

**Arkansas State Board of Chiropractic Examiners  
Board Meeting- Video/Teleconference  
Tuesday, July 21, 2020**

**CALL TO ORDER**

The board meeting via Zoom video/teleconference was called to order by Kent Moore, D.C., President, at 10:03 a.m.

**ROLL CALL**

Board Members present:

Michael Courtney, D.C.  
Tanya Holt, D.C.  
Greg Ungerank, D.C.  
Jack McCoy  
Sarah Hays, D.C.  
Kent Moore, D.C.

Board Members absent:

Harold Gunter

Staff present:

Laurie Mayhan, Executive Director  
Brad Nye, Assistant Attorney General

Guests present:

Steven Bennett, DC  
Sam Haley, DC  
Geraldine Bradford  
Rachel Hoard  
Kendra Simpson  
Emily Machycek

## NEW LICENSEE ORIENTATION

The new licensee orientation was held today via video conference with both April and July new licensees due to current social distancing guidelines. However, licenses will still be issued this day for those that were scheduled to receive a license today. All applications were reviewed and approved by Dr. Michael Courtney prior to today's meeting.

Congratulations to the following applicants who were licensed in April but were rescheduled to attend today's orientation.

	Lic. No.	First Name	MI	Last Name
1	16236	I-Ching (Jessie)		Hsieh
2	16249	Tracie	R	Byrne
2	16250	Martin	C	Hart
3	16251	Shelia	L	Hill
4	16252	Zachary	L	Hutt
5	16253	Lauren	B	Wall-Horn

Congratulations to the following applicants who are receiving a license with their attendance at today's orientation.

	Lic. No.	First Name	MI	Last Name
6	16254	Phillip	W	Boruff
7	16255	Joshua	D	Reeves
8	16256	Sonjia	I	Michaels
9	16257	Jennifer	L	Schulz
9	16258	Marshall	S	Parker
10	16259	Abby	E	Keener
11	16260	Lyndin	F	Merrick

## MINUTES

Dr. Courtney motioned to accept the April 7, 2020 minutes, seconded by Dr. Holt. Motion passed.  
Dr. Courtney motioned to accept the May 5, 2020 minutes, seconded by Mr. McCoy. Motion passed.

## DIRECTOR'S REPORTS

### Budget Report

The FY20 service bureau report along with the FY20 expenditure and revenue reports were presented to the Board. Also presented was an itemized cash flow statement for FY2020 (July 1, 2019 – June 30, 2020). Total amount expended for FY2020 was **\$130,316.23** with a savings of **\$57,623.77** from the \$187,940.00 original budget. Total revenue received for FY20 was **\$197,623.40**, which includes monies received, interest distribution, and rebates or transfers received. A list of all agency expenditures for April – June was also provided.

**(July 1, 2019– June 30, 2020) FY2020**

<b>CE Status</b>	<b># of Applications</b>	<b># of Hours</b>	<b>Fee Due</b>	<b>Fee Paid</b>
Approved	443	4,587.5	\$ 22,937.50	\$ 22,937.50
Approved w/exception	3	102.5	\$ 512.50	\$ 512.50
Not Approved	0	0	\$ 0.00	\$ 0.00
Pending	0	0	\$ 0.00	\$ 0.00
Cancelled	5	109	\$ 545.00	\$ 545.00
Incomplete	0	0	\$ 0.00	\$ 0.00
Void	0	0	\$ 0.00	\$ 0.00
<b>Total:</b>	<b>451</b>	<b>4,799</b>	<b>\$ 23,995</b>	<b>\$ 23,995</b>

3 approved w/exception: AR7515, (TCC) classes taught by non physician level instructors (5.5 hrs)  
AR7886, (TCC) TX rules/laws not approved (4 hrs)  
AR7887, (TCC) TX rules/laws not approved (6 hrs)

**FOIA Report FY20**

A total of **6** Freedom of Information Act requests have been received from April 1, 2020 to June 16, 2020. Overall **40** have been received since the July 1, 2019.

**(July 1, 2020– July 16, 2020) FY2021**

<b>CE Status</b>	<b># of Applications</b>	<b># of Hours</b>	<b>Fee Due</b>	<b>Fee Paid</b>
Approved	30	233	\$ 1,165.00	\$ 1,165.00
Approved w/exception	0	0	\$ 0.00	\$ 0.00
Not Approved	0	0	\$ 0.00	\$ 0.00
Pending	5	189	\$ 945.00	\$ 945.00
Cancelled	0	0	\$ 0.00	\$ 0.00
Incomplete	0	0	\$ 0.00	\$ 0.00
Void	0	0	\$ 0.00	\$ 0.00
<b>Total:</b>	<b>35</b>	<b>422</b>	<b>\$ 2,110.00</b>	<b>\$ 2,110.00</b>

**FOIA Report FY21**

A total of **0** Freedom of Information Act requests have been received from July 1, 2020 to June 16, 2020.

The Director reported that the agency is currently working on FY2019 Fiscal Audit, FY2020 Closing Books and FY2021-2023 Biennial Budget. The budget forms were provided for the board to review and that no additional monies were being requested from what is already budgeted for FY21.

Mr. McCoy motioned to approve the director's reports. Motion seconded by Dr. Holt. Motion passed.

**OLD BUSINESS****Waive onsite CE requirement for 2021 renewal**

The agency and several board members have received numerous calls and/or emails regarding the waiver of the onsite continuing education requirement due to Covid-19. After discussing this item, some members voiced that they were not for the waiver of the onsite requirement and others were. Mr. McCoy motioned that for the remainder of the 2020 calendar year, Arkansas Chiropractic Licensees may obtain the remainder

of their continuing education hours online, if they so choose. Dr. Hays seconded the motion. For the purpose of discussion, it was stated that if licensees can practice in their clinics, they can obtain onsite continuing education which is why some oppose the motion. All who were in favor of the motion; Mr. McCoy, Dr. Hays, and Dr. Holt. All who were opposed to the motion; Dr. Ungerank and Dr. Courtney. Motion passed by majority. This rule waiver will have to be sent to the governor, for an executive approval, through the Arkansas Department of Health.

In addition to the onsite CE waiver request, others had also requested the waiver of all CE hours for those over the age of 69. The Board felt those individuals could still obtain their hours online per their last motion and would have to make a legislative change in order to provide a waiver like this is requesting. The board took no further action on this request.

## **NEW BUSINESS**

### **Waive onsite acupuncture hours**

Dr. DuPriest submitted a request due to Covid-19 regarding the recent acupuncture rule change. He is asking the board to reconsider the “all” onsite hour requirement for a hybrid approach requiring 50 online hours and 50 live hours that are provided by a CCE accredited college. Dr. Ungerank motioned to deny the change. Motion seconded by Dr. Courtney. Motion passed.

### **Preceptorship Program Approvals**

With the recent addition of the Chiropractic Student Preceptorship program rules, the Board has to issue approvals to those chiropractic colleges who are looking to send students to Arkansas for the final clinical phase of their education. The agency received the handbook or guidelines from Cleveland, Logan, Palmer, and Parker Chiropractic Colleges. Dr. Moore asked the board if they wanted to approve them all today or split them up to review and then let the director know if they can be sent an approval letter. Dr. Ungerank motioned to delay this for two weeks and divide the packets up to review and if there is anything questionable to meet again for discussion, in two weeks. Motion seconded by Dr. Holt. Motion passed.

Dr. Moore volunteered to review Cleveland’s packet, Dr. Holt volunteered to review Parker’s packet, Dr. Ungerank volunteered to review Logan’s packet, and Dr. Courtney volunteered to review Palmer’s packet.

### **C.E. application review**

Dr. Hays requested that the Board set guidelines for attendance monitoring for webinar/live streaming continuing education hours as we are seeing an increase in sponsors wanting to apply for that format due to Covid-19. We currently do not accept webinar and/or live streaming formats due to the lack of attendance monitoring mechanisms. We are trying to keep in line with the current rules in place, but with the many changes occurring with onsite courses being canceled or being switched to live streaming it is hard to keep those courses approved on our side. Dr. Hays motioned for the Board to accept webinars and live streaming continuing education through the end of 2020 with time requirements and a quiz/test application. Motion seconded by Dr. Holt. Discussion followed confirming that this would allow for speakers to remote into a live stream if they cannot be there in person to present their content. Motion passed.

*- At approximately 2:02pm, due to technical issues with the Zoom meeting, the President asked for a recess for five (5) minutes to allow time for those whose call dropped to call back into the meeting. – Recording also ended here- Meeting resumed at approximately 2:10pm.-*

Dr. Courtney motioned that these formats can be used as in person or distance learning so that the trade associations can continue to provide continuing education the remainder of the year. Motion seconded by Dr. Holt. Motion passed.

### **Externship & Supervisor applications**

Erica Simpson submitted an Externship application in the interim while she waits for her National Board results that will not be posted for four to six weeks. Her supervisor, Dr. James Johnson, also submitted his supervisor application regarding Erica Simpson. They would like approval in order for Ms. Simpson to start practicing under direct supervision until she can get her exam results and apply for an original license. Dr. Ungerank motioned to approve the applications. Motion seconded by Dr. Holt. Motion passed.

### **NBCE Part IV Exam Nomination**

The National Board of Chiropractic Examiners has rescheduled their Part IV exam administration for November 13th, 14th, and 15th. Since our state accepts Part IV they have invited us to recommend one or two examining board members to participate in administering the Part IV exam. The NBCE will reimburse the member for the lowest round-trip coach airfare, hotel-room and tax, reasonable ground transportation and an honorarium will be provided to all examiners. The board recommended Dr. Courtney and/or Dr. Hays.

### **Election of Officers – FY21**

Dr. Moore opened the floor for nominations for President. Dr. Moore nominated Dr. Holt. Dr. Courtney seconded the nomination. No other nominations were made. Motion passed.

Dr. Moore opened the floor for nominations for Secretary. Dr. Holt nominated Dr. Hays. Dr. Courtney seconded. No other nominations were made. Motion passed.

Dr. Moore opened the floor for nominations for Treasurer. Dr. Courtney nominated Mr. Gunter. Dr. Holt seconded. No other nominations were made. Motion passed.

Dr. Holt nominated Dr. Ungerank to be the new Board Investigator.

### **Meeting Dates for FY21**

The Board agreed on the following dates for their FY21 board meetings/new licensee orientations:

October 20, 2020	Tuesday	10:00 am
January 12, 2021	Tuesday	10:00 am
April 6, 2021	Tuesday	10:00 am
July 20, 2021	Tuesday	10:00 am

### **FCLB District Meeting**

The annual district meeting will be hosted at Miami The Confidante in Miami Beach, FL. It is scheduled for October 8, 2020 – October 11, 2020. Registration is \$295 and room rate is \$169 a night plus taxes. Travel will be reimbursed according to GSA and state travel guidelines.

### **Investigative Committee Report**

The complaint committee presented the complaint report with their recommendation. The committee gave a brief explanation of one complaint and its recommendation.

731-08-07-19 & 732-08-07-19 regarding fraud, misrepresentation, unprofessional conduct, deceit: recommendation, dismiss for lack of evidence to prove a violation as the patient cannot fully corroborate her written statement.

Motion made by Dr. Ungerank to accept the investigative report. Motion seconded by Dr. Hays with the recusal of Dr. Courtney. Motion passed.

**ADJOURN**

Dr. Moore moved to adjourn. The Board adjourned at 12:46 p.m.

---

*Board minutes approved: 10/20/2020*