otherwise indicated.

Under topics for the next meeting, Dr. Wurth shared that the next FCLB District IV meeting will be in Colorado Springs, Colorado in October. The next annual meeting will be in Phoenix, Arizona April 27 – May 1, 2016.

Ms. Tiedt provided a brief recap of the topics covered during the meeting.

### **ADJOURNMENT**

There being no further business, the meeting was adjourned at 10:31 a.m.

Respectfully submitted,

***\*\*signature available upon request\*\****

Dr. Jeremiah Rethwisch, Secretary

Prepared by: Jacye LaFayette-Dymacek, Health Licensing Coordinator