



Federation
of Chiropractic
Licensing Boards

Mid-Year Meeting FCLB Board of Directors January 6-7, 2017

Horace C. Elliott Building on the NBCE Campus
Greeley, CO

MINUTES

NOTE: Minutes are not totally chronological, as discussion and motions related to a specific agenda item are consolidated under that topic.

PRESENT:

OFFICERS:

Farrel Grossman, D.C., President
Maggie Colucci, D.C., Vice President
Kirk Shilts, D.C., Treasurer
LeRoy Otto, D.C., Immediate Past President

EXECUTIVE BOARD OF DIRECTORS:

Carol Winkler, D.C., Board Chair & District I Director
William Rademacher, D.C., District II Director
Keita Vanterpool, D.C., District III Director
Ned Martello, D.C., District V Director

ADMINISTRATIVE FELLOW DIRECTOR:

Patricia Oliver, Administrative Fellow Director

ALTERNATE DIRECTORS:

Chris Waddell, D.C., Alternate District IV Director

STAFF:

Dr. Jon Schwartzbauer, Executive Director
Julie Finn, Executive Assistant
Bridget Seader, CIN-BAD/Program Administrator
Kelly Webb, PR & PACE Coordinator
Vicki Young, Finance & Benefits Manager

MEETING DETAILS

I. Call to Order, Roll Call, Announcements

Serving as chair, Dr. Winkler called the meeting to order at 8:48 a.m., Friday, January 6, 2017. Roll call was taken with noted board members and staff present as listed.

Dr. Winkler reminded the board of supper arrangements for 6:00 that evening.

Integrity Check: Dr. Schwartzbauer asked the question regarding any outside influences that should be disclosed. Dr. Colucci indicated she had a disclosure. In August at the FCA Conference she attended for the purpose of soliciting vendors for PACE and other projects, she put her Red Rock business card in the fish bowl for an entry to win a laser and she won. They contacted her in December to make arrangements to deliver the unit. The Board felt it was not an actionable issue and thanked Dr. Colucci for her disclosure.

M / S Shilts / Martello

to accept Dr. Colucci's integrity check disclosure, and take no action on this matter. Motion passed. Dr. Colucci recused herself.

II. FCLB Master Calendar

Available on-line at BOD private section of the website.

III. Consent Agenda

M/S Oliver / Martello to accept the consent agenda as written (modified). *Passed, no opposition*

A. Board Meeting Agenda

to approve the board of directors meeting agenda for January 6-7, 2017, as presented and modify as needed to accommodate guests. *Included in Consent Agenda motion.*

B. Ratification - Electronic Minutes and Ballots

to ratify all electronic minutes and ballots since the last in-person meeting of the FCLB Board of Directors in April 2016. *Included in Consent Agenda motion.*

C. Standing Rules

to adopt standing rules to include recording the meeting and following procedure for motions. *Included in Consent Agenda motion.*

D. Board Policy Manual

1. Financial Overview Meeting Update

Dr. Grossman reported on his December meeting that he took a close look at our entire financial position, stating that we have done an amazing job over the past several years. He visited with our new accounting firm that does the FCLB audit to get advice on creating a financial policy that is spelled out very clearly. Dr. Grossman said we have established a good financial policy and Dr. Shilts will discuss that later.

2. Investment Policy

Dr. Shilts reported that this topic came up at the last meeting and the Board charged him and Dr. Grossman to put together a policy. He said we should create a structured framework now and look at it again in May based on information we'll get back over the next several months.

Dr. Grossman asked the board to give them the opportunity to discuss the layout for the "portfolio" of the investment policy with a broker, not accepting anything less than an A-rated, maybe even a AA-rated. He also mentioned that our portfolio is not going to have a lot of any specific investments in equities. Dr. Schwartzbauer mentioned that we are reviewing broker bids that have come in.

M / S Shilts / Grossman to establish a board-designated fund called the Investment Fund. *Motion passed. Dr. Rademacher abstained.*

M / S Shilts / Grossman to amend the board policy manual as further amended today with the inclusion of the new policy on the Investment Fund. *Motion passed. Dr. Rademacher abstained.*

IV. Possible Guests

1. Larry Atchison - Anderson & Whitney

Dr. Schwartzbauer mentioned that Mr. Larry Atchison, the auditor, couldn't be with us today due to a family emergency but his information is reported on Page 12 of the meeting material.

LEGAL ISSUES

V. Legal Issues

1. None to Date

GOVERNANCE

1. Financial Report

1.1 Membership Dues Report

A. 2017 Member Dues

Ms. Young commented that we have recently brought in past dues from Puerto Rico for 2013, 2014 and 2015 but they have not yet paid their 2016 dues. We have also received past dues from the Virgin Island for 2014, 2015 and 2016 and Wisconsin has paid their past dues from 2015. Georgia is now current.

B. Member Benefits

Dr. Winkler referred members to the written reports in their materials on page 16.

1.2 Budgetary Issues

A. Status Report

B. Income & Expense Report

C. Job Cost Reports

D. Board of Directors Designated Funds

Dr. Shilts reported that there was one change under designated funds: the board will be asked to consider moving \$43,012 instead of \$44,870 into our 12-month operating reserve fund, which represents 5% of last year's annual revenue.

1.3 Preliminary Draft Budget

Dr. Shilts referred the board to page 27 of the meeting materials. The budget is similar to last year with a projected surplus.

M / S Shilts / Martello to amend proposed travel budget increasing CCCA Parker line item to \$6,600 to include one staff and two board members, and also adding a new trip for FCC for one board member for \$3,500. Motion passed, no opposition.

The final vote to adopt the budget took place on Saturday after all topics had been discussed. (See Saturday Minutes page # 10)

1.4 Operating Reserve Fund

M / S Oliver / Vanterpool to allocate \$43,012 into the 12-month operating reserve fund, which represents a 5% allocation rather than 3%. Motion passed, no opposition.

2. FCLB Board of Directors

2.1 Mid-Year Meeting - 2017

A. October date / location

Dr. Schwartzbauer said there was consideration about meeting in conjunction with the COCSA meeting in November in Puerto Rico. Ms. Finn will do her research and see what we can do.

Dr. Winkler declared a 5-minute recess to accommodate guests. Dr. Grossman introduced Dr. Morin and Dr. Ouzts. Dr. Morin announced that they have hired the new Executive Vice President, Dr. Norman Ouzts. Dr. Ouzts said that he looks forward to working collaboratively with Dr. Schwartzbauer, and looking forward to the challenge. His goal is to be in Greeley full time by March 1st.

2.2 To post Dr. Rademacher's White Paper on the FCLB Website

Dr. Rademacher discussed his white paper regarding a drug-free health care profession that he co-authored with Dr. Stephan Troyanovich. He said the paper is proclaiming our identity as a drug-free profession and has had the vetting of two different venues and presented to the International Research Philosophy Symposium at Sherman College and published by J. Philosophy, Principles & Practice of Chiropractic. He is asking the board

for approval to include this in the Resource section of our website. Dr. Grossman thanked Dr. Rademacher for his hundreds of hours and work to this project.

M / S Grossman / Waddell to add Dr. Rademacher's white paper on FCLB's Research section of the website. Motion passed, Dr. Shilts abstained.

2.3 Statement of Commitment and Conflict of Interest Disclosure Form Signatures
Ms. Young passed out documents for signatures

2.4 Review Financial Protocol for Board of Directors
Dr. Shilts asked for discussion about the financial protocols. Ms. Young indicated that the travel voucher has changed again due to new federal mileage allowances. Dr. Grossman commented that regarding ground transportation, any transportation other than your personal auto should be stricken. He said it's the transportation, rather than who owns the car, which is what matters.

M / S Shilts / Oliver to amend the 2017 travel voucher regarding ground transportation language to read any necessary transportation (all ground transportation) and include timely submittal of vouchers. Motion passed, no opposition.

2.5 District Directors to reach out to State Associations in each region regarding PACE
Dr. Winkler mentioned that it is important for Directors to reach out to your state association members regarding PACE and the association possibly becoming a PACE provider. This is not an effort to detract from an association's CE offerings but to make them aware of the possibilities. Pages 60-64 in the meeting material has listed contact information in each district for each state association.

*Break for lunch at 11:59 a.m.
Meeting reconvened at 1:08 p.m.*

3. Personnel Issues

3.1 Executive Director Evaluation

Dr. Schwartzbauer addressed the board, stating that one of the duties of the directors is to evaluate the executive director. He feels it is an important tool for the Executive Director in doing a good job based on the board's direction and feedback. He would like to see the board implement this evaluation, saying he felt that feedback and guidance is important to him. Dr. Winkler said the consensus is that it's a good idea, we'll work to get some things together, putting something into practice and decide how often we need to do it.

3.2 Cost of Living Adjustment

M / S Grossman / Vanterpool to enter into Executive Session at 1:17 p.m. to discuss personnel issues.

Exited Executive Session at 2:24 p.m.

The board announced ratifying the actions taken in Execution session.

4. Membership Issues

4.1 Member Dues Yearly Increase

Dr. Shilts reported that our members voted in 2007 to raise dues by 5% annually. Dr. Waddell addressed a concern expressed to him by Dr. Tays regarding the 5% annual increase.

Dr. Shilts suggested dropping the annual increase from 5% to 2.5% in response to consistent revenue surpluses. Dr. Colucci mentioned we should revisit this every year.

M / S Waddell / Oliver to change the annual dues increase to 2.5% to be revisited annually. Motion passed, no opposition.

OPERATIONS

5. FCLB Technology & Communications

5.1 Website Update

Dr. Schwartzbauer played the video that Ms. Webb created for Conference PR. Dr. Shilts suggested sending it to every Member Board office. Ms. Webb also reported that the number of hits on the website are up.

5.2 Software System Update

Dr. Schwartzbauer reviewed and answered questions regarding the Impexium Association Management Software (AMS) proposal provided to the board.

M / S Grossman / Waddell to empower the Executive Director to move forward with the Impexium software subscription and agreement. Motion passed, no opposition.

M / S Shilts / Grossman to transfer \$13,900 from the tech reserve fund into the operating fund. Motion passed, no opposition.

5.3 Regulatory Corner

Dr. Schwartzbauer thanked the board for their submissions from the November meeting. He urged them to continue to think about Regulatory Corner topics and submit to himself or Ms. Webb. And for those that are feeling creative, they are free to submit drafts.

5.4 FCLB Official Directory

Ms. Seader reported that she has canvassed the boards to submit any updates/changes for the website. She has gotten updates from a good number of states and will be sending out reminders for those she is still missing.

6. Committees

6.1 Resolutions & Bylaws Committee

A. Bylaw Amendment submitted

Dr. Shilts has a bylaws proposal concerning voting quorums that was discussed during the November meeting. Dr. Schwartzbauer said this will go to the Resolutions & Bylaws Committee.

B. Resolutions submitted

Pediatric Resolution:

Dr. Waddell has submitted a resolution regarding pediatric chiropractic.

Dr. Shilts said he was asked to look over Dr. Waddell's submission and offer language suggestions for consistency to past resolutions but keep the same end resolve. Dr. Grossman said that if Dr. Shilts and Dr. Waddell are good on one resolution, let's decide and send it to the committee.

M / S Waddell / Grossman to accept the Pediatric Resolution with updated 1-17 language, and to include Dr. Waddell's references as background information. Motion passed, no opposition.

Opioid Resolution:

Dr. Shilts reported that the opioid issue is something that all of our states are highly involved with. This resolution was proposed last year and it was not approved, but he feels the issue with opioids is very significant. He particularly likes this resolution because it has specific action steps that our member boards could adopt.

After much discussion on the proposed resolution from Dr. Shilts, Dr. Grossman said that there was a resolution voted on at the last Summit and they are waiting for the final document. As soon as that document comes to us he would like this board to take a look at it.

Dr. Shilts withdrew his resolution.

6.2 Fundraising Committee

A. Update

Dr. Colucci thanked Dr. Rademacher and Dr. Vanterpool for their help to move forward with the raffle as well as Dr. Vanterpool's involvement to design the raffle ticket. She reported that we are wrapping up the final details.

Dr. Colucci wants to direct the delegates to the upcoming Dynamic Chiropractic article on our Passport program, get them talking about temporary licensure and how they can implement Passport in their states. Dr. Schwartzbauer said email reminders with links to the information will be sent out. Dr. Colucci also suggested reaching out to heads of organizations that would be potential groups to go through with Passport and invite them to conference.

6.3 Vision Statement - AD_HOC Committee

A. Review Values

Dr. Vanterpool thanked the board, indicating the committee has come to a consensus and the values are ready to review. Dr. Schwartzbauer stated there needs to be consensus behind these values from the board.

M / S Vanterpool / Grossman to approve and move forward with these values, in no particular order for an FCLB Vision Statement. Motion passed, no opposition.

6.4 CCCA Committee

Dr. Shilts said we are on the path of bringing validation to our CCCA program; and that we should expect any certification program, including our own, to meet certain basic standards. We need to do a re-examination of the exam itself to meet these standards, for example. We would also like to market it, moving forward, advertising in other venues outside the Chiropractic Assistant magazine. The committee will also discuss other avenues of marketing.

Dr. Shilts stated that Dr. Schwartzbauer and the staff did an analysis of various chiropractic journals and what advertising would cost.

M / S Rademacher / Grossman to approve additional advertising for the upcoming year at \$3,300 for CCCA program. Motion passed, no opposition.

FCLB PROGRAMS & SERVICES

7. New Programs

7.1 Specialty Boards - NCCA Certification Standards

Dr. Otto reported that Dr. Antonucci is speaking to our delegates relative to specialty boards and councils during our Orlando conference to inform our Member Boards about accreditation standards for specialist certification programs.

8. Orlando, Florida - 2017 Conference

8.1 Theme: Ship Shape Board

8.2 Overall schedule / Program / Related Meetings / Thursday Reception

8.3 Annual Conference Invitation Letter

8.4 Annual Business Meeting

A. January Membership e-mailing

B. Bylaws Amendments

C. Resolutions

8.5 NBCE Day

8.6 Related Meetings

A. FCLB Board of Directors Meeting, Tuesday, May 2nd, 1:00 pm

B. CBAC

C. CBLAC

FCLB is going to try this year to launch this CBLAC group (board attorneys) to come on a regular basis and have their meeting similar to CBAC.

D. NBCE

Dr. Grossman reported that NBCE day has been successful. This year the NBCE will be handling all of that day, and now they are a PACE provider so CE credits are available to those states that accept PACE. They will also be sponsoring the Thursday evening reception and Dr. Colucci has arranged for entertainment at the reception. The Keynote speaker is the new president of Parker, Dr. William Morgan and the Friday night event is dinner in the Pavillion where everyone gets a ticket to Epcot.

E. Alumni Luncheon / Meeting

8.7 Scholarships

A. Wolfson Scholarship - Student

B. Liewer/Cohen Board Administrator Scholarship

Dr. Grossman indicated that there will be four additional scholarships paid for by the NBCE to be given away.

9. Future Annual Conferences: 2018, 2019, 2020

9.1 2018: Dallas, TX, May 2-6, 2018

9.2 2019: Mission Bay, CA, May 1-5, 2019

9.3 2020: City Selection (Denver, CO/Albuquerque, NM/Chicago, IL)

Dr. Winkler spoke up for Denver. Dr. Rademacher did not recommend Chicago. Ms. Finn will research opportunities in Denver, CO.

M / S Grossman / Waddell to recess until Saturday at 9:00 a.m.

Dr. Winkler recessed the meeting at 4:22 p.m.

Saturday, January 7, 2017

Dr. Winkler resumed the meeting to order at 9:10 a.m.

10. District Meetings

10.1 2017 Meeting Updates

Dr. Winkler reported that the 2017 district meetings have been set:
Districts I & IV in Portland, OR
District II in Fort Walton Beach, FL
Districts III & V in Quebec City, Quebec

11. PACE

11.1 PACE Program Status

A. Providers

B. Boards - PACE Action Steps

Dr. Shilts stated this is one of the most important things we do, following up on the resolution we passed last year regarding the PACE program, getting every board to commit to endorsing the program by either state regulation or a commitment letter. Dr. Grossman said we need a full court press between now and May.

11.2 PACE Committee and Review Team Membership

Dr. Grossman approved the following committee appointments:

PACE committee: Dr. Maggie Colucci (NV), Chair
Ms. Lisa Blanchard (ND), Board Administrator position
Mr. Vin DiCianni (Affiliated Monitors), Public Member position
Dr. Shannon Gaertner-Ewing (ID), Review Team representative

PACE Appellate Commission: Dr. LeRoy Otto (MN), FCLB Board Member
Dr. Ron Tripp (OK), Non-FCLB Board Member
Ms. Patricia Oliver - FCLB Board Member

PACE Review Team: Dr. Eric Russell (Parker)
Dr. E.M. Willard (UWS)
Dr. Dana Lawrence (Palmer)

M / S Grossman / Rademacher to approve PACE appointments. Motion passed, no opposition.

12. **Certified Clinical Chiropractic Assistants**

12.1 **Update**

Dr. Schwartzbauer discussed our opportunity to bring the CCA exam to Las Vegas and Parker Seminars.

13. **Chiropractic Passport Program**

13.1 **Update**

Dr. Colucci reported that she is excited about the connection with Don Petersen, allowing us to push this project along a little quicker. The first article in February is slated to be on the front page of Dynamic Chiropractic. She reported that currently only 17 states have temporary licensure in statute and rules so she wants to work toward getting the remainder of the states to add that in. Dr. Shilts said in November we approved amending the Model Practice Act to include temporary licensure and suggested sending out a blast, attaching the article and the MPA information for them to look at and see how they can add it in and start implementing this into their laws.

Dr. Colucci also mentioned that her and Dr. Schwartzbauer talked about connecting with all sports doctors groups and inviting them to our conference.

Dr. Shilts reviewed the draft Passport on-line application. He asked for comments or changes to the application or wording modifications on the badge. Dr. Winkler asked how long is the badge good for and Dr. Shilts replied that it follows their home license and subject to renewal at that time.

M / S Colucci / Grossman to charge \$150 for the initial application fee with a \$75 annual renewal for the Passport Program. Motion Passed, no opposition.

14. **CIN-BAD**

14.1 **CIN-BAD Program Update**

Ms. Seader reported on the current status of the CIN-BAD program. She said the program brought in more revenue last year than we've seen in the past few years.

REGULATORY ISSUES

15. **Accreditation**

15.1 **CCE-USA Update**

Dr. Schwartzbauer reiterated that CCE-US has pulled out of CCE-I.

16. **Member Boards: Specific Issues**

16.1 **State Requested Power Polls**

Dr. Winkler referred members to the written reports in their materials on page 117.

17. **Examinations**

17.1 **NBCE Exams (US)**

Dr. Grossman felt that the exams are stable as will be the funding. He is happy that NBCE has found a great Executive Vice President to drive the organization and feels the relationship between our boards is better than it has ever been and potentially will do even better.

17.2 **IBCE (International)**

18. **Other Regulatory Bodies**

18.1 **FCC (Formerly CFCREAB)**

Dr. Schwartzbauer reminded everyone that we budgeted for one individual to attend.

18.2 **ICRC**

A. Update

Dr. Schwartzbauer reported they want to change their name to ICRC to become a "society" rather than a "collaboration". They are working towards becoming incorporated in Canada.

STAKEHOLDER INTERACTION

19. Request from Other Organizations

19.1 None to date

20. Professional Associations

20.1 None to date

21. Recent Meetings

21.1 COCSA Meeting, November 10-13, 2016 in Phoenix, AZ

Dr. Schwartzbauer commented that this was Dr. Winkler's first COCSA meeting, and she represented our organization in an excellent manner. They had a chance to talk with the leadership there and develop a stronger relationship with them.

Dr. William Moreau, head physician to the United States Olympic Team, gave a great presentation and we have asked him to come and speak at our conference.

21.2 Summit Meeting

Dr. Grossman shared that the Summit meeting was held in conjunction with COCSA and it was a great meeting. There were two events that happened that were notable: Dr. Ouzts was named the Summit Chairman by unanimous vote; They came up with an Opioid Resolution with the Federation's input and the Joint Committee on Accreditation to involve paint management to include chiropractic care and used our verbiage verbatim. It is not yet ready to release, however.

22. Upcoming Meetings

22.1 Dates / Locations / Budgeted Attendance

Dr. Winkler reported that FARB (January 26-29, 2017 in San Antonio, TX), NCLC (March 15-18, 2017 in Washington, DC) and Parker Seminars (February 23-25, 2017 in Las Vegas, NV), plus FCC (first or second week in April) are scheduled.

NEW BUSINESS

23. New Business

23.1 Dr. Lester Lamm Remembrance Ceremony

Dr. Schwartzbauer passed along information about Dr. Lester Lamm. He passed away in September and the University of Western States is hosting a remembrance ceremony on the UWS campus on January 27th. We also posted it on our Facebook page to help spread the word. He had always been giving of his expertise and time to the FCLB, and participated in all types of projects educationally and mechanically and was a huge help with PACE. The FCLB made a donation in his memory.

23.2 Board Member Training Exercise

Dr. Schwartzbauer passed out an accountability-governance training exercise to the board. He gave the directors a few minutes to complete the exercise and then as a group reviewed the results along with some discussion.

23.3 District II Director

Dr. Rademacher made an announcement, notifying the board that he will be relocating to the Phoenix area. He will be vacating his District Two Director position in May. The board expressed their appreciation for his dedication and service to us and will remain in touch. Dr. Grossman said he is a tremendous asset to this board and we are thankful for his service.

Dr. Rademacher said he will notify his district of his decision. He commented that it has been his pleasure to serve District II and to work with this Board.

23.4 New Revenues

Dr. Otto talked with Dr. Schwartzbauer and Dr. Grossman regarding the need to continue to try and create new revenues. He spoke of the FCLB helping doctors with clinical remediation. Do they need to go back and have classes? – we can provide that service; do they have issues with boundaries/competency/ethics? – here are the tools and where to go to do a review. We can provide that service. He asked that we put our heads together to see if that is a viable niche that we can fill and how we get there.

2017 BUDGET (From Agenda Item #1 - 1.3)

Ms. Young answered questions regarding finalizing the 2017 budget.

M / S Grossman / Winkler to approve the budget as shown with updated information.
Motion passed, no opposition.

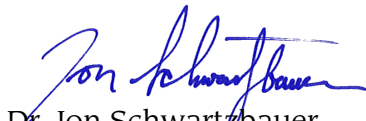
Dr. Otto thanked the board for being a friend and colleague for more than 20 years.

Dr. Grossman thanked everyone for their dedication to this board and applauded Drs. Winkler and Shilts for a phenomenal job.

M / S Martello / Oliver to adjourn the meeting. *Motion passed, no opposition.*

Meeting adjourned at 11:23 a.m.

NEXT FCLB BOARD MEETING
Tuesday, March 14, 2017
4:00 PM Mountain Time - Via Teleconference



Dr. Jon Schwartzbauer
Recording Secretary

With appreciation for Bridget Seader for her assistance with the Minutes