

Minutes of the June 5, 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 June 5, 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 May 22, 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, DC Chair
Dr. Heather Henrichs, DC Vice-Chair
Dr. Brian Stevens, DC Secretary
David Henske, Public Member

Staff Present:

Claire Covert-ByBee, Program Manager
T.J. O'Neill, Assistant Attorney General
Vince Schiffiano, Assistant Attorney General Intern
Danielle Sund, DHHS Legal Counsel
Trevor Klassen, DHHS Investigations
Anna Harrison, DHHS Compliance Officer (via Webex)
Kim Hitzel, Licensure Board Coordinator

Members of the Public

Dr. Jess Rivera, DC
Dr. Nick Payne, DC

2. ADOPTION OF AGENDA

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

3. REAFFIRMATION OF MAIL BALLOT

The Board reaffirmed the mail ballot approving the April 3, 2024, Meeting Minutes. Members Stevens, Henske, Henrich, and Misek, voted to approve the minutes as written. The minutes were approved on April 17, 2024

4. CLOSED SESSION

MOTION: Henske moved, seconded by Henrichs, to move 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: Henske, Henrichs, and Misek. Voting nay: none. Motion carried.

5. BOARD RECOMMENDATIONS ON APPLICATIONS

The Board returned to open session 9:19 a.m.

There were no board recommendations.

6. Scope of Practice

MOTION: Henrichs moved, and Henske seconded to decline to issue an opinion on the scope of practice questions. Voting aye: Henske, Henrichs, Stevens, and Misek. Voting nay: None. Motion carried.

7. Regulations Update

Covert-ByBee informed the Board that the chapter of regulations is now under review Governor's Policy Research Office awaiting approval. Once approved it will be set for public opinion. The Department will keep the board informed of the progress throughout this process.

8. FCLB Report

The annual meeting was held at the end of April and beginning of May 2024 and attended by Misek, Henrichs, and Covert-ByBee. A Letter of Recognition from the FCLB was sent to the Governor's Office and the Attorney General's Office. The District I/IV meeting will be held October 4-5, 2024, in Scottsdale, AZ.

9. NBCE UPDATE

The clinical exam for the Part IV will be changing to a central site in Greeley CO beginning in 2026 that will utilize a 360' video monitored exam. More information will be shared as details become available.

10. LEGISLATIVE UPDATE

Covert-ByBee stated that LB 16 passed. This bill adds language to the Occupational Board Reform Act to outline the convictions deemed "disqualifying convictions", outline the circumstances under which the Board of/Department may disqualify an applicant for licensure, and provides a new pathway to licensure for reciprocity. The Department has determined that a denial of a license on the basis of convictions would be subject to the new requirements in LB16.

11. 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 in late 2024 or early 2025.

12. LICENSURE APPLICATION PROCESSING REPORT

This report is for informational purposes only. It provides a snapshot in time for the licensure statistics since this report was last presented.

13. RENEWAL

The renewal period has begun, and all licenses expire August 1, 2024. 243 license holders have renewed as of June 3, 2024.

14. RECOGNIZED CHIROPRACTIC SPECIALTY PROGRAMS (RCSP).

This information was presented at the FCLB/NBCE meeting and is being shared at this meeting for informational purposes only.

15. TOPICS FOR NEXT MEETING

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

16. Public Comment

Dr Jess Rivera, DC introduced herself and provided information to the Board about the new chiropractic educational program at Life Chiropractic College West @ Bellevue University.

Dr. Jess Rivera, DC
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17. ADJOURNMENT

There being no further business, the meeting adjourned at 9:51 a.m.

Respectfully submitted,

Dr Brian Stevens, DC Secretary