

Minutes
Arkansas State Board of Chiropractic Examiners
101 East Capitol, Suite 209
Board Teleconference Meeting
October 20, 2009

CALL TO ORDER

The meeting was called to order by Dr. Savelle Barnes, President, at 12:30 pm.

ROLL CALL

Board Members present: Dr. Terry Barnett, Dr. Ryan Collins, Mr. Weldon Roberts, and Dr. Tom Taylor.

Staff Members present: Ms. Amanda Abernethy, Assistant Attorney General, and Ms. Rebecca Wright, Executive Director.

Guests Present: Ms. Kendra Booth, AR Blue Cross Blue Shield; Dr. Gaylon Carter, and Ms. Connie Claus, QualChoice.

NEW BUSINESS

Continuing Education Requirements – Out of State Active Licensees

Dr. Savelle Barnes stated that the Board office had received inquiries regarding the continuing education (CE) requirements for licensees with an out of state active status. He stated that he understood the procedure to be that out of state active licensees could follow the requirements of the State they were currently practicing in and it would be allowed in Arkansas. Dr. Tom Taylor moved that Arkansas accept other States' requirements for licensees with out of state active status. Dr. Terry Barnett seconded the motion. The motion passed unanimously. Dr. Taylor moved that the applicants complete the extern program application and be approved pending satisfactory submission of the application. Dr. Ryan Collins seconded the motion. The motion passed unanimously.

Temporary License Requests

Dr. Taylor stated that Dr. Jason Sherrod and Dr. Joshua Seubold submitted temporary license requests. Dr. Taylor stated that he reviewed their information and recommended they be granted externship status. Dr. Taylor moved that Dr. Sherrod and Dr. Seubold apply for externships, and to provide a letter with a copy to the supervising chiropractic doctor. The externs are not allowed to diagnose, take X-rays, or bill insurances. Dr. Barnett seconded the motion. The motion passed unanimously.

Dr. Taylor stated that Dr. Randall Roth held a license in Arkansas. The license lapsed in 2004 and has been lapsed for five (5) years. Dr. Roth has been actively practicing in Texas since 2004. Dr. Taylor recommended that Dr. Roth be granted a transfer of license from Texas. Dr. Taylor moved that Dr.

Roth be granted a transfer of license from Texas. Dr. Barnett seconded the motion. The motion passed unanimously.

Request to Continue the 10/15/2009 Hearing

A hearing for complaints 317-11-11-08 and 326-01-30-09, combined, is scheduled for 10/15/2009. The attorney requested a continuance due to a schedule conflict. Dr. Taylor moved that the hearing be scheduled for 12/15/2009 at 1:00 p.m. This will be the same day as the regularly scheduled Board meeting. Dr. Barnett seconded the motion. The motion passed unanimously.

Request to Remove a Scheduled Hearing

A hearing for complaint 325-01-19-09 is scheduled for late October. Further investigation of the complaint finds that a hearing is not needed. Amanda Abernethy, Assistant Attorney General, requested that Dr. Taylor recuse from the discussion and any Board vote. Dr. Taylor recused. Dr. Taylor requested that Dr. Barnes recuse from the discussion and any Board vote. Dr. Barnes recused. Dr. Collins recused as the Investigative Officer. Ms. Abernethy stated that Dr. Beverly Foster has recused from this complaint. Due to the number of recusals, a quorum is not available to discuss this issue or to have a Board vote. Dr. Collins requested that the hearing be postponed and that the discussion be tabled until a quorum could be reached. The Board was in agreement.

Investigation Report

Dr. Collins recommended the following complaints be closed:

Complaint 301-05-29-08	Recommend close
Complaint 336-04-20-09	Recommend close
Complaint 339-05-08-09	Recommend close
Complaint 341-05-15-09	Recommend close
Complaint 349-06-19-09	Recommend close
Complaint 353-07-14-09	Recommend close
Complaint 359-09-02-09	Recommend close
Complaint 360-09-25-09	Recommend close
Complaint 348-06-19-09	Recommend close
Complaint 346-06-12-09	Recommend Close

Dr. Barnett moved that the above complaints be closed at the recommendation of Dr. Collins. Dr. Collins seconded the motion. The motion passed unanimously.

The following complaints are pending:

Complaint 325-01-19-09	Pending further investigation
Complaint 335-04-03-09	Pending further investigation
Complaint 340-05-11-09	Pending further investigation
Complaint 343-05-28-09	Pending further investigation
Complaint 347-06-12-09	Pending further investigation
Complaint 354-07-14-09	Pending further investigation
Complaint 355-07-20-09	Pending further investigation

Dr. Collins recommended the following complaints have a hearing:

Complaint 344-06-05-09	Recommend hearing combined - 344 and 350
Complaint 350-06-30-09	Recommend hearing combined - 344 and 350
Complaint 356-08-04-09	Recommend hearing combined - 356, 357, and 358.
Complaint 357-08-06-09	Recommend hearing combined - 356, 357, and 358.
Complaint 358-08-11-09	Recommend hearing combined - 356, 357, and 358.

Dr. Collins moved that these complaints have hearings. Dr. Barnett seconded the motion. The motion passed unanimously.

The Board set the hearing dates for 1/14/2010, one in the morning and one in the afternoon. Mr. Weldon Roberts seconded the motion. The motion passed unanimously. The respondents will receive notice thirty (30) days before the hearing which is sufficient notification.

Dr. Collins moved to remove complaint 325-01-19-09 from the investigation report pending a quorum. Dr. Barnett seconded the motion. The motion passed unanimously.

Dr. Collins stated that the Board office receives complaints regarding runners. However, runners are not in the Board's jurisdiction so it is difficult to investigate a complaint. One suggestion would be to use an independent investigator.

Dr. Barnett moved to accept the investigation report. Mr. Roberts seconded the motion. The motion passed unanimously.

Adjourn

Dr. Barnett moved to adjourn. Dr. Collins seconded the motion. The motion passed unanimously.