



Federation
of Chiropractic
Licensing Boards

REGULAR MEETING
FCLB Board of Directors
Tuesday, November 8, 2005
Via telephone conference call ■ 6:00 p.m. MST

MINUTES

PRESENT:

OFFICERS:

N. Edwin Weathersby, D.C., President
Oliver "Bud" Smith, Jr., D.C., Vice President
Daniel Saint-Germain, D.C., Treasurer - unable to participate - out of the country
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:

Donna M. Liewer, Executive Director

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- I. CALL TO ORDER / ROLL CALL** - Dr. Willen called the meeting to order at 6:10 PM, with board members and staff present as listed.
- II. ANNOUNCEMENTS** - Dr. Willen reported that "our" newest FCLB member, Ms. Sophie Rose Willen, is home and thriving. Nominations for the AHC's Lee-Homewood Award were discussed. The new logo is solidly in place, printed materials are beginning to arrive. Business cards have been mailed to the directors. We will continue to use up old burgundy materials in good stewardship.
- III. MINUTES FROM LAST BOARD MEETING**
Already approved by the board via electronic ballot / posted to the website.

IV. BUSINESS

1. FINANCIAL ISSUES

- A. The financial report was delayed until later in the meeting at the request of the board. In the absence of the Treasurer, Donna Liewer presented the report, noting that expenses and income are in line with projections. The short-term CDs that the board requested be investigated were approved in accordance with the financial policies and have now been purchased.

- B. Conference Sponsorships - The board discussed the need to develop more defined criteria to determine which organizations should qualify to be considered as conference sponsors. Dr. Otto suggested this be placed on the agenda for January.

Since the colleges asked for advance notice, the FCLB will initiate the process now to notify this group of the sponsorship program. Directors will follow-up with personal contacts.

2. REGIONAL MEETINGS

- A. Highlights - District Directors and Officers reported on the three fall meetings. The Eglin Air Force base tour was a genuine highlight for District II.

B. Directives or Requests

The board reviewed a draft resolution submitted by Dr. William Rademacher of Illinois. The concept was strongly supported by attendees at the District II meeting. Directors recommended some fine tuning of the language which will be offered for Dr. Rademacher's consideration. The process for submitting FCLB resolutions was briefly reviewed.

- C. Hyatt Penalty - the board was advised that negotiations are continuing to adjust the financial penalty for not picking up the full number of rooms blocked for the District III and V meeting. The issue is expected to be resolved soon.

3. OIG Report / CMS Meetings - Dr. Weathersby reported on the in-person meeting and October 14, 2005, letter which was sent to CMS from the task force addressing the OIG June 2005 report on Medicare claims errors. The draft action items from the regulatory boards was discussed.

4. ETHICS PROGRAM: Update - Dr. Weathersby advised the board about past and upcoming programs on ethics. We are able to use the same basic core material with some adaptation for specific audiences. It was noted that Dr. Rhonda McKinney from Eglin Air Force Base has expressed an interest in assisting in future ethics presentations if her schedule will permit.

- Parker Cincinnati - October 2005
- Parker Las Vegas - January 2006
- Breakthrough Coaching - February 2006
- ACC-RAC in Washington, D.C. - March 2006

5. NBCE /IBCE UPDATE

M/S Tripp / O'Connor to go into executive session to discuss testing issues.
Passed, no opposition

M/S Davis / O'Connor to come out of executive session, noting there were no actions recommended which require approval by the board in open session. Passed, no opposition

On the calendar with NBCE:

- Part II and Physiotherapy, Acupuncture and SPEC met in Greeley October 28-29, 2005
- NBCE Midyear board meeting in North Carolina November 2-6, 2005
- ACC College Presidents to meet at NBCE - November 16-17, 2005

6. PACE - Dr. Cole drew the attention of the board to suggestions posed by Dr. Sherry McAllister regarding distance learning and Dr. Michael Shanks regarding the application process. He explained the importance of continuing to work closely with the Council on Chiropractic Education-US as they look into credentialing diplomate, certification, and degree programs which could also satisfy CE requirements for relicensure by chiropractic regulatory boards.

Donna Liewer reported on the Department of Transportation's interest in PACE to assure uniform approval criteria as their certification program for DOT examiners continues to develop.

In his recent visit, WFC / European Union representative Dr. Stathos Papadopoulos also expressed interest in learning more about the program as regulatory boards worldwide grapple with consistency in standards for CE required by boards.

Donna Liewer reported that necessary technical computer programming is proceeding on schedule.

Board members expressed concerns about the need to begin accepting applications soon. Dr. Weathersby and Dr. Cole described some of the complications surrounding the final adoption of the revision process. It was agreed the program needs to be in a position to begin accepting applications before the midyear board meeting in January.

7. CIN-BAD - Donna Liewer displayed the new on-line reporting form for CIN-BAD and HIPDB which will more accurately reflect coding changes adopted by the federal government, and make the completion of the form easier for our members. Information collected from the form will also go more directly into the necessary data fields.

Bill Steinmiller has completed updating the Minnesota licensing data, and in the process has built the necessary infrastructure to more quickly update licensure data from other boards. Member boards will be contacted and requested to forward data files in the appropriate data formats to update ALLDOCS.

Dr. Papadopoulos also noted European interest in the multiple merged databases in the CIN-BAD system as potentially supporting ideas for a European registry of doctors of chiropractic.

By consensus, the board affirmed the policy which allows the CIN-BAD system to collect and report felony convictions via authorized sources.

8. ACCREDITATION - Dr. Weathersby noted several issues involving CCE-US, including a complaint to USDE by DECE, the election of new members of the CCE Board of Directors and Commission on Accreditation, and CCE's proposed all-day meeting on physiotherapy competencies which is scheduled for January 20, 2006.

9. REQUESTS FOR ASSISTANCE

- A. ACRRT PowerPoll - Dr. Cole described the current interest in gathering information about recognized training for radiologic technologist. Several programs are offered, with only one currently specifically designed for certification in chiropractic radiology. The board agreed to develop an appropriate PowerPoll questionnaire from a regulatory standpoint to secure more information about boards' certification requirements. Dr. Davis suggested some wording clarification to which the board agreed. Dr. Cole will assist staff in developing the Poll, which will be presented to the board of directors for electronic ballot before it is distributed.

- B. Written and Verbal Consent - Dr. Weathersby described current interest in this issue, and the board agreed the PowerPoll could be developed provided it specifically reflect regulatory interests. Dr. Smith noted the application of this material to the legal analysis on diagnosis.
 - C. Nevada Preceptorship - Donna Liewer reported we are working with the Nevada board as they draft potential new language to offer preceptorship opportunities for students in their jurisdiction.
10. DOT PROJECT - highlights: Donna Liewer reported on the continuing development by the federal government of a program to certify DOT examiners in the future. To assist this effort, the Federation has been surveying our member boards about their licensees' legal authority to perform these exams. The board reviewed the survey results to date. Twenty DCs will be needed to participate in a beta test of the instrument being designed by the Federal Motor Carrier Safety Administration's subcontractor to form the basis for the future certification program. Dr. Michael Megehee of Oregon (coincidentally newly appointed to the Oregon board) is serving as the key chiropractic contact for our profession, with great support from ACA's Council on Occupational Health. An additional database of at least 1,000 DCs currently performing DOT exams will need to be developed to actually participate in the federal agency's final job analysis survey instrument.
 11. ATKINSON DIAGNOSIS PROJECT - Dr. Cole noted he has agreed to continue working with Donna Liewer and Dale Atkinson on refining the draft legal analysis of the statutory and regulatory responsibility of doctors of chiropractic to diagnose. The project is expected to be completed in the very near future.
 12. OTHER - Although the FCLB task force report on the qualifications to perform spinal manipulation has been posted on our website since it was adopted earlier this year by the FCLB board and presented at the regional meetings and Montreal conferences, it was noted that it should be more aggressively distributed to member boards, associations, colleges, and other stakeholders through the media.

V. NEW BUSINESS

1. Citizen Advocacy Center's recent conference in Denver - Joe Baker reported that the meeting focused on boards looking at performance standards, not resulting from sunset / legislative pressure, but rather more from a perspective of self-assessment. He noted he was able to make contact with several new members of chiropractic boards present at the meeting.
2. Association of Chiropractic Board Administrators - Joe Baker noted that ACBA president Cheryl Smith is retiring from regulation at the end of December. In accordance with the ACBA bylaws, Mr. Baker will fill the vacancy and serve as president. Certain proposed bylaws amendments will be offered as necessary housekeeping measures as refinements to the processes for succession have recently been identified.
3. Appreciation to Dr. Cole - On behalf of the entire Federation family, Dr. Smith expressed the appreciation of the Federation's governing board to Dr. Richard Cole for his continuing willingness to volunteer for tough assignments and to offer his guidance and experience with exceptional generosity.

VI. ADJOURN

M/S Smith / Otto

to adjourn the meeting at 8:32 p.m. MST.
Passed, no opposition

Next meeting:

MIDYEAR BOARD MEETING

January 19 - 22, 2006 - Denver, Colorado

Arrive Thursday, January 19 - meetings all day Friday and Saturday.

Return flights should be booked no earlier than Saturday evening at 7 PM or Sunday morning.


Donna M. Liewer
Recording Secretary