

**Arkansas State Board of Chiropractic Examiners  
Board Meeting Minutes  
April 17, 2014**

**CALL TO ORDER**

The meeting was called to order by Terry Barnett, D.C., President, at 11:45 a.m.

**ROLL CALL**

Board Members present:

Terry Barnett, D.C.  
Thomas R. Butler, D.C.  
Jack McCoy  
Kent Moore, D.C.  
Thomas D. Taylor, D.C., FICA  
Julie Traylor-Logan, D.C.

Board Members absent:

Weldon Roberts

Staff Members present:

Mark Ohrenberger, Assistant Attorney General  
Laurie Mayhan, Administrative Analyst  
Rebecca Wright, Executive Director

Guests Present:

Mark Blankenship  
Kendra Booth, Blue Cross Blue Shield  
Terrance P. Carolan, D.C.  
Gaylon Carter, D.C.  
Chris Cathey, D.C.  
Becky Crenshaw  
Andy Myers  
Ellen Withers

**MINUTES**

The January 30, 2014, minutes were presented to the Board. Dr. Traylor-Logan moved to approve the minutes. Mr. McCoy seconded the motion. The motion passed unanimously.

The February 7, 2014, minutes were presented to the Board. Dr. Traylor-Logan moved to approve the minutes. Mr. McCoy seconded the motion. The motion passed unanimously.

The February 21, 2014, minutes were presented to the Board. Dr. Traylor-Logan moved to approve the minutes. Mr. McCoy seconded the motion. The motion passed unanimously.

## DIRECTOR'S REPORTS

### Budget Report

Dr. Traylor-Logan stated that she worked closely with Melinda Terry at Office of Budget. She explained the monthly revenue detail by fund form. \$162,000 in total revenue has been received. \$140,000 was the expectation

Dr. Traylor-Logan explained the monthly expenditure summary by appropriation form. The budget for biennial FY15-17 is currently in progress. The FY12-14 budget was processed approximately 2012. The budget numbers were same as previous biennium and the Certification of Income (COI) was signed without the budget being looked at closely.

The appropriation is \$151,602. If the Board spends more than what is appropriated, then a request for more appropriation from the fund balance is made at Performance Evaluation and Expenditure Review (PEER) Subcommittee of the Arkansas Legislative Council.

The Board has approximately \$220,000 in the fund balance. In the last 5-10 years, the Board has gone before PEER annually requesting more appropriation because the budget is incorrect. If the Board goes to PEER consistently, it makes the Board look bad. This year, the Board requested and received \$50,000 which includes the \$10,000 for the private investigators, \$10,000 for operating expenses, and \$30,000 for salaries and insurance matching. The Board in 2012 did not know that there would be a second, full-time staff hired in 2013.

Board member stipend payments paid out is \$4,633. The appropriated amount is \$4,100. The Board will discuss in June about not accepting the April and June payments. The projection of payments for May – June 2014 is approximately \$7,000 which appears to be correct.

Dr. Traylor-Logan will work on the next biennium budget to make sure it is correct.

In the Board office, an accounting method will be implemented and software will be added to the computers so there will be daily tracking of the budget.

Fee changes approved by the Board will take effect in FY16.

Dr. Barnett gave a directive to Dr. Traylor-Logan to work on the biennium budget and to implement a software program in the Board office.

### Continuing Education Report

#### 2014 Courses (Calendar Year)

CE Status	Count	Amount Due	Amount Paid	
Approved	267	\$15,345.00	\$15,405.00	\$60 credits on file
Not Approved	4	\$310.00	\$235.00	
Pending	3	\$165.00	\$165.00	
Cancelled	1	\$60.00	\$60.00	

Incomplete	2	\$95.00	\$95.00
Void	1	0	0
<b>Subtotal</b>	<b>278</b>	<b>\$15,975.00</b>	<b>\$15,960.00</b>

### 2015 Courses (Calendar Year)

CE Status	Count	Amount Due	Amount Paid
Approved	7	\$420.00	\$420.00
Not Approved	2	\$150.00	\$150.00
Pending	0	0	0
Cancelled	0	0	0
Incomplete	0	0	0
Void	0	0	0
<b>Subtotal</b>	<b>9</b>	<b>\$570.00</b>	<b>\$570.00</b>

**Grand Total:**      \$16,545.00      \$16,530.00

### Freedom of Information Act (FOIA) Requests

The FOIA report was presented to the Board. At this time, fourteen (14) requests have been received since July 1, 2013.

### 2014 License Renewal Status

The 2014 license renewal report was presented to the Board. A total of 607 license renewal notices were mailed 10-31-2013. As of 4-17-2014, 584 have been processed. Seven (7) doctors have retired, and eighteen (18) have expired due to non-renewal of license.

#### Retired Licenses

<u>Name First</u>	<u>Middle name</u>	<u>Name Last</u>	<u>Suffix</u>	<u>Lic Number</u>	<u>ExpiredLic Reason</u>
John	W.	Davis	D.C.	1723	Retired; Non-Renewal of License
Raymond	T.	Durham	D.C.	15693	Retired; Non-Renewal of License
Gerald	G.	Elsner	D.C.	1588	Retired; Non-Renewal of License
Conrad	F.	Kaelin	D.C.	733	Retired; Non-Renewal of License
C.	Clay	Lamey	D.C.	902	Retired; Non-Renewal of License
Michael	L.	Rice	D.C.	838	Retired; Non-Renewal of License
Bryan	L.	Waggoner, III	D.C.	878	Retired; Non-Renewal of License

#### Expired Licenses

<u>Name First</u>	<u>Middle name</u>	<u>Name Last</u>	<u>Suffix</u>	<u>Lic Number</u>	<u>ExpiredLic Reason</u>
David	M.	Amason	D.C.	944	Non-Renewal of License
John	Bradley	Armitage	D.C.	16013	Non-Renewal of License

Charles	Eugene	Bennett	D.C.	15990	Non-Renewal of License
Michael	L.	Bosma	D.C.	923	Non-Renewal of License
Michael	R.	Clark	D.C.	15701	Non-Renewal of License
Todd	M.	Elsner	D.C.	1589	Non-Renewal of License
Ronald	D.	Erwin	D.C.	858	Non-Renewal of License
Charlotte	W.	Fleming	D.C.	15718	Non-Renewal of License
Jordan	Alan	Gliedt	D.C.	15955	Non-Renewal of License
Joel	B.	Hayward	D.C.	1070	Non-Renewal of License
Alexander	Alphin	Houser	D.C.	15967	Non-Renewal of License
William	C.	Loomis	D.C.	834	Non-Renewal of License
Robert	D.	Lundeen	D.C.	688	Non-Renewal of License
Jan	M.	Quint	D.C.	1205	Non-Renewal of License
John	R.	Shipp	D.C.	15711	Non-Renewal of License
E.	Dion	Taylor-Pickett	D.C.	1333	Non-Renewal of License
Andrea	E.	Williams	D.C.	1716	Non-Renewal of License
Martin	C.	Worster	D.C.	1187	Non-Renewal of License

## **OLD BUSINESS**

### **2014 License Renewal Inquiries**

Marcia Schmidt, D.C., took 2013 CE that was not Arkansas approved. When she was informed of this, Dr. Schmidt took Arkansas approved CE in 2014. She is requesting the credits be applied in place of the 2013 CE for her license renewal. Dr. Traylor-Logan moved to approve the request. Mr. McCoy seconded the motion. The motion passed unanimously.

### **Procurer Registration - Board Authority to Remove Registration**

The Board discussed if it has the authority to remove a procurer registration. The Board potentially can remove a registration under the new language of the Rules, Regulations and Statutes.

## **NEW BUSINESS**

### **Areas to Raise Fees**

The Board discussed raising fees in the following categories. The Rules, Regulations, and Statutes will need to be changed before these can be implemented. The Board discussed the maximum amount to add for each category:

CE fees	Maximum \$20 per credit hour
Procurer Registration fees	Maximum \$200
Procurer Renewal Fees	Maximum \$100
Application fees	Maximum \$300
Reprinting of Annual License (8.5x11)	Maximum \$25
Temp license	Maximum \$100

Dr. Taylor moved to approve the CE fee be raised to \$10 per credit hour. Dr. Traylor-Logan moved to second the motion. Discussion followed. Dr. Moore suggested that the cost be changed to a packet cost rather than a cost per credit hour. The Board voted. The motion passed unanimously.

Dr. Traylor-Logan moved to approve the changes as written, including the maximum amounts the Board discussed for each area. Mr. McCoy seconded the motion. Discussion followed. Dr. Moore did not agree with charging licensees for reprints of the annual license. The Board voted. Dr. Moore abstained. The motion passed.

#### **Kimberly Taylor, D.C. - Request for Active Status**

Dr. Taylor's license lapsed on 12/31/2011. She requested to start a new application rather than reactivate the license. The license is still within a five (5) year period and can be renewed per statute §17-81-317, reactivation of a lapsed license. Dr. Traylor-Logan moved that the license can be reactivated from lapsed status at the appropriate renewal fee for the past three (3) years, and Dr. Taylor must meet all the requirements of statute §17-81-317, including the reactivation fee and a CIN-BAD check. Dr. Butler seconded the motion. The motion passed unanimously.

#### **Length of Medical Records Retention**

This issue has been tabled for the next regularly scheduled Board meeting.

#### **Purge Files – Past License Renewals**

The office staff is in the process of scanning past license renewal documents. Each year is documented with the length of retention, and is also scanned, and saved in multiple ways. The staff would like to purge files that are complete. Dr. Traylor-Logan moved that the files can be purged after they are backed up appropriately. Dr. Moore seconded the motion. The motion passed unanimously.

#### **Credentials Review**

The following applicants submitted applications for credentials review and/or temporary license requests:

Christopher Burton, D.C. Application for licensure is complete. He requested a supervised temporary license with Rodney Williams, D.C. as his supervisor. Dr. Traylor-Logan moved to approve the credential review and the supervised temporary license. Dr. Moore seconded the motion. The motion passed unanimously.

Kelly Nagle, D.C. Application for licensure is complete. She requested an unsupervised temporary license. Dr. Traylor-Logan moved to approve the credential review and the unsupervised temporary license. Dr. McCoy seconded the motion. The motion passed unanimously.

Michael Riley, D.C. Application for licensure is complete. He requested an unsupervised temporary license. Dr. Traylor-Logan moved to deny the credential review and the temporary license request. Mr. McCoy seconded the motion. The motion passed unanimously. Dr. Riley may resubmit his requests to the June 2014 regularly, scheduled meeting.

### Investigation Report

	<b>Recommendations</b>	<b>Complaint No.</b>	<b>Complaint Description</b>
1	Pending	535-4-10-14	Unprofessional Conduct
2	Pending	516-1-21-14	Solicitation
3	Close	534-4-10-14	Unprofessional Conduct
4	Pending	512-1-8-14	Solicitation
5	Pending	513-1-8-14	Solicitation
6	Pending	517-1-20-14	Solicitation
7	Pending	475-6-26-13	Solicitation
8	Pending	495-11-22-13	Unregistered Procurer
9	Pending	524-2-11-14	Unregistered Procurers
10	Settlement or Hearing for Non Compliance	393-7-14-10	Series Treatment; Billing
11	Settlement or Hearing for Non Compliance	395-8-4-10	Series Treatment; Billing
12	Settlement or Hearing for Non Compliance	403-9-22-10	Series Treatment; Billing
13	Settlement or Hearing for Non Compliance	409-1-11-11	Series Treatment; Billing
14	Settlement or Hearing for Non Compliance	411-1-18-11	Series Treatment; Billing
15	Settlement or Hearing for Non Compliance	381-4-20-10	Series Treatment; Billing
16	Settlement or Hearing for Non Compliance	381-4-20-10	Series Treatment; Billing
17	Settlement or Hearing for Non Compliance	417-2-2-11	Series Treatment; Billing
18	Settlement or Hearing for Non Compliance	417-2-2-11	Series Treatment; Billing
19	Settlement or Hearing for Non Compliance	419-2-2-11	Series Treatment; Billing
20	Settlement or Hearing for Non Compliance	420-2-2-11	Series Treatment; Billing
21	Settlement or Hearing for Non Compliance	420-2-2-11	Series Treatment; Billing
22	Settlement or Hearing for Non Compliance	462-2-6-13	Series Treatment; Billing
23	Pending	493-10-22-13	Solicitation; Unregistered Procurer
24	Pending	526-2-18-14	Solicitation
25	Pending	527-2-19-14	Solicitation
26	Pending	528-2-20-14	Solicitation; Unregistered Procurer
27	Close	441-10-28-11	Sexual Misconduct
28	Pending	515-1-16-14	Unprofessional Conduct: Not Supervising on Premise

29	Pending	525-2-18-14	Unprofessional Conduct
30	Pending	531-3-3-14	Unprofessional Conduct
31	Pending	478-7-23-13	Solicitation
32	Pending	491-10-9-13	Solicitation; Unprofessional Conduct
33	Pending	511-6-20-13	Practicing without a License
34	Pending	394-7-29-10	Practicing Chiropractic without a License; Non-Licensee
35	Pending	401-9-20-10	Practicing Chiropractic without a License; Non-Licensee
36	Pending	460-12-11-12	Receiving Personal Financial Loan from Patient
37	Hearing	440-10-12-11	Practicing Without A License; Unprofessional Conduct
38	Hearing	469-4-12-13	Solicitation
39	Close	472-6-12-13	Solicitation
40	Close	473-6-14-13	Solicitation
41	Pending	474-6-14-13	Solicitation
42	Close	476-6-26-13	Solicitation
43	Pending	479-8-6-13	Solicitation
44	Pending	480-8-30-13	Solicitation
45	Pending	497-10-4-13	Solicitation
46	Pending	498-11-20-13	Solicitation by Registered Procurer
47	Pending	502-8-27-13	Solicitation
48	Pending	503-8-26-13	Solicitation
49	Pending	504-8-26-13	Solicitation
50	Pending	507-12-10-13	Solicitation
51	Pending	514-1-14-14	AR Insurance Dept - Solicitation
52	Pending	533-3-26-14	Solicitation
53	Pending	468-2-9-13	Solicitation
54	Pending	496-11-14-13	Practicing without a License
55	Pending	501-4-10-13	Solicitation
56	Pending	388-6-8-10	Practicing Chiropractic without a License; Non-Licensee
57	Pending	402-9-20-10	Practicing Chiropractic without a License; Non-Licensee
58	Hearing	459-1-16-13	Unprofessional Conduct: Solicitation

59	Hearing	461-12-31-12	Unprofessional Conduct: Solicitation
60	Pending	494-11-19-13	Solicitation
61	Pending	506-12-10-13	Solicitation
62	Pending	508-12-13-13	Solicitation
63	Pending	509-12-18-13	Solicitation
64	Pending	532-3-7-14	Solicitation
65	Close	477-7-15-13	Solicitation
66	Pending	457-10-19-12	Billing / Fraud

### **Keith Currie, D.C., Natalie Currie, D.C. Complaint Updates**

A settlement is being discussed regarding all complaints filed against the Drs. Currie. Mr. Ohrenberger stated that he will present more information to the Board at the June 2014 meeting.

Dr. Traylor-Logan moved to accept the investigation report. Mr. McCoy seconded the motion. The motion passed unanimously.

### **Adjourn**

Dr. Traylor-Logan moved to adjourn. Dr. Moore seconded the motion. The motion passed unanimously. The Board adjourned at 2:19 p.m.

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*Board minutes approved: 6-19-2014.*