MINUTES

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

PRESENT:

OFFICERS:
Oliver “Bud” Smith, Jr., D.C., President
Daniel Saint-Germain, D.C., Vice President
Lawrence O’Connor, D.C., Treasurer
N. Edwin Weathersby, D.C., Immediate Past President

EXECUTIVE BOARD OF DIRECTORS:
LeRoy Otto, D.C., Executive Board Chair & District II Director
Carol Davis, D.C., District I Director
Ali Jafari, D.C., District III Director
Ron Tripp, D.C., District IV Director
Valerie Hoffman, D.C., District V Alternate Director
(Farrel Grossman, D.C., District V Director, was unable to attend)

EXECUTIVE FELLOW DIRECTOR:
Joe Baker, Jr., Executive Fellow Director

STAFF:
Donna M. Liewer, Executive Director
Joan Carl, Finance & Benefits Manager
Julie Finn, Executive Assistant
Bridget Seader, CIN-BAD and Program Administrator
Kelly Webb, PR & PACE Coordinator

LEGAL COUNSEL:
Dale Atkinson, J.D., Atkinson & Atkinson

OTHER GUESTS:
Vernon Temple, D.C., NBCE President
Richard Cole, D.C., NBCE Director-at-Large

I. CALL TO ORDER / ROLL CALL / ANNOUNCEMENTS

Dr. Otto called the meeting to order at 8:43 a.m. Donna Liewer called the roll, with directors and others present as listed. The chair explained that Dr. Grossman was unable to attend and District V was being represented by Dr. Valerie Hoffman, District V Alternate Director.

Dr. Smith announced that there were representatives from student chiropractic associations visiting the NBCE and the FCLB board was invited to meet them for lunch. He and Donna Liewer planned to present to the students in the mid-afternoon.

The board expressed appreciation for the opportunity to meet at the NBCE facilities.
It was agreed to try streamlining future teleconference calls by having consent items outlined separately in the agenda.

There was discussion about recognizing naming those who make motions and seconds. Mr. Atkinson commented it was up to the FCLB board. It was decided to continue identifying in the minutes both those who move and those who second the motions.

II. MINUTES FROM PREVIOUS MEETINGS

M/S O’Connor/Weathersby to approve the minutes of the 11/13/07 meeting of the FCLB Board of Directors. This motion was not voted on.

The motion was amended by Dr. Weathersby and agreed to by Dr. O’Connor, as follows:

M/S Weathersby/Tripp to approve the minutes of the 11/13/07 meeting of the FCLB Board of Directors as amended to include the discussion regarding the FCLB / NBCE relationship. Passed, no opposition (abstention by Drs. Tripp, Hoffman, and Weathersby who were not present at that meeting)

The board readdressed its discussion initiated in November regarding the benefits and drawbacks of pursuing a formal merger of FCLB and NBCE and, after further discussion and by consensus, determined that pursuit of a merger between the two organizations was not in the best interest of the FCLB.

III. APPROVAL OF THE AGENDA

M/S Tripp/Davis To approve the agenda as presented, and to deviate from the agenda as needed at the discretion of the chair according to time constraints and to accommodate guests. Passed, no opposition

IV. BUSINESS

1. FINANCIAL REPORT

Dr. O’Connor presented the report thanking Joan Carl, Donna Liewer, and Kelly Webb for their part in putting together the PowerPoint presentation.

The 2007 report of the district meetings, 2007 board member per diem, current travel protocol, 2008 member dues, and current status report were reviewed.

Invoices for member dues were mailed January 2, 2008. Payments are monitored carefully to be sure all delegates/alternates are able to vote. Dr. O’Connor suggested the directors could help contact boards with outstanding invoices.

Discussion followed concerning travel protocol and it was agreed that the FCLB travel policy would remain as is, with no reimbursement for insurance purchased for travel cancellation and accidents, or prepaid meals.

The board then addressed the 2008 proposed budget. Dr. Smith explained the need to utilize the reserve funds. The technology development project cost was discussed in detail, as well as CIN-BAD and PACE. Other line items were discussed and explained as requested.
Dr. Weathersby suggested FCLB try to finance the deficit rather than dipping into reserves. Donna Liewer explained that the FCLB may not have to access the reserves prior to the fall of 2008, offering the board a significant time period to watch cash flow and make a final determination about financing strategies later in the fiscal year.

Dr. Hoffman suggested new business include discussion about appointing a budget reallocation committee.

M/S Davis/Saint-Germain to table a vote on budget approval to the end of the meeting as a last item of business, to allow the board the opportunity to modify it based on discussions that may take place. Passed, no opposition

The next day, the Treasurer distributed a revised draft budget that incorporated the decisions and recommendations made during Friday's meeting. The new draft budget reflected the possible need to tap reserves or to finance $57,650.

M/S Jafari/Saint-Germain to adopt the revised budget. Passed, no opposition.

M/S Weathersby/Hoffman to direct the Executive Director and staff to research potential financing of the technical development project. Passed, no opposition

Dr. Smith requested to be on record as preferring to utilize reserve funds rather than seeking outside financing in order to fund the information technology upgrade effort. He stated that the purpose of the reserve funds is to support programs as needed, and that the upgrading the tech infrastructure can no longer be postponed, even if it means adopting a budget which requires balancing by using a good portion of the reserve funds.

Dr. Hoffman asked whether the FCLB should create a budget allocation committee. Discussion followed including explanation of the procedures of the board of directors in reviewing the budget throughout the year at each board meeting and the reallocation of funds if needed. It was suggested that budget reallocation be made a topic on the regular board meeting agendas, with the responsibility resting with the full FCLB board of directors.

M/S Hoffman/Davis that a budget reallocation committee be formed which meets periodically to review financials and reallocate funds as needed. Motion failed.

Dr. O’Connor and Donna Liewer reported that as part of the 501(c)3 application process it is necessary to amend the FCLB Certificate of Incorporation as filed with the state of Wyoming. Mr. Atkinson is working on this. The next step is board approval of the draft revisions. Subsequently, the document will be circulated to membership explaining the rationale for this action. It will then be brought before the membership for a vote, in the form of a resolution, at the 2008 Annual Business Meeting.

M/S Tripp/Jafari to adopt a policy requiring a 2/3 vote by membership to amend the FCLB Certificate of Incorporation. Passed, no opposition

M/S Tripp/O’Connor to present the Restated Certificate of Incorporation to the membership for approval. Passed, no opposition
2. **UPCOMING MEETINGS**

   **A. National Chiropractic Legislative Conference,** February 27 - March 1, 2008: Washington, D.C.
   
   **M/S Tripp/Davis to authorize travel for one person at the president’s discretion.** Passed, no opposition

   
   It was noted that at the November 13, 2007, meeting, the board had previously authorized Dr. Saint-Germain to attend the ACC-RAC conference and related meetings, and to represent the FCLB where appropriate.

   **C. CFCREAB Annual Meeting,** April 3 - 5, 2008: Halifax, Nova Scotia

   **M/S Tripp / Jafari to authorize travel for Dr. Saint-Germain.**

   Passed, no opposition

3. **FCLB / Bylaws**

   Dr. Smith discussed the need for bylaws changes, and noted the initial development work by FCLB delegates, Drs. Kirk Shilts (MA) and Paul Morin (ME) with the appreciation of the board. Mr. Atkinson suggested comprehensive revision is in order. It was agreed that, if possible, an initial draft would be presented for discussion at the 2008 educational conference in Atlanta as well as at the fall 2008 regional meetings.

   **M/S Hoffman/Davis to authorize the firm of Atkinson & Atkinson to prepare revisions to the FCLB bylaws based on the firm’s existing model bylaws document.** Passed, no opposition

   The board noted that this is project is not included in the proposed 2008 budget and requested it be added as an unfunded line item for tracking purposes.

   Dr. Smith and Mr. Baker continued discussion from the July 2007 board meeting regarding the issue of adding a public member to the FCLB Board of Directors. This would require a bylaws change and there would be additional costs (i.e. travel) to the FCLB if another position is added. The Board requested this be added to the May board meeting agenda and presented by outlining the benefits and drawbacks. It was suggested the staff could poll FARB members on this issue.

   The next day there was discussion about the need for clarification of the Nominating Committee language concerning running for election. The consensus was not to do anything at this time as this issue can be incorporated in the model bylaws document to be drafted by Mr. Atkinson.
4. FCLB TRADEMARK

The FCLB continues to be in dialogue with the federal government and this project is proceeding nicely.

5. CCGPP

Dr. O'Connor noted some specific concerns about the CCGPP direction and documents, and asked the board to consider possible responses. Dr. Smith reiterated the Federation's continued support of the CCGPP and FCLB appreciation of Dr. David Taylor's hard work on behalf of regulation. He explained he would be interested in possibly rotating the FCLB representative from time to time.

Dr. Smith requested a letter be sent under his and the district director's signature inquiring about interest in serving in this capacity and describing the skill sets needed. It was also observed that a PowerPoll could be conducted to determine whether boards are officially utilizing any of the CCGPP work products, and inquiring about whether other regulators may have an interest in serving in the future.

6. ATLANTA 2008 CONFERENCE

In recognition of more than two decades of service to regulation and the Federation, Dr. Henry W. Hulteen is being invited to the Atlanta conference, where he will be acknowledged. The board previously agreed to waive his registration fee, but is not in a position to reimburse his travel expenses. A nice plaque will be designed to recognize his service and participation.

The May board of directors meeting will begin at noon on Tuesday, April 29th, to ease logistics for Mr. Baker participating in the ACBA meeting and also for those who serve on both the FCLB and NBCE board. Directors are to have lunch on their own prior to the meeting.

The ACBA meeting will be Wednesday, April 30th and will include a presentation by Life University president, Dr. Guy Riekeman, and a working lunch with a presentation by legal counsel and FARB executive director, Dale Atkinson. Dr. Oliver Smith will be speaking in the morning. The ACBA president's position is open for election.

FCLB committees will be meeting Wednesday afternoon.

Elections will be held for District I & II director and alternate, and the nominating committee.

The deadline for proposed FCLB bylaws amendments is March 1, 2008. There are none as of this date.

Dr. Tripp reported there is one resolution to date, submitted by Dr. Rademacher. Additional resolutions will focus on the need to restate the FCLB Certificate of Incorporation.

Conference Thursday:

Dr. Saint-Germain and Dr. O'Connor will host the new attendee breakfast training. Dr. Spicer, ACBA President, will be invited to speak briefly.

Suggestions were offered for a keynote speaker. It was decided the FCLB did not have the funds to pay an honorarium.
The FDA has been contacted and have tentatively agreed to send someone from their Atlanta office to speak. They need the agenda and a letter of request on FCLB letterhead.

NBCE has requested a plenary session on using special exam services. NBCE will also have a double breakout session featuring understanding their bylaws as well as how to get more involved with the NBCE.

ACBA would like to have 30 minute panel discussion during the plenary session that showcases board administrators, and their unique responsibilities. They plan to offer a scholarship for a board executive who is otherwise unable to attend due to financial restrictions.

**Conference Friday:**

Suggestions were offered for the Janse lecturer. The board agreed that Dr. Smith will make the final decision.

Member boards are asking for guidance on experimental treatments. This could be an informal open forum for sharing by member boards.

It was agreed that exploring the role of the public member could be a district meeting topic with a break out session at the 2009 conference.

**Saturday:**

Worldwide mobility issues will be presented by Dr. Weathersby. Dr. Sportelli will provide his traditional lively insights.

**Social Events:**

Thursday will include a tour of Life University.

With Dr. Karen Mathiak’s help, the Georgia Aquarium finally committed to an early contract with the FCLB. There will be one hour with the public and one hour of private viewing time. Cost will be approximately $85/person including transportation. This price is included in the registration fee for conference attendees.

The guest tour will cost approximately $50 for the Atlanta history tour.

The welcome reception will be dedicated to Dr. Earl Wiley. Mrs. Wiley will be invited. FCLB will set the tone at the welcome reception and work with NBCE to do a visual tribute at the NBCE Friday luncheon.

**Conference support** is now at $8,000. Letters of invitation to support the conference were sent to all the college presidents in October 2007. The directors will make follow up calls to those colleges who have not responded.

The process for **award nominations** is to forward them to the FCLB Executive Committee for final decision.

**Public relations:** Kelly Webb was commended for her job in marketing the conference.

2009: contracted with the Renaissance in Hollywood, CA. Room rate is $199.

2010: Julie Finn reported on three proposals.

**M/S Hoffman/O'Connor to select Baltimore, Maryland as the site for the 2010 FCLB conference.** Passed, no opposition.

The location for 2011 was discussed. Julie Finn was asked to explore options in Seattle, Vancouver, and Calgary.

8. **CIN-BAD**

Bridget Seader presented the current utilization statistics regarding CIN-BAD. Some discussion focused on recent misinformation that has been circulated about CIN-BAD’s information and fees, and possible responses. It was agreed to discuss this further at the March telephone conference meeting of the board.

**M/S Baker/Jafari to recess till 9:00 a.m. Saturday morning.** Passed, no opposition.

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**SATURDAY, JANUARY 19, 2008**

The meeting was called to order at 9:24 a.m. Roll call noted participants continued from the previous day, except Dr. Tripp who was unable to attend.

Guests Dr. Temple and Dr. Cole gave a short presentation on NBCE’s focus on testing and exam security. Dr. Cole discussed the objective of the NBCE Funding committee to come up with a practicable plan that would be in the best interests of both NBCE and FCLB. The board expressed its appreciation to the NBCE for the 2007 supplemental funding, the 2008 commitment, and the sincere efforts underway to reach a long-range funding solution.

9. **FCLB TECH UPDATE, WEBSITE REPORT**

Donna Liewer reported that the FCLB goal is to bring in-house much of the website and technical work, minimizing dependance on outside contractors. While some outside technical help will still be needed, FCLB should eventually be able to bring 80% of what is currently done by outside consultants in-house. The Federation is working toward one centralized database that would hold all information in relation to a person rather than numerous programmatic data bases.

Kelly Webb demonstrated the new conference website and the registration process.

10. **PACE**

**M/S O’Connor/Jafari to reappoint Dr. Sherry McAllister to the PACE Review Team for a three year term.** Passed, no opposition.
11. ACCREDITATION ISSUES

Dr. Saint-Germain reported that accreditation functions have now been merged into the Canadian Federation, resulting in the newly titled CFCREAB.

The Southern Association of Colleges and Schools has placed Sherman College on public warning status. It was noted they still retain full accreditation by both SACS and CCE.

It was announced that the FCLB is ready to distribute the CCE’s admission standards survey to current and past regulatory board members, board execs, and legal counsel.

CCE has empaneled a task force to review success rates for graduates in achieving licensed status, and possible future Standards requirements. They have included regulatory representatives as this topic is studied.

12. COMMITTEE APPOINTMENTS

Dr. Smith reviewed his recommendations for various committee appointments, seeking board input on both the standing and special committees.

It was agreed to add a special committee to focus on developing uniform approval processes for assessing experimental procedures and treatments, to be chaired by Dr. Sal LaRusso (FL).

**M/S Weathersby/Saint-Germain** to approve the president’s recommendation to retain the current members of the Finance and Audit Committee. Passed, no opposition.

**M/S Weathersby/Jafari** to approve the president’s recommendations for the Resolutions and Bylaws Committee with latitude regarding several members based on their ability to serve. Passed, no opposition.

**M/S Baker/Jafari** to approve the president’s recommendations to Special Committees as modified. Passed, no opposition.

13. OTHER ORGANIZATIONS’ REQUESTS FOR FCLB INFORMATION

The board reviewed the Montana board’s current questions regarding research.

14. CHIROPRACTIC ASSISTANTS

Dr. Smith reported he and Donna Liewer have been in communication with ACA, ACC, and COCSA. Seven boards now required some type of regulated process for chiropractic assistants. ACC is developing a core curriculum design, including recommended number of hours, and hopes to have a model available for review by mid-2008. If it is determined that there will be a continuing education component as part of regulating CAs, PACE can provide any necessary evaluation of continuing education that may be required in the future.
15. NEW BUSINESS

A. **PACE / European Academy of Chiropractic:** Dr. Weathersby reported he had been contacted by Dr. Papadopoulos requesting information on PACE for the EAC (the education arm for the European Chiropractic Union). The EAC will be meeting in early February. The Federation will e-mail information to him about PACE. Dr. Smith inquired if PACE and CINBAD would need some adaptations to be able to work with the international community, and it was explained that any changes appear to be minor, such as recognizing international type character sets.

M/S O'Connor/Saint-Germain to have the International Committee work with the EAC/ECU regarding distribution of PACE materials for potential European participation in PACE. Passed, no opposition.

B. **Long Range Planning:** Donna Liewer distributed a strategic plan working document that was developed prior to the terms of the current board. The task list has been continuously updated, reflecting motions and directions of the board. Dr. Smith requested the board to schedule its 2009 mid-year board meeting to begin on Thursday at 10:00 a.m. to allow for long range planning. He also recommended that the board meet in Greeley again in 2009 as a cost saving measure.

C. **Earl Wiley Award:** The board agreed to rename the Outstanding Board Award as the “Earl Wiley Outstanding Board Award.” It was agreed the first award should be presented to Mrs. Wiley in the form of a plaque at the Friday luncheon. The Earl Wiley Outstanding Board Award will then be presented at the awards ceremony on Saturday.

D. **Dr. Steve Foreman's educational website** [steve@myicourse.com](mailto:steve@myicourse.com) was discussed. This resource is available to the FCLB and its member boards at no charge, and allows educational programs to be posted for secure, on-line presentation and attendance tracking. FCLB will request permission to show this program at the district meetings emphasizing the value to individual boards.

E. **Impairment Ratings:** The board consensus was that this is not a Federation issue.

V. ADJOURN

M/S Davis/Weathersby to adjourn at 1:55 p.m. Passed, no opposition.

[Signature]
Donna M. Liewer
Recording Secretary