62nd Annual Congress
of the
Federation of Chiropractic Licensing Boards

MINUTES
Annual Business Meeting

Saturday, May 13, 1995
Portland, Oregon

Chair: Carroll H. Winkler, D.C. - FCLB President

1. CALL TO ORDER - the meeting was called to order at 10:50 a.m. by Dr. Carroll H. Winkler, FCLB President.

   It was noted that Darlene Knox, professional registered parliamentarian, would serve as parliamentarian and Donna Liewer would serve as Recording Secretary. Boards were reminded that the delegate or alternate should cast one vote per jurisdiction with the voting paddles where indicated, to ensure equal representation under the FCLB Bylaws.

   The FCLB Officers and Executive Board were introduced.

2. DEDICATION TO SERVICE - Dr. Robert Vaughn (NC) read a special dedication designed to acknowledge the sacrifice of citizens to create the systems of government and laws which underlie the responsibilities of regulatory boards.

3. INVOCATION - offered by Dr. Lawrence Gerstein (MO).

Recognition of Honored Guests:

Dr. Frank G. Hideg, Jr., President - NBCE
Dr. Paul M. Tullio, Chairman of the Board - NBCE
Dr. Daniel St. Germain, President - Canadian Federation of Chiropractic Regulatory Boards
Dr. André Audette, Past President - Canadian Federation of Chiropractic Regulatory Boards
Dr. Arnold Cianciulli, President - National Chiropractic Mutual Insurance Company
Dr. Shelby Elliott, President - Texas Chiropractic College
4. **Credentials Committee Report** - Dr. Jan Harbour (WV), Committee Chair, gave the credentials committee report, with appreciation to members Dr. George Phillips (WY) and Dr. Wayne Wolfson (FL). All member boards present were qualified to vote.

5. **Roll Call / Seating of the Delegates** - Donna Liever called the roll, with 41 boards represented, and, hearing no objections, the chair declared the delegates seated.

6. **Adoption of Business Meeting Rules and Protocol** - There being no objection to the Business Rules and Protocol as outlined in the conference notebooks, the chair declared them adopted by general consent.

7. **Approval of Agenda** - There being no objection or additions to the agenda as distributed in the conference notebooks, the chair declared the agenda approved by general consent.

8. **Approval of the Minutes** - The chair explained that the Minutes Committee approved the minutes from Washington, D.C.: 1994, which were distributed last year to the membership.

   *The Minutes Committee for the 1995 Annual Meeting will be composed of:
   Dr. Jerry Blanchard, North Dakota - Chair
   Dr. Ron Berg, New Mexico
   Dr. Vernon Temple, Vermont*

9. **Business Reports**

   A. **President** - Dr. Carroll Winkler (ND) reported on the achievements of the FCLB this past year, including the following areas:

   CIN-BAD's increasing participation by the regulatory boards, planned expansion areas and access for the chiropractic colleges, commercial subscribers and the public; continued improvements to the *Official Directory*; district meetings, FCLB support for SPEC and Part IV NBCE exams; work by numerous committees; excellent licensing representation on the CCE's Commission on Accreditation by retiring appointee Dr. Peter Ferguson (OH), new appointee Dr. Randolph Harding (FL), and continuing appointee Dr. Meredith Bakke (WI); the Federation's new communications program; FCLB positions on orthopracitc, the *Consumer Reports* article, and 20/20 program; Dr. Ferguson's private meeting with President Clinton; FCLB involvement with the oversight committee on the chiropractic military demonstration project; international efforts with Canada and Mexico; and the new Model Disciplinary Code under development.

   He explained the FCLB's finances and staffing. Finally, he thanked the membership for the opportunity to serve as president the past two years.
B. Treasurer / Finance Committee - Dr. Larry Gerstein (MO) directed members to the financial statement in the Annual Report, noting the positive balance and appreciation to NBCE for pledging $100,000/year for five years for operations support. The NBCE grants totalled about $150,000 in 1994, and are expected to settle down to the $100,000 amount for the next four years. He noted that this still will not cover all the Federation's expenses.

The dues increase approved by the membership in 1994 will generate an additional $6,000 this year. The percentage of services funded directly by the membership is still extremely low.

He also described the Federation's first formal audit, which we passed with great success. Past years have been marked by a financial compilation and review by an independent CPA, but this is a more detailed and rigorous process.

Finally, he discussed hopes to expand revenue sources to include income generated by the databank. He assured the membership that the finances are safely handled, and hard at work for licensure.

C. Executive Director - Donna Liewer drew attention to the Annual Report which outlines the specific achievements of the past year, and expressed appreciation to the board, the membership, and the staff for the teamwork which made these possible. She noted the importance of safeguarding the public trust, even when required actions may be difficult or unpopular, and gave several recent examples including a case exemplifying the need for the Prechiropractic entrance exam.

D. Legal Report - No legal actions are pending or in progress.

10. **Standing Committee Reports**

   A. Governmental Affairs and Legal Advisory Committee - Dr. John DeMatte (PA) noted the committee had no significant business to report at this time.

   B. Long Range Planning Committee - Dr. Roger Pope (IL) explained the ongoing work on the *FCLB Policy Handbook* and the goals and objectives emerging from the historical review of past actions.

   M/DeMatte to nominate Dr. Roger Pope for re-election to another four-year term on the Long Range Planning Committee, to expire at the annual meeting in 1999. There being no other nominations, the chair declared Dr. Pope elected to this position.
C. Resolutions and Bylaws Committee - Dr. Tony Lammers (SD), Chair.

BYLAWS AMENDMENTS:

Dr. Lammers reviewed the eight proposed amendments, which had been sent to the membership in a timely manner on April 5, 1995 in accordance with the Bylaws. The chair noted that bylaws amendments require a 2/3 vote. Each amendment was voted on separately. Each passed with no opposition.

RESOLUTIONS:

Dr. Lammers reviewed and explained each of the four Resolutions before the membership. He noted that the committee had met and discussed these in detail, recommending unanimously that each be passed.

Resolution #1 - Urging boards to report disciplinary actions in a timely fashion and to participate in CIN-BAD to the fullest extent possible. Passed with no opposition.

Resolution #2 - Urging boards to pass new laws to make the practice of chiropractic without a license a felony in every jurisdiction. Passed with Idaho and Oregon opposed.

Resolution #3 - Directing the FCLB Representative on the U.S. Department of Defense Chiropractic Health Care Demonstration Project to stand firm for chiropractic participation at a level reflective of education, training, credentials and licensure criteria. Passed with Washington opposed.

Resolution #4 - Directing the Federation's board of directors to develop a formal letter of complaint in regard to the unresolved issues to be addressed to the U.S. Department of Education and the Council on Chiropractic Education. Passed with 9 opposed: New Jersey, Minnesota, Pennsylvania, Louisiana, California, Washington, Mississippi, Texas, Arkansas. Wisconsin abstained.

11. SPECIAL COMMITTEES OR TASK FORCES

A. Data Bank and Analysis Committee - Dr. John Tierney (NC) reported on the progress of CIN-BAD this past year, commenting on the continued increase in interest and participation in the program. He urged all boards to report actions within 30 days, and to provide at least the last five years
of historical actions to the databank. He commended Colorado and Dr. Randy Baca for providing all actions dating back to 1959, and therefore setting a standard to which other boards should strive. He described the FCLB Board decision to open access to this red flag system's depository of public actions, and outlined planned future expansions. These may include ALLNAMES (a list of all licensed doctors), LAWS&RULES, and chiropractic college graduation lists. He asked the boards to continue to help develop CIN-BAD, to save time, money, and staff and board resources. Most of all he pointed out the importance of protecting the patient public and their health, safety and welfare.

B. Department of Defense: Chiropractic Health Care Demonstration Project - Dr. Peter Ferguson (OH) described the oversight committee's responsibilities to develop the groundwork for randomized clinical trials, opening chiropractic services to military patients on select study bases. He assured the membership that the committee was dedicated to chiropractic care being made available on equal par to other health care services.

C. Committee on Professional Standards - Dr. Meredith Bakke (WI) described the committee's efforts in Travel to Treat provisional licensure, sexual boundaries issues, AIDS / HIV policies, and specialty council recognition. Dr. Davis Kinney (GA) noted that passage of Senate Bill 367 making Travel-to-Treat easier in Georgia to assist with the upcoming Olympics, and that this was reflective of our FCLB resolution of the previous year.

D. Prechiropractic Entrance Examination - Dr. Vernon Temple (VT) described the developing pilot project with test sites to be established at Logan, Western States and New York chiropractic colleges. The focus will be on identifying characteristics of the successful vs. the struggling student, to determine whether those might be identified before matriculation.

E. Task Force to Develop a Model Disciplinary Code - Dr. Larry Gerstein (MO) described the progress of this task force, which is funded by a grant from NCMIC and administered through FCER. A nearly final draft is under review by the FCLB board and will be distributed to the membership for comment soon. It is expected to be placed before the members for a vote of adoption next year.

F. Task Force on Continuing Education Qualifications - Dr. Michael Martello (CA) reported the committee's plans to coordinate a survey with other committees, to determine more of the CE criteria and processes currently in place. A universal CE application form has been drafted and
will be circulated for comments. It is hoped that the FCLB may develop some sort of national database to certify instructors for continuing education.

G. **Task Force on Chiropractic Health Care Fraud** - Dr. Robert M. Vaughn (NC) reviewed the purposes of the Task Force and its accomplishments to date, training sessions and fielding requests for information from insurance companies. It serves as a “speakers’ bureau and information resource” for questions on chiropractic fraud and working effectively with licensing boards to combat this problem. It is expected that the committee’s activities will increase as fraud moves to the forefront in health care concerns.

H. **National Board of Chiropractic Examiners** - Dr. Vaughn continued with the NBCE report, outlining some of the accomplishments of the National Board during the past year, including the SPEC test, the various Job Analyses which have been published, and continuing progress on the Part IV (Practical Exam) Feasibility study. He noted 11,000 examinees sat for NBCE tests this year. He pointed out the areas in which the relationship between the FCLB and the NBCE have improved and strengthened, which ultimately benefit the chiropractic profession.

I. **Council on Chiropractic Education: Commission on Accreditation** - Dr. Meredith Bakke (WI), FCLB appointee to the CCE’s Commission on Accreditation, gave the CCE report. (She was not speaking for the CCE since that was not authorized, but rather presenting her comments and views to the FCLB as our appointee to the COA.) She encouraged all members to read the CCE Standards, especially important with constant turnover on boards. She noted that this document should tie together the academic and practice experiences.

J. **Council on Chiropractic Guidelines and Practice Parameters** - Dr. Bakke also represents the licensing boards on this committee. She noted that the bylaws and focus for the committee have now been adopted, and the first full meeting (upcoming) will be to determine the specific tasks which need to be addressed at the document is revisited for continual, dynamic improvements.

**12. New Business**

Dr. Harold Doe of New Jersey suggested that some sort of inter-organizational task force on managed care needs to developed to take into account the doctor/patient relationship. This idea will be presented to the FCLB Board for further discussion and feasibility analysis.
Dr. Ron Berg of New Mexico described changes in the New Mexico law to allow for temporary licensure, licensure by endorsement, and an increase in continuing education hours from 10 to 15 hours annually.

13. NOMINATING COMMITTEE REPORT / ELECTIONS

The chair announced the results of district director elections:

- District 2 re-elected Dr. Peter D. Ferguson of Ohio for a three-year term as District Director, with Dr. Roger Pope elected as alternate director for a concurrent term.

- Dr. George Phillips of Wyoming was appointed by the board and then recently elected by his district to complete the alternate District I director term vacated by Dr. Jerry Blanchard, who resigned to run for District I director of the NBCE.

He noted these Directors will be seated at the end of this year's business meeting.

A. Report of the Nominating Committee: Dr. D. Brent Owens served as Chair in his role as Immediate Past President of the Federation. He reported on the Nominating Committee's recommended slate of officers and placed their names into nomination:

   Dr. Robert M. Vaughn (NC) - President for a one-year term, to conclude with the annual business meeting in 1996.

   Dr. Lawrence M. Gerstein (MO) - Vice-President for a one-year term, to conclude with the annual business meeting in 1996.

   There being no other candidates for either of these offices, the chair declared each one individually elected by acclamation.

B. Approval by the membership of two nominations to the Nominating Committee:

The Chair reported that the FCLB Board of Directors had nominated two members for approval in the 1995-96 Nominating Committee:

- Dr. Ron Zoeller of Kansas
- Dr. Audie Klingler of Maryland

By individual vote on each nomination, Drs. Zoeller and Klingler were approved without opposition.
14. **REPORT OF THE CONVENTION AND PROGRAM COMMITTEE**

Dr. Vaughn thanked those who helped make the Portland meeting a success. He reported that future FCLB conference sites will be as follows:

- 1996: District 2 - Chicago, Illinois
- 1997: District 5 - West Palm Beach, Florida
- 1998: District 4 - Las Vegas, Nevada

15. **AWARDS AND RECOGNITION**

Dr. Carroll H. Winkler announced the following awards and recognition:

Donna Liewer presented gifts of appreciation to:
- Gail Royster, FCLB Administrative Assistant
- Peter Sawtelle, computer consultant and CIN-BAD system designer.

She also commented on the superb contributions of the newest FCLB staff member, Jackie Detterer.

Dr. Robert Vaughn announced the results of the 6th Annual Golf Tournament Awards, thanking Dr. Bill Dallas for arranging for the course (and losing graciously!) Winning team: Drs. Robert Vaughn, Brent Owens, John DeMatte, and Bev Latimer. Second place: Drs. Jan Harbour, Ron Zoeller, Gaylon Carter and Roger Combs. Third place: Drs. Hank Hulteen and Lee Richardson. Lee Richardson won the longest drive and Jan Harbour was closest to the pin.

He announced that a check for $1455 would be forwarded to Lucille Goldschmidt, due to the generous donations of those who reached deep into their hearts and pockets at the welcome reception, in memory of our beloved past president, Dr. Mickey Goldschmidt.

He presented a gift to Dr. Brent Owens, past president of the FCLB, retiring after six years of service to the Federation.

Dr. Vaughn presented a gift recognizing the sacrifices and contributions of Dr. Carroll Winkler for two years' service as president, and to his wife Verna for her unflagging devotion and support.

**SPECIAL AWARDS**

Dr. Winkler presented the next award for the Outstanding Licensing Board, presented to the Missouri Board of Examiners for their active support and involvement with the pilot Part IV exam of the NBCE. Accepted by Missouri board member Dr. Lawrence Gerstein.
Dr. Peter Ferguson, Executive Board Chair, presented the George Arvidson Award for Meritorious Service (the Federation's highest individual honor), to Dr. D. Brent Owens of Florida, for his vision and dramatic development of the Federation during his tenure in leadership positions on the FCLB Board.

16. INSTALLATION CEREMONY

Dr. D. Brent Owens, FCLB Past President, installed the 1995-96 FCLB Board of Directors.

17. ADJOURNMENT

The FCLB's annual business meeting was adjourned until April, 1996 in Chicago, Illinois.

Donna M. Liewer
Recording Secretary

APPROVED by the 1995 Minutes Committee:
Dr. Jerry Blanchard, North Dakota (Chair)
Dr. Ron Berg, New Mexico
Dr. Vernon Temple, Vermont

Distributed to the Membership 9/24/95