



Federation
of Chiropractic
Licensing Boards

MIDYEAR MEETING
FCLB Board of Directors
Friday and Saturday: January 20-21, 2006
Westin Hotel at Tabor Center - Denver, Colorado

MINUTES

PRESENT:

OFFICERS:

N. Edwin Weathersby, D.C., President - *at CCE in Scottsdale, joined FCLB Friday night*
Oliver "Bud" Smith, Jr., D.C., Vice President
Daniel Saint-Germain, D.C., Treasurer
Richard L. Cole, D.C., Immediate Past President

EXECUTIVE BOARD OF DIRECTORS:

Steve Willen, D.C., Executive Board Chair & District V Director
Carol Davis, D.C., District I Director
LeRoy Otto, D.C., District II Director
Lawrence O'Connor, D.C., District III Director
Ron Tripp, D.C. District IV Director

EXECUTIVE FELLOW DIRECTOR:

Joe Baker, Jr., Executive Fellow Director

STAFF:

Joan Carl, Finance & Benefits Manager
Julie Finn, Executive Assistant
Bridget Seader, CIN-BAD and Program Administrator
Kelly Webb, PR & PACE Coordinator
Donna M. Liewer, Executive Director

LEGAL COUNSEL:

Julia Works, J.D., Atkinson & Atkinson

OTHER GUESTS:

William Steinmiller, Computer Consultant - Prairie Star Technology
Reiner Kremer, D.C., American Academy for Advanced Practice

I. CALL TO ORDER / ROLL CALL / ANNOUNCEMENTS - Dr. Willen called the meeting to order at 8:27 AM. Donna Liewer called the roll, with directors and others present as listed. Attorney Julia Works was welcomed to the meeting. The chair explained that Dr. Ed Weathersby, FCLB president, was attending a CCE task force meeting in Scottsdale and would be flying in later in the evening. It was noted that Dr. Reiner Kremer had requested to address the board later in the morning.

II. MINUTES FROM PREVIOUS MEETINGS

M/S Smith/Tripp to approve the minutes of the 11/08/05 meeting of the FCLB Board of Directors as presented. *Passed, no opposition*

III. APPROVAL OF THE AGENDA

M/S O'Connor/Smith To approve the agenda as presented, and to deviate from the agenda as needed at the discretion of the chair according to time constraints. *Passed, no opposition*

IV. BUSINESS

1. UPCOMING MEETINGS

A. **FARB** - Julia Works gave a brief overview of the upcoming FARB Forum in San Diego, where over 200 people have registered for the meeting. Mr. Baker and Dr. Otto are both on the speaker faculty, so their expenses will be covered by FARB. Donna Liewer will be attending both the FARB board of directors meeting and the educational conference.

M/S Tripp/O'Connor to authorize travel for the Executive Director to attend the FARB Forum. *Passed, no opposition*

B. **Ethics Presentations** - Dr. Weathersby will be a featured speaker on ethics issues at Breakthrough Coaching in Las Vegas and would like Donna Liewer to attend as well. Expenses will be covered by Breakthrough Coaching.

M/S Cole / Tripp to approve the FCLB taking the message to Breakthrough Coaching. *Passed, no opposition*

C. **ACC-RAC** - Dr. Weathersby and Donna Liewer to attend both the multi-organizational pre-meeting as well as the ACC-RAC conference. Drs. Cole and Smith also reviewed their schedules, noting possible attendance possibilities.

M/S Tripp / Davis to authorize the executive director and either the president or the president's appointee to attend the combined meetings, or to separate them if necessary. *Passed, no opposition*

D. **NBCE / IBCE** - Dr. Smith reported that the IBCE had a good session before the holidays, early in the planning stages. Goal is to develop sound measurement of clinical education for students from other countries using their own Job Analyses. Current circumstances involving Japan and Brazil were reviewed.

M/S Tripp / O'Connor to authorize FCLB participation in the next IBCE planning and development meeting, to include Dr. Saint-Germain if possible as well as Dr. Smith who is already participating for NBCE. *Passed, no opposition*

E. **CFCRB Annual Meeting** - Dr. Saint-Germain offered to represent the FCLB if needed.

M/S Tripp / Baker to authorize travel for the president or his designee and support staff as needed. *Passed, no opposition*

2. DOT UPDATE

Donna Liewer provided a brief update of the US federal government plan to certify examiners to handle driver physicals, including an explanation of the various planning meetings underway with an end goal of developing a test plan and policies for certification. She explained how the PACE process can fit into the overall plan, and thanked Dr. Mike Megehee from Oregon as well as ACA Occupation Health Council volunteers for their work on the project.

3. GUEST: Dr. Reiner Kremer

Dr. Kremer presented an overview of an advanced clinical examination project proposed by the American Academy of Chiropractic Physicians. The roles of the colleges, NBCE, and regulatory boards were explored, including discussion of various options for post-graduate education for DCs. The board thanked Dr. Kremer for his presentation.

M/S O'Connor/Davis that the proposed examination program appears not to be a regulatory issue warranting official involvement by the FCLB at this time. *Passed, no opposition*

4. FINANCIAL REPORT

Dr. Saint-Germain presented the report. He explained the detailed analysis of the 2005 district meeting expenses, and the board commended Dr. Otto for his personal efforts to keep the District II costs unusually low. The board reviewed the end of the year projections in detail.

Dr. Saint-Germain presented the draft 2006 budget, noting questions related to projecting conference sponsor income and PACE income since the program is still getting underway. Staff was commended for pursuing a number of different scenarios in projecting PACE income for 2006, but the board recognized the difficulty of projecting initial income figures for the program.

For the benefit of new board members, it was explained that CIN-BAD names and addresses are not sold per board policy. Also any directors campaigning for FCLB office must pay the cost of mailing labels if they desire them.

It was noted that plans continue to research correcting the FCLB's non-profit tax status from 501(c) 6 to 501(c) 3, with attorney Dale Atkinson having completed the original research. A shift in non-profit status would make FCLB similar to most other federations, and also enable the organization to qualify for certain grants. The board was reminded that the process may be lengthy and involve several appeals, but legal counsel is optimistic that the change will ultimately be granted by IRS.

The status of the reserve funds was reviewed in detail. The board noted that cash fund balances are different from net worth balances which take into account depreciation. The FCLB identifies, but does not fund, depreciation.

M/S Smith/Tripp to transfer the projected cash surplus from 2005 to refill the depleted \$9,000 equipment upgrade fund and put \$36,000 back into PACE, as its development fund was exhausted in 2005. *Passed, no opposition*

Dr. Saint-Germain then described the proposed expenses, noting that legal fees and the employee health insurance plan represented two significant items. Anticipated travel for the PACE review team was also projected.

After securing input from counsel, it was agreed to adopt a deficit budget for 2006, noting that reserve funds may have to be tapped again as PACE gets underway.

M/S Tripp/O'Connor to adopt the 2006 budget as proposed, with several categories to be revisited when Dr. Weathersby is able to join the meeting the next day. *Passed, no opposition*

M/S Tripp / Davis to go into executive session. *Passed, no opposition*

The board came out of executive session.

M/S Tripp / Baker that the record reflect a clarification that daily directors' fees are \$100 and maximum per diem toward meals and expenses is \$50, up from \$35 total in 2004. *Passed, no opposition*

M/S Smith/Cole to review the report of all director fees for 2005 as reported on the IRS 1099 forms within the board, and to make the report available to the membership as requested. *Passed, no opposition*

The report on member dues was presented.

M/S Cole / Tripp to authorize the 2005 Audit with Rodahl & Co. with the anticipated cost similar to years' past. *Passed, no opposition*

The board asked if there are any changes required in the check approval or audit committee review processes to reflect full compliance with the highest standards of transparency in non-profit governance. It was agreed to discuss this with the auditor to secure any recommendations.

5. INSURANCE RELATIONS

Dr. Willen reported that he had received an invitation for FCLB to send a representative to a private insurance company to sit on an advisory group. The regulatory implications were discussed, including whether this is an appropriate involvement for the Federation. The board ultimately agreed not to participate in this avenue.

Dr. Tripp reported the issue of requiring licensure for claims reviewers is under discussion. Dr. O'Connor mentioned insurance companies pressing for their representatives to serve on regulatory boards, as well as challenging certain board regulations. The importance of good clinical documentation by practitioners was emphasized.

LUNCH BREAK

6. OIG REPORT

Donna Liewer reported on the combined efforts of the various organizations participating in the informal task force, and the steps underway with each constituency as well as the media and Congress. The high points of the OIG Report were reviewed. The need to upgrade and refresh documentation skills in the DCPs as well as for field practitioners is the focus of the Task Force. An educational session will cover this topic in Portland in May to bring the boards up to speed, possibly to include a resolution if appropriate.

7. FUTURE CONFERENCES

Chicago is proving to be too expensive for 2007, with rooms starting at \$209 and averaging \$225 for the hotels of choice. Dr. Otto suggested St. Louis, which the board affirmed by consensus, deferring the final decision until Dr. Weathersby could join the following day.

The board studied the conference expenses and fees, noting they have not been increased for several years although meeting costs continue to rise. Dr. Cole suggested revisiting the dues package to include at least some meeting registration component.

M/S Tripp/O'Connor to increase the annual conference registration fee in 2007 to \$395, with \$495 for late registrants, with staff to determine an administrative schedule. *Passed, no opposition*

M/S Smith/Saint-Germain to establish a fee for people who are off their boards but want to continue to participate, with a target implementation date of 2006. *Passed, no opposition*

2008 - the District V meeting is looking at Georgia, North Carolina, and South Carolina this year, and perhaps one of those sites might be good for the 08 Annual Conference.

M/S Smith/Davis to explore the Atlanta, Georgia area for 2008. *Passed, no opposition*

8. COMMITTEES

- A. **Research Task Force** - Dr. Cole reported that Drs. Carol Davis, LeRoy Otto, and Larry O'Connor will be working with him to look into the regulatory aspects involved with recruiting patients for research projects and offering CE for participating doctors. The possible future role of PACE was also discussed. It was agreed to work closely with any states that currently have this issue at hand, and to solicit the guidance of professional researchers as the task force begins its review.
- B. **Diagnosis Study** - Dr. Wolfson was commended for his continuing guidance and support of the diagnosis study, to analyze the regulatory language surrounding diagnosis in the various US jurisdictions.
- C. **History Project** - Dr. Keating and Dr. Wolfson were thanked for their ongoing efforts to finalize the history of the Federation. Significant projects competing for staff attention were noted by the board.

9. NEW BUSINESS

Dr. Willen exercised the privilege of the chair to request the board consider tightening the annual conference by one day in 2007. It was noted the FCLB board of directors meeting could be held on Wednesday, acknowledging the conflict this creates for the Executive Fellow director to participate in ACBA meetings simultaneously. The board agreed this could result in significant cost-savings and agreed the idea is worth looking into further.

The meeting was recessed at 5:15 PM

Saturday, January 21, 2006

The meeting was called to order at 8:26 a.m. Dr. Willen thanked everyone for the flexibility to handle agenda topics out of order as time permitted, and to work around topics to allow Dr. Weathersby to participate for the remainder of the meeting. He welcomed Dr. Weathersby and Bill Steinmiller. A card from Dr. Patricia Conners-Allen was shared with the group. Dr. Saint-Germain presented Donna Liewer with a picture of the "Canadiennes" for the office - with additional copies for Dale Atkinson and Dr. Cole.

1. PORTLAND CONFERENCE

Dr. Weathersby reported on the draft outline of the Portland program, and the theme "Focus on Leadership." The proximity to Western States Chiropractic College was noted.

M/S Tripp/Cole to host events whenever feasible at the WSCC campus. *Passed, no opposition*

A summit on International mobility is tentatively scheduled for Wednesday, to continue to address the complex issues involved in credentialing candidates worldwide.

The Association of Chiropractic Board Administrators will meet at WSCC. Dr. Weathersby has been asked to present briefly on ethics to the ACBA.

Committees are scheduled again for Wednesday afternoon.

Elections for Districts III, IV and V directors and alternates take place in Portland, as do elections for four positions on the FCLB Nominating Committee.

The only resolution to date has been submitted by Dr. Bill Rademacher of Illinois. It was agreed there are a couple of structural issues with the resolution as initially drafted, and Dr. Rademacher is open to guidance provided the spirit of the resolution is intact. Dr Otto will ask Dr. Rademacher to work with Dr. Tripp to ensure the wording is appropriately developed to satisfy everyone's concerns and still maintain his point of view.

Drs. Smith and Saint-Germain will host the New Attendee breakfast; NBCE will again be included in the presentation.

Various speakers were considered.

Dr. Wolfson had submitted a request that the board establish an annual FCLB Leadership Lecture, with various options for the design. The board discussed having established leaders in the profession as well as students participate. The opportunity to further involve students was discussed, to include perhaps asking the college president of the nearest DCP to our annual conference nominate student participants. The board was reminded that Dr. Wolfson has personally donated the \$1000 to enable student involvement. Dr. Weathersby offered to continue to support the effort. It was agreed to continue to look into possibilities to achieve the goal of greater student participation.

Other breakout and general sessions were brainstormed. Dr. Daryl Wills has been invited to present the 16th Annual Janse Lecture as approved by the executive committee. The board requested that the full board of directors be notified about the Janse selection next year. They also recommended the program include a description about the intent of the Janse Lecture series.

The NBCE will be offered a plenary session in Portland as well as a breakout.

It was agreed to dedicate the Welcome Reception to our good friend Mick Walsh, registrar from new South Wales, Australia, who passed away in November.

Various social events were determined.

The board discussed the conference support program at length. It was agreed that the board would review organizations invited to participate, and that the chiropractic colleges would be extended the first invitation. It was further determined that speaking would be limited to 2 - 3 minutes at the welcome reception and only for the Platinum Sponsors. The board noted its appreciation to those who have supported the conference to date as these funds have allowed us to upgrade the program and still break even.

The issue of CE credits for participation in the annual conference was explored. It was agreed that our conference agenda can be presented to any board, which can determine whether the program satisfies the jurisdiction's CE requirements, but that the FCLB would not actively seek approval through PACE or directly of the member boards.

The process for determining awards was reaffirmed by the board.

The ever-improving registration process was noted as well as the e-mail emphasis for public relations regarding the conference.

2. PACE

The applicant process for PACE approval was presented. PR initiatives were also presented. A survey is circulating asking for regulatory reference to accepting PACE and to request assistance from FCLB if needed.

M/S Smith/O'Connor to adopt special fee incentives for the post-grad departments of the DCPs, in recognition of their financial involvement in the development of the program requirements. This will waive the initial application fee of \$500 and initial recognition fee of \$1000 for the first year for this group, and assess only the \$250 renewal fee the second year. *Passed, no opposition*

The FCLB president will send a letter to the college presidents explaining the program benefits and fee structure.

M/S Tripp/Saint-Germain to go into executive session. *Passed, no opposition*

The board came out of executive session. There were no actions taken.

3. TECH UPDATE

It was noted the FCLB website is averaging 120,000 hits per month, with a peak of 138,000 hits one month. The potential to capitalize on this extraordinary Internet presence was discussed. Dr. Weathersby asked Dr. Tripp to chair a committee to look into whether there can be some monies generated from advertising without jeopardizing our mission. Dr. Davis, Mr. Baker, and Mr. Steinmiller will assist.

CIN-BAD has about 100 users a day. Bill is continuing to upgrade the look and feel of the website and the CIN-BAD section.

4. ELECTRONIC RECORDKEEPING

With the OIG emphasis on better recordkeeping and documentation, the board discussed various electronic recordkeeping programs. The FCLB will develop a task force on recordkeeping to produce model language to help the boards in turn help their doctors. Some names were suggested for Dr. Weathersby's consideration.

5. ACCREDITATION ISSUES

The board discussed how to recognize quality education worldwide, using accreditation as part of the process. Dr. Smith will contact Dr. Paul Walker of CCEI to discuss the similarities and differences of the four primary accrediting bodies. Funding a comparative study was mentioned, with a possible development of an RFP.

Dr. Weathersby suggested a PowerPoll be developed to identify the current processes employed by our member boards worldwide.

Dr. Saint-Germain reported on a number of issues relating to accreditation and the regulatory boards, with both groups reviewing opportunities to work more closely together. The majority of the Canadian provinces now separate the association work from that of the regulatory body.

Dr. Weathersby updated the board on CCE-US issues, including yesterday's work session to discuss regulatory requirements concerning education to offer physiotherapy.

6. FCLB 2006 BUDGET

M/S Tripp/Cole to readdress the 2006 budget now that the president is present.
Passed, no opposition

The board discussed the proposed target total for conference support.

M/S Tripp/O'Connor to increase the budget projection for conference support from \$18,000 to \$25,000. *Passed, no opposition*

The board readdressed shortening the annual conference for 2007 by one day, noting the stress it adds for the Executive Fellow Director but reduces for the directors we share with NBCE. Perhaps ACBA could meet on Tuesday or ACBA could meet Thursday afternoon, do dinner instead of luncheon.

M/S Tripp/Otto to explore the option of shortening the annual conference by one day in starting the FCLB board meetings on Wednesday instead of Tuesday, to start in 2007. *Passed, no opposition*

7. COMMITTEE APPOINTMENTS

Dr. Weathersby reviewed his recommendations for various committee appointments, seeking board input on both the standing and special committees.

M/S Smith/Baker to approve the President's nominations to Standing Committees and to offer courtesy endorsement of the final slate of Special Committee appointments. *Passed, no opposition*

8. INFORMED CONSENT

The board decided to address this topic at a future meeting.

9. ANNOUNCEMENTS

Dr. Saint-Germain expressed appreciation to the board and staff for the support and flowers at the passing of his mother.

Dr. Cole noted there is a future-vision meeting scheduled for February 18, 2006, at NUHS, and requested that the board consider sending someone to represent the regulatory perspective. It was agreed we need to study the agenda further before making a final determination.

10. ADJOURN - 5:00 PM

M/S Tripp/Davis to adjourn the meeting until the next telephone conference call the first week in March. *Passed, no opposition*


Donna M. Liewer
Recording secretary