



MEETING

FCLB Board of Directors

Tuesday, May 2, 2006

Marriott Hotel on the Waterfront - Downtown Portland, Oregon

MINUTES

PRESENT:

OFFICERS:

N. Edwin Weathersby, D.C., President
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:

Dale Atkinson, J.D., Atkinson & Atkinson

OTHER GUESTS:

Joseph Brimhall, D.C., President - Western States Chiropractic College and CCE-US
Ed Devereaux, D.C., Past President - New South Wales Board of Registration of Chiropractors
& Osteopaths, also Joint Education Commission of Australasia

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- A. CALL TO ORDER - Dr. Steve Willen called the meeting to order at 8:20 a.m.
- B. ANNOUNCEMENTS - Dr. Willen expressed his appreciation to the board for the opportunity to serve as chair, noting his pre-announced retirement will be effective Friday. He gave each member of the board and staff a "remembrance." Dr. Weathersby commended Dr. Willen for his service and presented him with a gift.

Dr. Tripp was thanked for his Silver Sponsorship of the conference.

Transportation to the reception at Western States Chiropractic College was arranged.

The schedule for the day's meetings was reviewed.

- C. INVOCATION - Dr. Weathersby offered the invocation.
- D. ROLL CALL - all board members and staff present as listed, also legal counsel Dale Atkinson, J.D. of Atkinson & Atkinson.
- E. APPROVAL OF AGENDA
- M/S Tripp / O'Connor to approve the regular board agendas as modified for the duration of conference, to be suspended as necessary to accommodate guests or other related meetings. Passed, no opposition
- F. APPROVAL OF MINUTES
- M/S Davis / Tripp to approve the minutes of the Midyear Board Meeting January 20-21, 2006 in Denver, subject to change if careful review over the week discerns any corrections. Passed, no opposition
- F. APPROVAL OF CONFERENCE POLICIES
- M/S O'Connor / Otto to renew approval of the 5/4/04 policy governing attendance and participation in FCLB board meetings by guests. Passed, no opposition

POLICY: Attendance at FCLB Board of Directors Meetings

In the interest of the public protection mission of the FCLB, and to permit the observation of the actions of the Board of Directors, attendance at board meetings is subject to the following:

1. All FCLB Board of Directors meetings are open to Fellows and Executive Fellows;
2. Attendance by Fellows and Executive Fellows shall be for observation purposes only. Participation shall be at the discretion of the chair.
3. Attendance of the Board of Directors meetings by others shall be by invitation of the board.

M/S Davis / Saint-Germain to renew approval of the policy designating the President and Executive Board chair as the official spokespersons for the FCLB board for the duration of the conference. Passed, no opposition

- G. OVERVIEW OF PORTLAND CONFERENCE PROGRAM - Dr. Weathersby reviewed the general conference program and outlined the various duties of the directors.

1. Financial Report - Dr. Saint-Germain and Joan Carl offered several financial reports:

A. General Financial Report

1. Current Bank Balances / Income & Expense Reports

Revenues: He noted that CIN-BAD revenues are down about \$18,000 to date, and that PACE is beginning to come on line, but the revenues it will generate are still uncertain. The remainder of FCLB income is in line with budgeted projections.

Expenses: The Denver midyear board meeting was more expensive than budgeted, primarily due to the fact that FCLB now has to cover travel expenses for more board members than in the past and also due to increased legal expenses for longer meetings than the year prior. The board discussed several site options for 2007, directing staff to develop cost projections.

Conferences: Dr. Willen suggested that the St. Louis conference be consolidated by cutting one day for the board at the beginning of the meeting. The FCLB board would meet on Wednesday rather than Tuesday. While it creates a conflict with some concurrent meetings, this plan may also cut costs. It was agreed to negotiate the final St. Louis contract with this plan in mind, and to evaluate the idea after St. Louis to determine whether it should be continued. Committee meetings will be rescheduled for Thursday afternoon to make it easier for attendees to participate. The board also reviewed the audio-visual costs and noted that the FCLB has now purchased all the portable equipment possible which is not site dependent (sound systems are hotel-specific). It was agreed to develop a "wish list" of needed AV equipment and ask local area chiropractic colleges or associations to help provide any additional necessary equipment to cut costs.

M/S Tripp / Smith to approve the financial report as presented. Passed, no opposition

B. Conference Finances

The preliminary figures from the Portland conference were reviewed, including the sponsorship program. Dr. Willen was thanked for his outstanding efforts to generate sponsorship income for conferences over the past several years.

C. Financial Policies

Voucher Form: Proposed revisions were introduced, with no changes to the current amounts of \$50 per diem to offset daily meals and other expenses and the \$100 director fee. Other updates to the form were also explained. It was agreed that travel days should be established in advance of meetings, and food allowance should be reduced for days that the Federation provides meals.

M/S O'Connor/Tripp to approve the revisions to the voucher form as presented.
Passed, no opposition

General Financial Policies: It was agreed to adopt non-substantive changes to the Financial Policies as recommended by staff and CPA, adding a change in policy #1 from "bondable" to "bonded."

M/S Tripp / Smith to approve the proposed revisions to the general financial policies as amended. Passed, no opposition

D. Finance Committee / Reports to the Membership

The board reviewed pertinent wording in the bylaws and the draft of the various reports planned to be distributed to the members. It was agreed to have the general budget categories for 2006 presented in similar format as 2005 for the members' review. The board also reviewed the report of director fees for 2005, and agreed to make it widely available to the members, including mentioning the report at the Saturday district breakfasts.

The Finance Committee will meet Wednesday afternoon at 3:30 p.m. as published in the agenda - open to all members and guests with participation governed by the established protocols.

E. Approval of Audit

M/S Tripp / Smith to approve the report of the audit of the 2005 finances by the CPA firm of Rodahl and Co. as presented, with appreciation to FCLB Finance Manager Joan Carl. Passed, no opposition

2. Membership Roster Report

Joan Carl presented the reports, noting that the dues increase approved by the membership went into effect last year. Tennessee may again need additional information to clarify the difference between associations of regulatory boards and professional associations to be able to finalize their dues payment. Six Canadian provinces have also paid dues this year, and New South Wales' payment is to be hand-delivered by their representatives.

The credentials committee task description and current registration of delegates and alternates were reviewed. The board agreed that clarification of the designation and seating process for the alternate delegates should be clarified.

M/S Cole/Davis to clarify the delegate and alternate registration policies and procedures as presented, with additional changes as discussed. Passed, no opposition

The board also reviewed the request for Texas to seat a replacement delegate since neither of the originally designated delegate / alternate would be attending. The board noted the request was submitted timely and in accordance with the existing appeal policy.

M/S Smith/Tripp to accept the designation of Dr. Cynthia Vaughn as Texas delegate to the FCLB, as requested and documented by the Texas Board. Passed, no opposition

It was noted that this will be reported by the Credentials Committee at the annual meeting and is subject to final acceptance by the delegate body.

The board agreed to review the definition of Fellows as outlined in the bylaws at the January 2007 midyear meeting.

3. Committees

- A. Reaffirmation of Committee Appointment Protocols - The board reviewed the Committee Appointment Protocols and agreed by consensus to continue them with no changes.
- B. Conference Committee Appointments - Dr. Weathersby requested the courtesy approval of the board for several appointments. The board approved the following by consensus:
 - 1. Minutes Committee: Daniel Prideaux, D.C. (MT) - Chair, Teresa Marshall, D.C. (MN), Carl Nelson, D.C. (AL)
 - 2. Credentials Committee: Barbara Stanfield, D.C. (CA) - Chair, Kelly Faircloth, D.C. (LA), Clark Davis, D.C. (AK)

3. Tellers Committee: Farrell Grossman, D.C. (SC) - Chair, Beth Kelly (OK board exec), Lawrence Davis, D.C. (NV)
 4. Dedication to Service: Ed Devereaux, D.C. (NSW)
 5. Installation of Officers: Patricia G. Conners-Allen, D.C. (AK)
- C. Report of the Nominating Committee - As chair, Dr. Cole reported there are no elections this year by the delegate body as a whole. He noted there were no nominations for the Nominating Committee received by the required deadline, and encouraged board members to seek out qualified Fellows to run from the floor.
- D. New Board Member Orientation Project - Committee chair Dr. Mary-Ellen Rada (NJ) will continue filming during the Portland conference,
- E. Fraud Prevention and Identification Committee - Dr. Larry Spicer (MN) provided the board with a draft copy of the current position papers under development by this committee. He will meet with the team members to review the draft in more detail before presenting it to the FCLB board for final review. It is planned to see member feedback at the fall regional meetings once the document has been approved by the board. Dr. Spicer has noted that this is the last year he can serve as chair, and that their team plans to take on at least two more topics before next year. The board expressed its sincere appreciation to Dr. Spicer for his admirable professionalism and focus in working on this project with his committee. He will be invited to discuss the project further with the new FCLB board at the Saturday afternoon meeting.
- F. Patient Participation in Research Projects - Dr. Cole provided a brief update on the issues being explored by the task force, particularly the underlying concepts involved in clinical research.
- G. Resolutions and Bylaws Committee - Dr. Tripp reported there were no bylaws amendments proposed this year. He described the single resolution submitted to date, noting that the sponsor was seeking detailed guidance from the board on appropriate language. The sponsor is not able to attend the Portland conference.

M/S Baker/Tripp to submit the revised resolution to the Resolutions & Bylaws Committee for their review. Passed, no opposition

It was noted that the Committee would meet Friday afternoon as published in the agenda materials, with the meeting open to all and subject to participation under the established protocols.

- H. Model Act Committee - Dr. Cole commended his fellow task force members for the detailed work they have invested in the project to date. He reviewed the various source documents the team has employed, and noted the detailed nature of the project does not lend itself well to meeting during the busy conference. Additional work sessions are planned this summer, with hopes of presenting a draft document for review at the fall regional meetings. South Dakota has expressed particular interest because of their current plans to remodel their own Act; Dr. Lecy will be invited by Dr. Cole to participate.

4. Reports of Recent Meetings

- A. Parker Seminar: Las Vegas - Ethics presentation by Dr. Weathersby there and at Breakthrough Coaching were well received.
- B. ACC-RAC: Las Vegas - Dr. Weathersby, Dr. Cole, and Donna Liewer reported on the various meetings with the college presidents and postgraduate deans. Details on the PACE program were presented to both groups.

Dr. Richard Saporito of Bridgeport asked if the Federation could develop a central clearinghouse of current and pending changes to rules and regulations. Staff will investigate electronic options.

Dr. Weathersby was commended for meeting individually with as many college presidents as possible to share the focus and vision of the Federation. It was noted that the people involved in college leadership positions are changing frequently and it is important for the Federation to maintain an active presence at this high level meeting.

- C. FARB: San Diego - Dale Atkinson and Donna Liewer reported on the excellent program offered by FARB and some of the significant emerging regulatory law issues. Dale Atkinson described the continued groundwork on a board member training and certification program being undertaken by FARB to help train new members in all licensed professions.
- D. ACA-NCLC-COCSA: Wash D.C. - Donna Liewer reported on her presentation on a panel at this conference on recordkeeping and documentation issues relating to last year's OIG Report.

In addition, she was able to discuss PACE with numerous attendees.

- E. FMCSA / DOT Physicals - the role of PACE in certifying the quality of the required preparatory education for certification was reviewed. Two summer meetings are planned in San Diego and St. Louis.

M/S O'Connor / Tripp to authorize FCLB attendance at these meetings at the discretion of the president. Passed, no opposition

5. PACE

Ms. Webb reported there are now 14 boards that have officially responded they will accept PACE approved providers. Arizona and North Carolina were subsequently added to this list. Dr. Cole announced this exceeds the interim target goal for board participation. Additional training for our member boards will be offered during the Thursday morning general session and also at a Thursday afternoon workshop.

The board was informed there are two applicants currently in process. Board members were encouraged to become highly familiar with the program details so they can answer questions.

Recess for Lunch / Reconvened

M/S Tripp/Otto to go into executive session to discuss legal issues. Passed, no opposition

The board came out of executive session. There were no action items to report.

Guests joined: Dr. Joseph Brimhall and Dr. Ed Devereaux

6. Accreditation

There will be an afternoon session on international accreditation, testing, and regulatory issues related to world-wide mobility, hosted by the FCLB. The NBCE will offer a PowerPoint presentation to review the key events to date.

The board agreed that the FCLB itself cannot determine the eligibility criteria for our member boards, but we can suggest some of the issues to be taken into consideration. We have a responsibility to help determine the portability of examinations, accreditation, education, and licensure background. Looking at accreditation as the "common currency" rather than reviewing specific courses to try to determine equivalence is high on the option list. Mutual recognition agreements have historical success.

It was proposed that the FCLB offer to develop a joint task force to make certain that the issues stay centralized and to maintain good communication.

The board meeting was recessed to allow for the Federation's meeting on international issues with guests representing CCE-International, CCE-US, Australia, and NBCE.

Meeting highlights: After extensive and detailed exploration of various issues and options, it was agreed to develop a working task force of primary stakeholders in regulation, testing, and accreditation worldwide to ensure the public protection interests would be foremost in any design to promote mobility of qualified candidates for licensure or registration. The NBCE and any other testing organizations will be encouraged to develop appropriate explanatory language / disclaimers to clarify that passing the exam does not by itself guarantee licensure, as boards have additional criteria that must also be satisfied.

The guests were thanked for sharing their ideas and insights, and the meeting was concluded.

The meeting of the FCLB Board of Directors resumed.

7. District Meetings

The board reviewed various issues facing the districts, and with regret accepted Dr. Willen's resignation effective Friday morning, May 5. By consensus, the board agreed that in accordance with the FCLB bylaws, District V Alternate Director Dr. Dennis Hall will assume the District V seat until the newly elected District V Director is seated at the close of business Saturday.

8. Future Conferences

- A. 2007 - District II / St. Louis, Missouri
May 2 - 6, 2007
\$149 room rate
- B. 2008 - District V / Atlanta
Dates under discussion with NBCE

- C. 2009 - District IV / City undetermined
Some cities suggested include Scottsdale, Austin, San Diego, San Antonio

M/S Smith/Baker to explore Austin as a possibility. Passed, no opposition

9. Special Requests for Board Consideration

The board reviewed a request from a group requesting that their current membership status be communicated to the licensing boards. By consensus, the board noted this is not within the purview of regulation.

10. Other Business

- A. Canadian Federation of Chiropractic Regulatory Boards - Dr. Saint-Germain reported on the new CFCRB leadership team:

President - Dr. Keith Thompson of Ontario
Vice President - Dr. Rick Kitchen of Saskatchewan
Treasurer - Dr. Daniel Saint-Germain of Québec
Chair - Dr. Wanda Lee MacPhee of Nova Scotia

The CFCRB is also interested in patient participation in research projects.

The CFCRB joint project focusing on chiropractic guidelines for the treatment of neck pain not associated with whiplash has been published and is available via the Internet.

The Canadian Federation is exploring consolidation of various regulatory responsibilities under the umbrella of the CFCRB, maintaining final authority under the regulatory boards.

- B. Other business

M/S Cole / Saint-Germain to go into executive session to discuss legal issues.
Passed, no opposition

The board came out of executive session. There were no action items to report.

The meeting was adjourned at 5:15 p.m. The new board will meet Saturday afternoon immediately following the close of the business meeting.


Donna M. Liewer
Recording Secretary