

Board Members present: President Mickey E. Frame, D.C., Vice-President Rebecca J. Ault, D.C., Johnathan Haggerty, D.C. and Jessica Voltolini.

Others present: Kelly A. Caudill, Executive Director; Elizabeth Moore, Executive Assistant; Kendra Lindsey, Paralegal, Kim Stein, Investigator, and LaTawnda Moore, AAG.

Members excused: None.

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*The Board's mission is...*

*to proactively protect the health and welfare of Ohio's citizens and to regulate the chiropractic profession with vision by setting high standards through examination of new doctors, annual license renewal, clinic inspections and timely investigation and disciplinary action when indicated.*

### **CALL TO ORDER**

President Dr. Frame called the four hundred and forty-first Board meeting to order at 2:00 p.m. via Microsoft Teams.

### **REVIEW OF MINUTES**

Vice-President Dr. Ault moved and Dr. Haggerty seconded a motion to approve the minutes of the February 20, 2020 Board meeting. Motion passed unanimously.

### **RATIFICATION OF CHIROPRACTIC LICENSES**

Dr. Haggerty moved and Ms. Voltolini seconded a motion to ratify approval of the chiropractic licenses issued to Erika Downs, Bryce Kreicher, Lejsor Lederman, Sharon Eagan, Kyle Depinet, Katelyn Kraft, Tanner Ruberg, Robert Trager, Burton Nesler, Harry Dermanelian, Mitchell Bonnstetter, Nichole Cavins, Nathan Phillips, Henrieta White, Dustin Peper, Ryan Winchester, Troy Cross, Stephen List, Nathaniel Betts, Julie Wilkinson, Jacie Vandermeulen, Paul Brooks, Julianne Donato, David Holmes, Brien Polivka, Ti Liu and Valarie Swan. Motion passed unanimously.

### **RATIFICATION OF ACUPUNCTURE CERTIFICATE**

Ms. Voltolini moved and Dr. Haggerty seconded a motion to ratify approval of the acupuncture certificate issued to Drs. Shane Klingler, Jennifer Wente-Moeller and Steven Pierzchala. Motion passed unanimously.

### **RATIFICATION OF PRECEPTORSHIPS**

Ms. Voltolini moved and Vice-President Dr. Ault seconded a motion to ratify approval of the preceptorships for Josh Spieles with Dr. Lucas Reinhart; Mitchell Wade with Dr. Scott Wade; Nicholas Wank with Dr. Mark Kirk; Julie Emmert with Dr. Andrew Ragon; Joanna Consiglio with Dr. Jennifer Ramsey; Derek Ketchum with Drs. Michael Rohlf's and Eric Mersch; Robert Kasperski with Dr. Nicholas Curry; Kiersten Wilcox with Dr. Derrick Wilcox and Michel Hozan with Dr. Mitchell Pfeiffer. Motion passed unanimously.

### **EXECUTIVE DIRECTOR'S REPORT**

Director Caudill reviewed the Executive Director's report with the Board which included the Board Docket, Legislative Matters, Administrative Rules, Investigative Statistics and miscellaneous matters, specifically:

Sub. HB 151 passed in the House on 2/12/2020. The bill was referred to the Senate Health, Human Services and Medicaid Committee on 5/13/20 and proponent testimony was held on 6/9/2020.

HB 484 to amend the law regulating athletic trainers passed in the House on 6/10/2020.

HB 679 to establish and modify requirements regarding the provision of telehealth services and to declare an emergency. Passed out of the House on 6/10/2020 with amendments adding more professions. Chiropractic is not included.

4<sup>th</sup> quarter budget allotments were reduced by 20%, approximately \$19,000 and that no guidance on the FY 22/23 budget has been received to date.

All staff has been teleworking since March 16, 2020. She reported that teleworking has been going smoothly with no processing issues and a return to work date is known.

All agencies are under a hiring freeze, step increases, and longevity pay is frozen as is pay raises for Exempt personnel. Exempt personnel will also have 80 hours of cost savings days in FY 2021.

Due to COVID-19, the license renewal deadline was extended until 12/01/2020, or 90 days after the Public Health Order ends, whichever occurs first.

Important upcoming dates including the NBCE Part IV Exam re-scheduled for July 10-12, 2020 and the FCLB District II Meeting scheduled for September 26-26, 2020 in Ft. Walton Beach, FL.

**Vice-President Dr. Ault moved and Dr. Haggerty seconded a motion to accept the Director's Report as presented.** Motion passed unanimously.

### **LEGAL ACTIVITIES**

#### **CONSENT AGREEMENT, CASE NO. 2020 CHR 007**

**Ms. Voltolini moved and Vice-President Dr. Ault seconded a motion to issue the proposed Consent Agreement as presented.** Voting Aye: Vice-President Dr. Ault, Dr. Haggerty and Ms. Voltolini. Voting Nay: None. Abstained: President Dr. Frame. Motion passed.

#### **CONSENT AGREEMENT, CASE NO. 2020 CHR 019**

**Vice-President Dr. Ault moved and Dr. Haggerty seconded a motion to issue the proposed Consent Agreement as presented.** Voting Aye: Vice-President Dr. Ault, Dr. Haggerty and Ms. Voltolini. Voting Nay: None. Abstained: President Dr. Frame. Motion passed.

#### **CONSENT AGREEMENT, CASE NO. 2020 CHR 025**

**Ms. Voltolini moved and Dr. Haggerty seconded a motion to issue the proposed Consent Agreement as presented.** Voting Aye: Vice-President Dr. Ault, Dr. Haggerty and Ms. Voltolini. Voting Nay: None. Abstained: President Dr. Frame. Motion passed.

#### **CONSENT AGREEMENT, CASE NO. 2020 CHR 063**

**Vice-President Dr. Ault moved and Dr. Haggerty seconded a motion to issue the proposed Consent Agreement as presented.** Voting Aye: Vice-President Dr. Ault, Dr. Haggerty and Ms. Voltolini. Voting Nay: None. Abstained: President Dr. Frame. Motion passed.

**CONSENT AGREEMENT, CASE NO. 2020 CHR 027**

**Dr. Haggerty moved and Vice-President Dr. Ault seconded a motion to issue the proposed Consent Agreement as presented.** Voting Aye: Vice-President Dr. Ault, Dr. Haggerty and Ms. Voltolini. Voting Nay: None. Abstained: President Dr. Frame. Motion passed.

**CONSENT AGREEMENT, CASE NO. 2020 CHR 033**

**Ms. Voltolini moved and Vice-President Dr. Ault seconded a motion to issue the proposed Consent Agreement as presented.** Voting Aye: Vice-President Dr. Ault, Dr. Haggerty and Ms. Voltolini. Voting Nay: None. Abstained: President Dr. Frame. Motion passed.

**AMENDED NOTICE OF OPPORTUNITY FOR HEARING, CASE NO. 2020 CHR 016**

**Vice-President Dr. Ault moved and Ms. Voltolini seconded a motion to issue the proposed Amended Notice of Opportunity for Hearing as presented.** Voting Aye: President Dr. Frame, Vice-President Dr. Ault and Ms. Voltolini. Voting Nay: None. Abstained: Dr. Haggerty. Motion passed.

**NOTICE OF OPPORTUNITY FOR HEARING, CASE NO. 2020 CHR 043**

**Ms. Voltolini moved and Dr. Haggerty seconded a motion to issue the proposed Notice of Opportunity for Hearing as presented.** Voting Aye: Vice-President Dr. Ault, Dr. Haggerty and Ms. Voltolini. Voting Nay: None. Abstained: President Dr. Frame. Motion passed.

**NOTICE OF OPPORTUNITY FOR HEARING, CASE NO. 2020 CHR 045**

**Vice-President Dr. Ault moved and Ms. Voltolini seconded a motion to issue the proposed Amended Notice of Opportunity for Hearing as presented.** Voting Aye: President Dr. Frame, Vice-President Dr. Ault and Ms. Voltolini. Voting Nay: None. Abstained: Dr. Haggerty. Motion passed.

**NOTICE OF OPPORTUNITY FOR HEARING, CASE NO. 2020 CHR 050**

**Dr. Haggerty moved and Ms. Voltolini seconded a motion to issue the proposed Notice of Opportunity for Hearing as presented.** Voting Aye: Vice-President Dr. Ault, Dr. Haggerty and Ms. Voltolini. Voting Nay: None. Abstained: President Dr. Frame. Motion passed.

**CONSENT AGREEMENT, CASE NO. 2020 CHR 066**

**Ms. Voltolini moved and Vice-President Dr. Ault seconded a motion to issue the proposed Consent Agreement as presented.** Voting Aye: Vice-President Dr. Ault, Dr. Haggerty and Ms. Voltolini. Voting Nay: None. Abstained: President Dr. Frame. Motion passed.

**NOTICE OF OPPORTUNITY FOR HEARING, CASE NO. 2020 CHR 067**

**Vice-President Dr. Ault moved and Ms. Voltolini seconded a motion to issue the proposed Notice of Opportunity for Hearing as presented.** Voting Aye: Vice-President Dr. Ault, Dr. Haggerty and Ms. Voltolini. Voting Nay: None. Abstained: President Dr. Frame. Motion passed.

**CONSENT AGREEMENT, CASE NO. 2020 CHR 070**

**Vice-President Dr. Ault moved and Dr. Haggerty seconded a motion to issue the proposed Consent Agreement as presented.** Voting Aye: Vice-President Dr. Ault, Dr. Haggerty and Ms. Voltolini. Voting Nay: None. Abstained: President Dr. Frame. Motion passed.

**CONSENT AGREEMENT, CASE NO. 2020 CHR 073**

**Dr. Haggerty moved and Ms. Voltolini seconded a motion to issue the proposed Consent**

**Agreement as presented.** Voting Aye: Vice-President Dr. Ault, Dr. Haggerty and Ms. Voltolini. Voting Nay: None. Abstained: President Dr. Frame. Motion passed.

**ADMINISTRATIVE RULE REVIEW**

Director Caudill presented the following administrative rules up for five year rule review and recommended that all rules be rescinded and drafted as new into one rule for more clarity and ease of compliance: 4734-3-01 Personal information systems definitions; 4734-3-02 Procedures for accessing confidential personal information; 4734-3-03 Valid reasons for accessing confidential personal information; 4734-3-04 Confidentiality laws and 4734-3-05 Restricting and logging access to confidential personal information in computerized personal information systems.

**Dr. Haggerty moved and Vice-President Dr. Ault seconded a motion to rescind rules 4734-3-01, -3-02, 3-03, 3-04 and 3-05 and file one new rule with JCARR and authority to Director Caudill to make any non-substantive changes that may be recommended by CSI and/or JCARR.** Motion passed unanimously.

Director Caudill presented administrative rules 4734-1-15 Scope of practice and 4734-8-09 Concussion management which are also up for five year rule review along with a summary of the stakeholder input received on both rules. The majority of comments received on both rules are changes that would require a statute change and cannot be made by amendment. Director Caudill recommended that no changes be made to either rule.

**Dr. Haggerty moved and Vice-President Dr. Ault seconded a motion to file administrative rules 4734-1-15 Scope of practice and 4734-8-09 Concussion management as No Change with CSI and, provided a favorable CSI recommendation, proceed with filing the rules with JCARR with authority to Director Caudill to make any non-substantive changes that may be recommended by CSI and/or JCARR.** Motion passed unanimously.

**Vice-President Dr. Ault moved and Dr. Haggerty seconded a motion to adjourn the meeting.** Motion passed unanimously.

With no further business to be brought before the Board, President Dr. Frame adjourned the meeting at 3:05 p.m.

Approved By Majority of Board:

Attested By Its Secretary:

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Mickey E. Frame, D.C.  
President

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Kelly A. Caudill  
Executive Director

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