I. Call to Order, Roll Call, Announcements, Integrity Check

In the absence of a current Board Chair, Dr. Colucci called the meeting to order at 8:36 a.m. Dr. Schwartzbauer noted board members and staff present as listed.

Dr. Colucci welcomed Dr. Karen Campion to the board as the new District IV Director and congratulated Dr. Cynthia Tays on her new NBCE District IV position.

Dr. Schwartzbauer then called for an integrity check. Drs. Grossman, Shilts and Colucci announced they are in a lawsuit and they stated relative to their service, it won’t affect their ability to serve the Federation. There were no other disclosures.
II. Consent Agenda

A. Board Meeting Agendas
B. Ratification - Electronic Minutes and Ballots (Full Board)
C. Standing Rules

Dr. Shilts commented he has heard from some state groups asking about CBD oil and marijuana. He would like to talk about how we will approach this with our delegates at the spring meeting. Dr. Colucci agreed to move this topic under New Business. Dr. Schwartzbauer also stated that the CBLAC group is meeting today and this topic is on their agenda as well.

There were no further changes to the Consent Agenda.

M / S  Oliver / Martello  to approve the motions in the Consent Agenda as written (modified).

Motion passed, no opposition.

D. Board Policy Manual

Dr. Shilts recommended improving our verbiage to make our policy more clear in order to protect both sides if an issue arises with board members that are facing sanctioning or removal from the board. Dr. Grossman and Dr. Winkler felt there should be a uniform enforcement code with latitude and framework.

III. Possible Guests

A. Dr. Ray Tuck, ACA Chairman

Dr. Tuck informed the board that the ACA is ready to ramp up efforts with Medicare equality issues, putting chiropractors on the same playing field as physicians in the U.S. Federal code. They are engaging lobbying firms and reaching out to other groups so see how they can work/collaborate with them. He said they have a small, agile, progressive competency-based board, where their members are vetted through a robust nominating process. Dr. Tuck added they will be adopting three basic core values: 1) supportive patient centered care; 2) embracing evidence/data; 3) collaboration.

B. Dr. George Curry, ICA President

Dr. Curry gave the board an update on what is happening with the ICA, programs and issues around the world. Drs. Shilts and Colucci expressed interest in how the FCLB can help, requesting guidance for missions around the country. Dr. Schwartzbauer thanked the ICA and Dr. Curry for their support.

IV. Legal Issues

A. Counselor Discussion

Dr. Shilts commented on a concern he had regarding an invoice that was submitted for legal work contracted for an Model Practice Act (MPA) presentation at last May’s conference. The issue was addressing CA’s. Drs. Shilts, Buchanan and Winkler reviewed the MPA component and sent it to Mr. Atkinson for his review, who then added his comments, incorporating many of his comments into the draft. During the presentation to the delegates, Dr. Shilts felt like Mr. Atkinson questioned some definitions and his participation in the review. Dr. Shilts is now questioning the invoice for legal services for this task if the information Mr. Atkinson provided was incorrect.

Dr. Buchanan said that requesting a letter of explanation regarding the charges would be appropriate. Dr. Shilts felt we should give him an opportunity to fix it.

There was discussion regarding the necessity of having legal counsel present at the meetings when we could contact the attorney by phone if there was a problem or question, eliminating the budget item. Dr. Schwartzbauer stated that the component he brings outside of counseling the board is the education piece that is well-received by the attendees. Dr. Grossman suggested having someone from the CBLAC group possibly speak to the delegates instead. Or is it a possibility to treat Mr. Atkinson’s participation as a volunteer service.
1. Financial Report
   1.1 Membership Dues Report
      A. 2019 Dues Schedule / Invoice
         Dr. Schwartzbauer referred the board to the dues schedule listed on page 15.
      B. Member Benefits
         Dr. Colucci referred the board to page 16 in their meeting materials.

   1.2 Budgetary Issues as of 9/30/2018
      A. Status Report
      B. Profit & Loss Report
      C. Programs & Meetings Ledger
      D. Board of Directors Designated Funds

   1.3 Preliminary Draft Budget
      Dr. Winkler presented the 2019 draft budget on pages 29-31, including revenues, expenses and explanations of previous years. She wants to rework some of the numbers and discuss toward the end of the day on Saturday before the budget is adopted.

      Dr. Grossman discussed the honorarium and per diem, suggesting it be combined into a Global Daily Reimbursement.

      M / S Grossman / Oliver to change the FCLB travel voucher to show Global Daily Reimbursement in place of the current honorarium / per diem. Motion carries, no opposition.

      M / S Campion / Oliver to accept a $150 increase to the Global Daily Reimbursement beginning with this meeting and exclusive of the upcoming District II meeting. Motion passed, Dr. Shilts and Dr. Colucci opposed.

      Ms. Young will email an updated travel voucher to each board member.

      M / S Shilts / Buchanan to move $9,000 in to the CCCA board-designated funds. Motion passes, no opposition.

   1.4 Operating Fund

      M / S Shilts / Winkler to allocate 5% into the 12/month operating reserves (based on revenues). Motion carries, no opposition.

      In an effort to restructure our investment, Dr. Winkler would like the board to authorize Ms. Young to invest in better instruments.

      M / S Winkler / Shilts to authorize Ms. Young to invest the approximate $800,000 in working capitol to secure instruments as directed. Motion carries, no opposition.
Dr. Grossman thanked the board for an opportunity to participate in the investment of our money and appreciates the confidence in him, and he feels confident in moving forward in this arena. Dr. Daschner and Dr. Winkler thanked him for his stewardship of our money.

2. District Meetings

2.1 2018 District Meeting Overview

A. Evaluations

Dr. Winkler reported that there has been some discussion about the hospitality rooms. Dr. Shilts is preparing a policy for NBCE board members who choose to host a hospitality suite and Dr. Schwartzbauer said if an FCLB member would like an opportunity to host, we should consider adopting the same policy. This policy could be addressed during the opening announcements at the annual meeting and district meetings.

B. District II Meeting

Hurricane Michael

District II meeting was cancelled due to Hurricane Michael. Dr. Daschner reported that the hurricane tracked very close to their meeting date but his district’s attendees were still wanting to continue with the meeting. He would like some discussion about the board policy regarding the cancellation decision-making process. Dr. Daschner said that his district people felt they should have more of a voice in making the decision. Dr. Colucci said public safety is the bottom line, and while she values everyone’s voice the methodology needs to be improvised based on the liability and circumstances. Dr. Daschner said that most of their district attendees was able to reschedule. Dr. Shilts suggested a 48-hour window for cancellations. Dr. Grossman added we could encourage attendees to sign up for travel insurance. Ms. Oliver stated that states may have to follow their policies on whether or not they can or need to purchase travel insurance.

2.2 2019 Meeting Dates and Locations

Dr. Schwartzbauer referred the board to page 39 in their meeting materials, stating we have added a location for District 3 & 5: Jersey City. District 2 has not confirmed yet.

3. Mid-Year Meeting

3.1 2019 Mid Year Meeting

M/S Grossman / Vanterpool to approve November 7-9, 2019 for FCLB’s 2019 Mid-Year meeting to be held in conjunction with COCSA in San Diego. Motion passed, no opposition.

3.2 State Association Charts

Dr. Schwartzbauer also congratulated the board members for working hard on the state association contacts for advancing PACE participation.

4. PACE

4.1 PACE Program Status

A. Georgia and Florida Update

Dr. Schwartzbauer reported that Georgia, at their September meeting, voted to accept PACE pre-check so we are working with them on that. Dr. Schwartzbauer was also just in Florida where he attended their board meeting where they voted to accept PACE for their online CE course approvals. Ms. Webb has been in contact with Dr. Heagy going over the course catalog as well, and their attorney has been instructed to draft rule language to be ratified and voted on at their January meeting.

B. Colleges – NYCC and SCUHS
**4.2 PACE Review Team and Committee Membership**

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<tr>
<th>M / S</th>
<th>Colucci / Oliver</th>
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<td>to reappoint the following members to the PACE Review Team: Dr. Rosemary Zimmerman (AZ), Dr. Jerry Grod, and Dr. William Rademacher. <strong>Motion carries, no opposition.</strong></td>
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**4.3 Utilization Chart Update**

Dr. Schwartzbauer referred the board to Page 58 of the meeting materials.

**5. FCLB Board of Directors**

**5.1 Regulatory Corner**

Dr. Colucci would like to see an article in the magazines to coincide with Parker Seminars for CCCA. She would also like to see an article on specialty councils for a future regulatory article.

**5.2 District Director Elections Procedures**

Dr. Schwartzbauer referred the board to page 60 of the meeting materials, reminding them there is a process and a script to follow. In the case of a District Director that is running for election, another person can step in to assist but they are required to follow the script as well.

**5.3 Female Regulatory Award**

Dr. Colucci requested the board to consider an inaugural award to recognize a female regulatory award honor to begin this May, to be named after Dr. Sylva Ashworth.

Dr. Colucci said she feels a leadership award for female regulators is needed to honor the dedication that women have brought to our profession; and she requested the board’s support for this inaugural award in honor of Ms. Ashworth and would like to ask Dr. Cleveland to come and present the award. Dr. Colucci explained that she envisions the award not necessarily every year but when an FCLB leader feels there is someone who should be recognized (similar to NBCE’s Tulio award.) Deadline to submit names will be by January 1st. In the future, a decision can be made at the November meeting to determine if an award should be given.

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<tr>
<th>M / S</th>
<th>Grossman / Oliver</th>
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<td></td>
<td>to structure the Sylva Ashworth Award to come from the FCLB recognizing outstanding women in chiropractic regulation, where a name is provided by anyone and placed as a nomination to be voted on by the FCLB Executive Committee and held in confidence until the award is presented, and given at the discretion of the board. <strong>Motion passed, no opposition.</strong></td>
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**5.4 Statement of Commitment Signatures**

Dr. Schwartzbauer asked the board to sign and return to Vicki their Statement of Commitment, the Security Policy, and a new W-9. She also included a travel voucher for the board’s convenience. For the Executive Committee they must also sign credit card information.

**5.5 Review Financial Protocol for Board of Directors**

Dr. Winkler referred the board to pages 92 and 93 in the appendix of the Policies and Procedures Manual.

**6. Personnel Issues**

**6.1 Cost of Living Adjustment**

Entered into Executive Session at 12:50 p.m. The meeting was called back to order at 1:27 p.m.

The board announced ratifying the actions taken in executive session.

**7. Membership Issues**

**7.1 Member Dues Yearly Increase**

Dr. Schwartzbauer stated the dues is currently indexed for an annual 2.5% increase.
8. FCLB Technology & Communications
   8.1 Software System Update
   8.2 Website Update
   8.3 FCLB Official Directory

Dr. Schwartzbauer referred the board to the written report on page 63-68 of the meeting materials.

9. Committees
   9.1 CBAC
      A. Update
      Dr. Colucci referred the board to the written report on page 69 of the meeting materials

   9.2 CCCA Update
      Dr. Schwartzbauer reported that we have budgeted for 6 more ads in Chiro Economics for a total of
      $3,300 for the coming year. We have also finished our first CCCA audit as required once every five
      years according to our policy, under Dr. Winkler’s direction. She has designated an Audit Committee
      and we are waiting on one more committee member’s response before sending their recommendations
      to the full CCCA committee and then on to the full board for review.

      Dr. Shilts suggested our next advertising round should go to Dynamic Chiropractic and recommended
      appropriating the money to cover the cost of the advertisement from the CCCA board designated fund.

      M / S Shilts / Oliver to appropriate from CCCA board designated funds the appropriate amount to
      pay for a one-year advertisement in Dynamic Chiropractic and once the amount is determined, to
      reimburse that amount to CCCA with general funds contingent on budget approval. Motion passed, no opposition.

   9.3 Investment Committee
      Dr. Grossman referred the board to page 73.

   9.4 Resolutions & Bylaws Committee
      1. Article VII, Section 3(B) of the Bylaws
         Dr. Shilts spoke to elections of district director and alternate directors. Going through the bylaws
         we should make it clear that eligibility for the alternate position has to be within five years of when
         the person served on their board. This recommendation gives that position the same consideration
         that applies to honorary fellow status. The intent is to have someone current who observes and
         learns the ropes as opposed to the position being held by persons long-removed from active
         regulatory participation. Dr. Shilts will write a proviso that will only affect new people. He will
         rewrite the motion.

      2. Article III, Section 18 and Article VII, Section 1
         Dr. Shilts withdrew his proposal.

      3. Resolution 1-19
         Dr. Shilts referred the board to page 81 regarding temporary licensure. He would like to
         recommend this on behalf of the board to the Bylaws Committee, encouraging the prospect of
         every FCLB member board establishing temporary licensure provisions for chiropractic professionals
         in its jurisdiction.

      M / S Shilts / Grossman to submit Resolution 1-19 to the Bylaws Committee for their approval.
      Motion passed, no opposition.

      4. Resolution 2-19
         Dr. Colucci referred the board to page 82 regarding the opioid epidemic. Dr. Shilts stated this is an
         encouragement, not a mandate. Dr. Shilts commented that the physician-based prescriptions in
         the primary crux of the epidemic has now shifted into fentanyl. He is recommending that FCLB
         support strategies for member boards’ consideration to help curb over-prescribing and misuse of
p... pain medication by 1) approving courses for chiropractic license renewal on pain management, substance abuse awareness and drug-free health counseling; 2) updating state chiropractic standards to facilitate better inter-disciplinary cooperation by codifying primary health services provided by chiropractors; and 3) advocating development of state guidelines or standards that recommend/require patients with non-carcinogenic neuromusculoskeletal pain undergo an assessment by a licensed health practitioner skilled in neuromusculoskeletal conditions and the therapeutic application of manual services prior to their having extended any treatment program through the use of controlled medications.

5. Resolution 3-19
Dr. Colucci referred the board to page 85, indicating that Dr. Robert Frieman from the Maryland Board has prepared this Resolution regarding X-Ray Protocol. Dr. Grossman felt the record should reflect that the board took no action.

9.5 Appointments / Changes to Special and Standing Committees
Dr. Colucci announced her committee appointments:
- Sunset Government Issues Task Force
- Sunset Practitioner Mobility Task Force
- Finance & Audit Committee: Add Dr. Amy Pezo (MT)
  Remove Beth Kidd (OK)
  Dr. Winkler (ND) will remain the Chair
- Resolution and Bylaws Committee: Remove Dr. Amy Pezo (MT)
  Add Dr. Robert Friedman (CA)
  Add Dr. George Curry (CT)
  Dr. Fogarty (FL) will remain the Chair
- CCCA Committee: Add Dr. Jason Hulme (TN)
  Add Dr. Brian McIntyre (MO)
  List Dr. James Buchanan (WY)
  Remove Dr. Kirk Shilts (MA)
  Dr. Winkler (ND) will remain the chair
- Sunset Attendance Verification Committee (PACE)
- Model Practice Act Task Force: Remove Dr. Maggie Colucci (NV)
  Remove Dr. Carol Winkler (ND)
  Add Ms. Cass Skinner (OR)
  Add Dr. Robert Alpert (GA)
  Add Dr. Keita Vanterpool (DC)
  Dr. Kirk Shilts (MA) will remain the Chair
- Specialty Councils:
  Add Dr. George Khoury (PA)
  Add Dr. Margaret Friehaut (MO)
  Add Dr. Karen Campion (TX)
  Dr. Cynthia Tays will remain
- Investment Committee: Add Dr. Richard Guarino (AZ)
  Add Dr. Robert Daschner (MN)
  Remove Dr. Kirk Shilts (MA)
  Remove Dr. Farrel Grossman (SC)

M / S Grossman / Martello to accept all proposed changes of Dr. Colucci’s recommendations upon reading of the names. Motion passes, no opposition.
9.6  CBLAC - Request for Scholarship

M / S  Grossman / Shilts  to offer a CBLAC scholarship in the amount of $2,500.  Motion passed, no opposition.

9.7  PACE On-Line Verification Task Force

Dr. Shilts commented that this is a recommendation we are providing to the PACE Committee.

M / S  Shilts / Winkler  to forward the report from the blue ribbon panel charged with developing on-line CE course standards and send to PACE Committee for their review.  Motion passed, no opposition.

10.  New Programs

10.1  Specialty Program Framework

Dr. Shilts reported that we received feedback from our letter and Power Point from Bill Moreau, Chair of Sports Council Diplomate Council and another from a nutritional board. Dr. Shilts is also hoping to receive a response from the ICA-affiliated pediatric board. Dr. Schwartzbauer said that he received a call from the vet group as well and they will send a response in a couple of weeks.

11.  Annual Conference - 2019, 2020 and 2021

11.1 2019: Mission Bay, California, May 1-5, 2019

A.  Theme: Mission Possible

11.2  Speakers and Topics for the 2019 Annual Conference

11.3  Should there be a 2019 Alumni Luncheon?

Dr. Schwartzbauer stated that the cost of the Alumni Luncheon was about $1,100 and asked if the board is was still interested in proceeding with this. The board’s consensus was that we discontinue the luncheon.

11.4  2020: Denver, Colorado, April 22-26, 2020

11.5  2021: West Palm Beach Hilton; Orlando; Myrtle Beach; Chattanooga; Williamsburg, VA; Charlotte or Raleigh Durham, NC; or Atlanta

We had Annapolis, Nashville and New York on the list but Nashville and New York were out of our price range. We would like to come away with a decision on a location. Dr. Shilts commented that the National Board would like to suggest West Palm Beach or Atlanta.

12.  Chiropractic Passport Program

12.1  Report from Committee

Dr. Colucci referred the board to page 92 of the meeting materials for Dr. Ingram’s report. Dr. Colucci would like to revisit where to go with this and recommended a board member liaison should be serving on this committee.

12.2  Sports Mobility Federal Legislation

Dr. Colucci reported that the federal sports mobility bill (HR 302) has been signed into law. Since this bill is now law, she will be sunsetting the Chiropractic Practice Mobility Task Force Committee and would like to have some discussion regarding the remaining Passport Credentialing Committee.

Dr. Winkler commented that it is a complicated process and said there is no language in the bill that allows for anything but sports. With the passing of this Bill, Dr. Schwartzbauer wondered how we approach making our member boards understand what they need to know about this and keeping them abreast of this new law and tie it into Passport. Dr. Grossman suggested it be on the May agenda. Dr. Shilts suggested we prepare a Memorandum of Understanding. Dr. Schwartzbauer is hopeful that can be sent out in advance of our annual meeting. Dr. Shilts commented that perhaps Mr. Atkinson should review it before it is sent out.
13. CIN-BAD
   13.1 CIN-BAD Program Update
   Ms. Seader added to her written report that as of October 28th, we have transitioned the CIN-BAD data from the old system over to our new software system in Impexium. There were a few issues we were able to address with the programmers, but we are on our way. We are hopeful that CIN-BAD will be ready to accept board and subscriber licensee lists for the Action Notification System (ANS) very soon.

14. Accreditation
   14.1 None to report

15. Member Boards: Specific Issues
   15.1 State Requested Power Polls
   Dr. Schwartzbauer stated that there is nothing new to report.

16. Examinations
   16.1 NBCE Exams (US)
   Dr. Grossman reported that many students are waiting until January to take their written exams to have access to the computerized test, so this year the written exams will be down. There will be no fee increase for the test, stating that the cost comparisons of written vs. computerized is a few dollars difference. Dr. Grossman also touched on EBAS being a separate corporation for NBCE, with a 5-Part test. There has also been a request for a 3-Part test (more of a nursing-based exam).

   16.2 IBCE (International)
   No report

Dr. Ouzts, Executive Vice President for the NBCE, greeted the board. He announced that the computer-based testing of all written exams (both pre and post) will be rolling out in January 2019, nine times a year. They have been conducting site readiness to all the colleges letting them know where they are in the process and Prometric IT teams are working out the logistics. He also said Part IV will be next week (week of November 5th), and they are rolling out the digital imaging for the Part IV exam for the first time, going from 10 images to 20. They are looking to remove x-rays from one of the stations and move more toward critical thinking to determine if the students truly understand. Dr. Ouzts also reported that the survey instrument is almost complete for the practice analysis. They will go out the first part of the year.

17. Other Regulatory Bodies
   17.1 FCC
   Dr. Schwartzbauer reached out to Dr. Hayes for a report from FCC to pass on and he hasn’t heard back.

   17.2 ICRS - Bylaws Revision
   Dr. Colucci stated that she has received an email from ICRS President, Dr. Lisa Richard requesting to table this item.

M / S Oliver / Daschner to honor their request to table the ICRS discussion. Motion passes, no opposition.

M / S Oliver / Vanterpool to recess the meeting until Saturday morning, November 3, 2018. Motion carries, no opposition.

Dr. Colucci called the meeting in recess at 4:24 p.m.
Dr. Colucci called the meeting to order at 8:36 a.m., Saturday, November 3, 2018.
Dr. Schwartzbauer called roll, noting board members and staff present as listed previously.

18. Requests from Other Organizations
18.1 Spine IQ - Use of CIN-BAD Modified Request
Dr. Schwartzbauer reported that at our September 11, 2018 meeting there was a request from Spine IQ to waive their fees associated with using CIN-BAD. The decision was postponed until this meeting. The organization subsequently modified their request to pay the subscriber fee and search fee, but asking us to waive the report fee ($13.50). Dr. Schwartzbauer agreed to change their request, however we have not heard back from them since. We will put their request on hold for now.

19. Professional Organizations
19.1 None to Date
Dr. Schwartzbauer said there was nothing new to add.

20. Recent Meetings
20.1 NBCE Mid-Year Meeting - October 29 - November 1, 2018
Dr. Grossman and Dr. Shilts have previously covered the information for this report. The only paper tests offered now will be re-tests from people who originally took the test on paper and request to take it on paper again. There will be a prometric test site at each college location where they can take the test. NBCE has also agreed to provide four scholarships in 2019 to be recognized as NBCE CBAC scholarships.

Dr. Daschner asked about EBAS and Dr. Grossman responded that EBAS is structured as a separate corporation, under a separate umbrella serving as a test of moral and ethical stability and can be applied anywhere. NBCE board members serve for EBAS as well.

Dr. Colucci thanked the National Board for their contributions and support.

21. Upcoming Meetings
21.1 None to Date
Dr. Schwartzbauer added there will be the District II meeting that was rescheduled to the end of November and will be the last meeting of the year for the Federation.

22. Public Forum
22.1 None to Date
Dr. Schwartzbauer commented that there are no requests from the public to come before the board.

23. Board Chair
23.1 Vacancy
Dr. Colucci said we need to choose a board chair to fill the vacancy created with Dr. Tays’ election to the National Board. Dr. Colucci opened the floor for nominations. Dr. Grossman nominated Dr. Daschner (seconded by Dr. Buchanan.) Ms. Oliver nominated Dr. Martello (seconded by Dr. Daschner.) Dr. Vanterpool nominated herself (no second needed.) Dr. Schwartzbauer passed out ballots after allowing the nominees to speak to the board about their qualifications to serve. Dr. Schwartzbauer announced that Dr. Daschner was declared the new board chair.

Dr. Daschner took over the meeting, referring the board to previous agenda items to address.
24. New Business
24.1 CBD Oil
Dr. Shilts recommended bringing in an expert in this field and adding it to our agenda in the spring. He feels it will be a hot topic. Dr. Schwartzbauer asked if anyone on the board knows anyone we might contact to get us started. Dr. Grossman also suggested contacting the CBLAC group to see if they had any suggestions. Dr. Schwartzbauer suggested we could possibly have a panel discussion from the attorneys. The board directed Dr. Schwartzbauer to proceed.

25. Board Meeting Issue

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<th>M / S</th>
<th>Shilts / Oliver</th>
<th>to enter in Executive Session</th>
<th>Motion passed, no opposition</th>
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Dr. Daschner called the meeting into Executive Session at 11:30 a.m. Drs. Colucci and Grossman recused themselves.

Exited Executive Session at 1:15 p.m.

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<tr>
<th>M / S</th>
<th>Vanterpool / Campion</th>
<th>to ratify actions taken in Executive Session</th>
<th>Motion passed, no opposition</th>
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Meeting was adjourned.

Jon Schwartzbauer, DC
Executive Director

*With appreciation to Bridget Seader for assistance with the Minutes*