

Board Members present: President Brian S. Wilson, D.C., Vice-President Otto J. Schmidt, D.C., Norman J. Gloekler, D.C., Gregory P. Palkowski, D.C. and Jeffrey O. Brown, Esq.

Others present: Kelly A. Caudill, Executive Director; Elizabeth Moore, Executive Assistant; Charissa Payer, Principal 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**

The four hundred and fifteenth Board meeting was called to order at 9:15 a.m. The meeting was held at the Ohio State Chiropractic Board Office; 77 South High Street, 16th Floor, Columbus, Ohio.

The Notice of Opportunity for Hearing in Case No. 2016 CHR 025 was removed from the agenda.

**PUBLIC FORUM – 9:15 AM**

No public in attendance.

**REVIEW OF MINUTES**

MOTION 2015-083: Vice-President Dr. Schmidt moved and Mr. Brown seconded a motion to approve the minutes of the October 8, 2015 Board meeting. Voting Aye: President Dr. Wilson, Vice-President Dr. Schmidt, Dr. Palkowski and Mr. Brown. Voting Nay: None. Abstaining: Dr. Gloekler. Motion passed.

**RATIFICATION OF ACUPUNCTURE CERTIFICATES**

MOTION 2015-084: Vice-President Dr. Schmidt moved and Dr. Palkowski seconded a motion to ratify the acupuncture certificate issued to Dr. Thomas G. Lemire. Motion passed unanimously.

**RATIFICATION OF PRECEPTORSHIP APPLICATIONS**

MOTION 2015-085: Dr. Gloekler moved and Vice-President Dr. Schmidt seconded a motion to ratify the preceptorship approved for Jody Slone with Dr. Kelly Roush. Motion passed unanimously.

**RATIFICATION OF CHIROPRACTIC LICENSES**

MOTION 2015-086: Dr. Gloekler moved and Mr. Brown seconded a motion to ratify the following chiropractic licenses issued: Zachary S. McKendree, Tyler T. Lanning, Benjamin J. Knoderer, Anton L. Keller, Nicholas M. Rohlfs, Mark D. Petro, Amanda M. Suchko, Jennifer M. Bowser, Kurtus M. Esser, Cody A. Morrison, Matthew L. Crites, Marcel S. Hampton, Jordan M. Rutz, Ryan J. Williams, Eric D. Wolk and Lisa N. Braden. Motion passed unanimously.

**RATIFICATION OF CE WAIVER**

MOTION 2015-087: Vice-President Dr. Schmidt moved and Dr. Gloekler seconded a motion to ratify the approval of the CE waiver granted to Dr. Jeremy Portman for 2016 license renewal. 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.

Director Caudill reported that sponsor testimony on HB 276 was held on October 1, 2015 and proponent testimony was held November 18, 2015. Director Caudill attended proponent testimony.

Director Caudill informed the Board the Concussion Management (OAC rule 4734-8-09) became effective November 19, 2015.

Director Caudill advised the Board that a memo from the Governor's Office regarding Antitrust Issues Related to Licensing or Regulator Actions is in their packets for review.

Director Caudill informed the Board that a rules hearing is scheduled for December 18, 2015 at 10:00 a.m. before a hearing officer for rules: 4734-6-04; 4734-7-01, 02, 03, 04, 05 and 4734-10-04 & 06.

Director Caudill presented the Board with the Medical Board's proposed amendments to rule 4731-14-01: Pronouncement of death. The Board instructed Director Caudill to comment that the Board opposes the rule and to advise the Ohio State Chiropractic Association and all board-approved chiropractic colleges of the proposed amendment to seek input.

Director Caudill advised the Board of important upcoming dates including the FARB Annual Forum scheduled for January 29-31, 2016 in Clearwater, FL and the FCLB Annual Meeting scheduled for April 27-May 1, 2016 in Phoenix, AZ.

MOTION 2015-088: Mr. Brown moved and Vice-President Dr. Schmidt seconded a motion to accept the Director's Report as presented. Motion passed unanimously.

**ADMINISTRATIVE RULES**

MOTION 2015-089: Dr. Palkowski moved and Vice-President Dr. Schmidt seconded a motion that provided no comments are received at the December 18, 2015 public rules hearing to final file the following rules with JCARR with authority to Director Caudill to make any non-substantive changes that may be recommended by JCARR. All rules with the exception of 4734-6-04 to be effective April 1, 2016.

**To Be Rescinded**

- 4734-7-01 Chiropractic license renewal requirements
- 4734-7-02 Standards for board-approved continuing education sponsors; continuing education held within the state of Ohio
- 4734-7-03 Continuing education offered outside the state of Ohio and via electronic learning
- 4734-10-04 Acupuncture certificate renewal requirements

**Proposed New Rules**

- 4734-7-01 Renewal requirements
- 4734-7-02 Standards and requirements for continuing education

Proposed Rule Amendments

- 4734-6-04 Preceptorships
- 4734-7-04 Inactive chiropractic license; restoration of chiropractic license
- 4734-7-05 Forfeiture of chiropractic license; restoration of chiropractic license
- 4734-10-06 Inactive acupuncture certificate; restoration of acupuncture certificate

Motion passed unanimously.

**LEGAL ACTIVITIES**

**THIRD MODIFICATION OF CONSENT AGREEMENT, CASE NO. 2006 CHR 036**

MOTION: 2015-090: Mr. Brown moved and Dr. Gloekler seconded a motion to accept the proposed Third Modification of Consent Agreement for the doctor cited in Case No. 2006 CHR 036 as presented. Voting Aye: President Dr. Wilson, Vice-President Dr. Schmidt, Dr. Gloekler and Mr. Brown. Voting Nay: None. Abstaining: Dr. Palkowski. Motion passed.

**NOTICE OF OPPORTUNITY FOR HEARING, CASE NO. 2016 CHR 023**

MOTION: 2015-091: Mr. Brown moved and Dr. Palkowski seconded a motion to issue the proposed Notice of Opportunity for Hearing to the doctor cited in Case No. 2016 CHR 023. Voting Aye: President Wilson, Dr. Gloekler, Dr. Palkowski and Mr. Brown. Voting Nay: None. Abstaining: Vice-President Dr. Schmidt. Motion passed.

**OLD/NEW/MISCELLANEOUS BUSINESS**

Director Caudill presented information to the Board regarding an inquiry as to whether or not Cryotherapy is within the scope of chiropractic in the state of Ohio.

The Board reviewed and discussed the information provided and instructed Director Caudill to respond to the inquiry stating that there does not appear to be anything in the laws and rules that would prohibit the use of Cryotherapy by a chiropractic physician so long as he or she has the education, training and experience to perform the procedure and it is prescribed and performed based upon each individual patient’s history, examination, diagnosis and treatment plan.

MOTION 2015-092: Vice-President Dr. Schmidt moved and Dr. Palkowski seconded a motion to adjourn the meeting. Motion passed unanimously.

With no further business to be brought before the Board, President Dr. Wilson adjourned the meeting at 11:30 a.m.

Approved By Majority of Board:

Attested By Its Secretary:

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Brian S. Wilson, D.C.  
President

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Kelly A. Caudill  
Executive Director

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