MEETING
FCLB Board of Directors
Tuesday, July 13, 2010
Via Telephone Conference, 6:30 p.m. MDT

APPROVED MINUTES

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

PRESENT:

OFFICERS:
Daniel Saint-Germain, D.C., President
Lawrence O’Connor, D.C., Vice President
LeRoy Otto, D.C., Treasurer
Oliver “Bud” Smith, Jr., D.C., Immediate Past President (departed 7:22 p.m.)

EXECUTIVE BOARD OF DIRECTORS:
Carol Davis, D.C., District I Director
Gary Pennebaker, D.C., District II Director
Ali Jafari, D.C., District III Director
Maggie Colucci, D.C., District IV Director
Farrel Grossman, D.C., Board Chair & District V Director

ADMINISTRATIVE FELLOW DIRECTOR:
Larry Spicer, D.C., Administrative Fellow Director

ALTERNATE DIRECTORS:
Donn Fahrenord, D.C., District I Alternate Director
Kirk Shilts, D.C., District III Alternate Director

STAFF:
Donna M. Liewer, Executive Director
Joan Carl, Finance & Benefits Manager

MEETING DETAILS

I. Dr. Grossman called the meeting to order at 6:34 p.m. MDT, July 13, 2010. Ms. Liewer noted board members, alternates, and staff present as listed.

There were no announcements.

II. Dr. Grossman pointed out the minutes of the April 27 - 28 and May 1, 2010, meetings were previously approved by e-ballot and posted on the FCLB public website.

M/S Saint-Germain / O’Connor to approve the board of directors meeting agenda as presented and modify as needed. Passed, no opposition
1. Financial Report

1. Budgetary Issues

Dr. Otto reviewed the financial reports. He noted the second and final annual installment of the NBCE grant to the FCLB in the amount of $250,000 is scheduled for August 31, 2010, and that expenses have been as expected. FCLB funds are held in local money market and short term certificate of deposit accounts. Ms. Liewer noted the FCLB auditor has advised that funds be kept in local banks where FCLB can have closer control. Comparable interest rates will continue to be monitored at local as well as long distance banks.

Dr. Otto commented that the technology development fund will likely be tapped in 2010 as originally planned for in the 2010 budget. As PACE continues to gain momentum, the PACE development fund may need to be utilized also. There has been no change in the capital purchases grant since December 2008.

The annual conference finance report was reviewed noting expenses were relatively neutral compared to 2009. Conference location impacts expenses as well as income. The general increase in waived registrations is due primarily to waived NBCE board members which is in conformance with the NBCE funding agreement.

Ms. Liewer offered to meet by telephone with new board members to address how the budget is developed.

The terminology of “gross profit” on the Income Statement was brought into question considering FCLB is a non-profit organization. Staff will check with the auditor to bring the terminology into conformance with proper accounting standards.

2. Wolfson Scholarship Expenses

M/S Jafari / O’Connor to amend the Policy to Remove FCLB Member Boards from the Roster for Non-payment of Dues to be effective January 1, 2011. Passed, no opposition

There was clarification that this does not limit the number of candidates who can be chosen in any one year. Also, the board noted that in January 2010, it was agreed to maintain a minimum $5,000 balance in this fund.

3. Policy to Remove FCLB Member Boards with Delinquent Dues

M/S Saint-Germain / Otto that the FCLB policy be to waive the registration fee for the Wolfson Scholarship recipient(s), and to pay for other associated expenses of the Wolfson Scholarship conference attendee(s) from the Wolfson Scholarship fund. Passed, no opposition

Dr. Jarfari encouraged the board to find ways to keep regulatory boards in the loop that may not be able to pay member dues but that recognize the PACE program.
2. **FCLB Tech Update, Website Report**

Ms. Liewer reported that data conversion is proceeding smoothly with ISSI. All computers have been updated with the latest virus and malware protection.

3. **Committees**

1. **ACBA Request to be an FCLB Committee**

A motion was made and seconded regarding accepting the board administrators as a Federation committee. After some discussion, the motion was amended to clarify that this would be an ad-hoc committee, not a standing committee which would require a bylaws amendment.

The final motion was as follows:

*M/S Spicer / Otto to accept ACBA’s request to be an ad hoc committee of the FCLB and keep any donated ACBA monies in a dedicated fund to be used to carry out its goals and objectives.*  
*Passed, no opposition*

*M/S Spicer / Saint-Germain to offer a courtesy approval of the president’s appointments of Beth Carter (OK) as chair and Marcia Walter (SD) as co-chair of the board administrators committee, with Dr. Spicer serving as board liaison.*  
*Passed, no opposition*

It was clarified that the president’s committee appointments remain until the end of each president’s term of office, or at his/her discretion, unless otherwise governed by the policies of the board or the bylaws.

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**FCLB PROGRAMS & SERVICES**

4. **Baltimore 2010 Conference**

1. **Conference Evaluations**

Dr. Saint-Germain reported the conference was well received. Most attendees liked having the welcome reception on Thursday and enjoyed the pirate party theme. The attendees again evaluated the educational sessions to be of good benefit.

Ms. Liewer said if it was the pleasure of the board, the format would continue as in 2010 having a single Thursday event rather than both a Wednesday and Friday event. The board agreed in principle, with the caveat that financial supporter recognition be taken into consideration as the format evolves.

5. **Future Annual Conferences**

1. **2012: San Antonio**

A contract has been signed with the Hyatt and Ms. Liewer and Mr. Elliott will be doing site visit July 19-20, 2010. There were no rooms available at the Marriott on the Riverwalk for the 2012 conference.
6. **District Meetings**

The budget allows all board members to attend one district meeting with the president attending up to two meetings. The goal is to have at least one member of the executive committee at each meeting. Dr. Saint-Germain will advise as to the final scheduling.

Promos for upcoming meetings were mailed on July 6, 2010, with continuous e-mail information being distributed regularly.

District directors should begin calling their members to encourage district meeting attendance.

7. **PACE**

1. **PACE Committee & Review Team Meeting, Vacancies, Website**

   The PACE committee and review team meeting will be August 5 - 8, 2010, in San Francisco.

   Southern California University of Health Sciences has the only PACE Review Team vacancy. There are no PACE Committee vacancies.

   Kelly Webb was commended for her work rebuilding the PACE website.

2. **Increasing PACE Participation**

   A. **Boards**

      1. **Board revenue stream issues**

      There are currently 13 state regulatory boards that do not charge for continuing education approval for relicensure purposes. It was the consensus of the board to focus primarily on encouraging these boards to adopt PACE while still continuing to work with other non-participating boards.

      Based on simplifying the financial processes and the fact that short programs take as much work for the Federation to process as longer ones, the board discussed revising the PACE course fees. Ms. Liever noted this proposed change will apparently have no impact on current providers.

      She also pointed out that changes to PACE Policies & Procedures may take place instantly if approved by all current recognized providers or may be proposed at Marco Island (2011) for adoption in San Antonio (2012) if not unanimously approved by the currently recognized providers.

      **M/S Smith / O'Connor** to change the PACE pass-through record keeping fee to a flat $10.00 per person, per course instead of the current per person fee of $1/hr - not to exceed $10. Passed, no opposition

2. **Nevada**

   Dr. Smith was warmly received on June 12, 2010, by the Nevada board to present the PACE program. The Nevada attorney general inquired about whether boards may continue to charge for CE approval if they recognize PACE.

   The FCLB board clarified that boards that accept PACE may continue to charge to approve CE that does not come through PACE, but cannot charge to approve programs that are processed through PACE. The PACE program requirements are based on the principle that whoever does the work of course approval secures the
income. The board stressed that PACE income is reinvested directly into services for
the member boards, and that PACE offers both uniform standards and cost-savings
to resource-strapped state agencies.

The board reiterated that not all continuing education courses will fall under the
PACE umbrella and regulatory boards can still charge a fee to approve those
non-PACE courses.

Dr. Colucci will ensure that any remaining questions have been addressed to the
satisfaction of the Nevada board. She requested to be updated on the outcome of the
PACE Committee and Review Team San Francisco meeting prior to the September
meeting of the Nevada board, so that she can provide the most recent information
possible.

Ms. Liewer will continue to work with FCLB attorney, Dale Atkinson, to identify the
benefits for regulatory agencies to participate in the PACE program.

3. New Jersey

Dr. O’Connor reported New Jersey is proceeding to draft regulations governing the
implementation of CE for relicensure. The New Jersey board has recognized the
value of the PACE program to ensure uniform approval standards, while retaining
the state’s option of also approving CE directly.

4. Arkansas

FCLB learned just two days prior to the Arkansas board meeting, when Arkansas
requested written materials, that they would be discussing PACE acceptance.
Although these were timely provided, Dr. Smith pointed out that it is difficult for
delегates to present PACE to their boards without more knowledge than can be
garnered in the FCLB’s annual educational sessions. FCLB must be prepared to send
knowledgeable representatives to the regulatory board meetings to present the
program and answer questions.

Dr. Saint-Germain will appoint a committee to be available and trained to give PACE
presentations to regulatory boards. The budget impact will be considered as the
2011 budget is developed.

B. Colleges

Currently there are eight PACE Recognized Providers: University of Western States,
Canadian Memorial Chiropractic College, all three Palmer Colleges, the two National
University campuses, and Pettibon. Several additional colleges are in the application
process, and there are another two colleges who are in the talking stages. Dr. Jerry Grod
was recognized for his efforts to coach applicant programs through the process.

8. CIN-BAD

FCLB and ISSI staff are finalizing the capture of board action data for the revised CIN-BAD
program which will operate under the centralized databank. Bridget Seader has invited some
board staff from various jurisdictions to help test the online CIN-BAD/HIPDB reporting section.
9. **History Project**

Ms. Liewer has hired independent contract labor to finalize the reformatting of the history book. She has researched publishing on-demand and advised the board to consider working through CreateSpace.com, part of Amazon.com. There will be no cash outlay or storage involved for FCLB. The final book is estimated at about 400-500 pages with a gloss color paperback cover. Retail cost will probably be under $30. FCLB will also be able to purchase wholesale copies at a deep discount, as well as having the option of updating the document electronically in the future at a modest fee. There was no objection to this plan.

10. **Physical Examinations**

Dr. Michael Megehee was commended for his work on the DOT project and his efforts to keep regulatory boards informed about the implementation of the upcoming Federal Registry. Final rules are scheduled to be released by the Federal Motor Carrier Safety Administration February 28, 2011.

The Nevada Association reports DCs are again allowed to perform certain physical exams.

11. **Accreditation**

FCLB did not send official representation to the CCE-US semi-annual business meeting on July 11, 2010, but Dr. Saint-Germain sent a written report. This document emphasized the importance of adopting measurable standards in certain areas that affect patient care, and also encouraged the CCE-US to continue to participate in forums and programs where international mobility is being addressed. The FCLB continues to propose that the solutions for mobility include reliance on testing and accreditation as the credentials of DCs are evaluated.

12. **Certified Chiropractic Clinical Assistants (CCCA)**

Dr. Saint-Germain reported that following the stakeholder luncheon in Baltimore, the next step is to address the clinical internship and to meet with NBCE to discuss the development of the certification examination. Information will be distributed at the district meetings and directors will be given updated key talking points.

13. **Examinations**

1. **NBCE Update**

   The dedication of the new NBCE Elliott Center will be November 5, 2010, in conjunction with the mid-year meeting of the NBCE board of directors.

2. **IBCE (International)**

   IBCE is meeting in conjunction with the WFC, October 11-16, 2010, in Madrid, Spain. The Japanese testing scheduled for September has been delayed.

14. **Recent Meetings**

1. **American Black Chiropractors’ Association (ABCA)**

   Ms. Liewer reported that Dr. Smith spoke at the ABCA’s San Francisco meeting on June 24, 2010. Attendance was less than anticipated but there was great conversation about PACE, CCCA, and CIN-BAD. The ABCA expressed their appreciation and pleasure at having the FCLB presence at their meeting.
2. Summit Strategic Planning Committee

Dr. Grossman reported Dr. Cole has forwarded minutes of the planning committee, which will be sent to the FCLB board and alternates shortly.

15. Upcoming Meetings

1. FARB Leadership Forum July 29 - 31, 2010

Ms. Liewer will attend for the FCLB. NBCE has been invited but will not be attending. She will provide a report of the meeting to the NBCE.

2. COCSA Annual Meeting and Summit Meeting - November 4 - 7, 2010

Dr. Grossman accepted Dr. Saint-Germain's request that he represent the FCLB at the COCSA and Summit meetings November 4 - 10, 2010.

It was noted that FCLB has not budgeted to attend the meetings of the Citizens' Advocacy Center, World Congress of Chiropractic students, and CLEAR.

NEW BUSINESS

16. New Business

1. Breast Thermography

Dr. Grossman referred members to the information in their notebooks.

Dr. Pennebaker was recognized for his work on the Task Force for Uniform Evaluative Processes and the model framework document produced by the task force. The board noted that this document is an excellent tool for boards to use to evaluate treatments and devices on a uniform platform.

M/S O'Connor / Jafari to adjourn. Passed, no opposition

Meeting adjourned at 8:11 p.m.

Next scheduled telephone conference call meeting of the board of directors:
Tuesday, September 14, 2010
6:30 p.m. Mountain Time

Donna M. Liewer
Recording Secretary

With appreciation to Joan Carl for assistance with the Minutes