ARKANSAS BOARD OF CHIROPRACTIC EXAMINERS

TELEPHONE HEARING

FRIDAY, MAY 30, 2014

101 Capitol Avenue
Little Rock, AR 72201

P R O C E E D I N G S

DR. BARNETT: Okay. It is 1:10 on Friday, May the 30th. We'll call the meeting to order. (Inaudible) roll call of the board members.

Dr. Moore?

DR. MOORE: Here.

DR. BARNETT: Thank you. Mr. Roberts?

MR. ROBERTS: Here.

DR. BARNETT: Dr. Traylor?

DR. TRAYLOR: Here.

DR. BARNETT: (Inaudible).

MS. WRIGHT: You cut out. Say that again.

DR. BARNETT: Dr. Taylor?

DR. TAYLOR: Here.

DR. BARNETT: I'm Dr. Barnett, and who am I missing?

MS. WRIGHT: Dr. Butler.

DR. BARNETT: Okay.

We have six board members present. The purpose of this meeting today is to conclude the public hearing that started on April 17th of 2014, in regards to changes to the rules and regulations and statutes with the Arkansas Board of Chiropractic Examiners.

We do have, as I understand, some public

comments that have come in the last few days regarding the change of fee; is that correct, Rebecca?

MS. WRIGHT: Yes, that's correct.

DR. BARNETT: How many comments did we receive?

MS. WRIGHT: We received a total of 40 e-mails but there are 41 doctors listed. These were all received before the five o'clock deadline.

And then after the five o'clock deadline, I received two, so that makes the count 43. These were all against the fee raise. And then we received one for the fee raise.

So the overall total is 44.

DR. BARNETT: Forty-four, so these were all e-mails?

MS. WRIGHT: Yes.

DR. BARNETT: Okay. Have we received any public comments regarding any of the other rules and regulations?

MS. WRIGHT: We received one e-mail regarding the language of Act 513.

DR. BARNETT: Okay. And I think that was a (phone interference) understanding.

In regards to the changing of the fee schedule, this had been discussed for the last six months. It's been posted, we have followed all the rules and regs according to the state laws in notifying the public that this was going to happen.

And it's the board's position that, given the increase in the doctors, given the increased workload that has been placed upon the board because of that along with the increase in the number of complaints that we're receiving in regards to the precure issue, it has become necessary for the board to increase our revenue to continue operating.

We've added additional staff for that. We have also undertaken a stance of hiring private outside investigators. And so that is the rationale for the raising of the fee.

This is something that's going to have to be done at some point. And it is our thinking that by doing it now, that it would not have to be done in the future, and that was the rationale for it.

Does anybody have any comments?

DR. BUTLER: My comment -- this is Tom

Butler. I'm sorry that there's a need for an increased revenue. But the thing is I know some of the people from my (inaudible) the other -- one of the groups just, you know, feels it's bad to raise things.

But the thing is we've had so many complaints that instead of reviewing, let's say one or two or five or even ten cases -- how many in your estimation, Rebecca, have we had let's say since January?

How many complaints have we had to like chase down? Just a guestimate. And then we had to hire how many private investigators? So bring us up to speed on that, kind of.

So how many complaints have we had to like chase down approximately since January? Do you know?

MS. WRIGHT: Since January, I want to say five to seven new complaints. Overall for the solicitation, I believe it's around 40 complaints.

DR. BUTLER: Right.

MS. WRIGHT: And then the non-solicitation complaints that are on file, about 25 to 30. So I would put it total at around 70 --

DR. BUTLER: Yeah.

MS. WRIGHT: -- of all complaints.

And then the two private investigators were hired late February, if I remember correctly.

DR. BUTLER: All right. I just wanted a clarification on that.

MS. WRIGHT: Sure.

DR. BARNETT: Thanks, Dr. Butler.

Does anyone else have any comments?

At this time, I will entertain a motion to accept the changes in the rules and regulations.

MR. OHRENBERGER: Dr. Butler, this is Mark Ohrenberger.

DR. BUTLER: Yeah.

MR. OHRENBERGER: Just a couple of kind of cleanup matters before the board votes.

DR. BUTLER: Yes.

MR. OHRENBERGER: One is, and it should be noted for the record, that those public comments that Rebecca Wright referred to a few moment ago, Ms. Wright, you can confirm were all distributed to the board members, correct?

MS. WRIGHT: Yes.

MR. OHRENBERGER: And if you will, I ask that you print out a copy of those and attach them all together as an exhibit. We'll call it Exhibit 1 and hand it to the court reporter.

MS. WRIGHT: Okay.

MR. OHRENBERGER: It doesn't have to be done at this second, certainly.

And, Dr. Barnett, there were I think one or two other minor issues that have been brought up about some of the proposed rule changes. One was with the $250 fee.

And, Rebecca, maybe you can help me with this. I think Ms. Sutton pointed out to us that there was a second place within the rules where there was a reference to the $250 fee. We just needed to make sure it was consistent and both places showed 250, correct?

MS. WRIGHT: Yes.

MR. OHRENBERGER: Rebecca, are you familiar with -- can you recall where I'm --

MS. WRIGHT: Yes.

MR. OHRENBERGER: Where that appears?

MS. WRIGHT: Yes. I know what you're talking about, yes.

MR. OHRENBERGER: Has that already been

corrected and updated in the version that's prepared to be voted on?

MS. WRIGHT: No. I did not know if I should go ahead and update it now or after the board voted. So I --

MR. OHRENBERGER: That's fine. I guess we will need to updated it before the board votes on it.

Can you -- I'm flipping through, trying to put my finger on where that is. Does anybody have that?

MS. SUTTON: Mark, this is Jessica Sutton with the bureau of legislative research.

MR. OHRENBERGER: Yes, ma'am.

MS. SUTTON: I believe that might have been on Page 11. I'm looking through it, too, just to make sure.

MR. OHRENBERGER: Thank you very much.

MS. SUTTON: Not a problem.

MR. OHRENBERGER: That's right.

So, Dr. Barnett, when the board entertains its motion on accepting the amended rules to be made final, this is under Board Rules, Section 2-E, 6-B.

It currently says the beginning with the

renewal fee for December 2007 renewals for in-state active licensees shall be $200. I supposed that should be updated to December 2014, the renewals for in-state active licensees shall be $250. And that's just to keep it consistent with the change that we've already promulgated or already prepared in Part F.

DR. BARNETT: Okay.

Do we need a motion, Mark, or can we just vote?

MR. OHRENBERGER: I think you can probably just incorporate that proposed change into the motion to accept the proposed rules.

DR. BARNETT: Okay. So noted.

DR. BUTLER: Can I bring up one thing, Mark? This is Tom Butler.

MR. OHRENBERGER: Hey, Dr. Butler.

DR. BUTLER: The other thing I wanted to ask you and Rebecca, if it was going to be a problem. Because one card in here says that we have to contact someone with a formal complaint with all the specifics within three days.

I don't know is that -- is that necessary or should we just say in a timely manner or

something? I hate to restrict Rebecca or the office to that timeframe that may be difficult. If you get a -- if you receive a complaint on a Friday, that could make it be out of, you know out of our ordinary -- by Monday or Tuesday.

So anyway, I didn't know if anybody else had noticed that or --

MR. OHRENBERGER: This is Mark Ohrenberger again.

Dr. Butler, I think to speak to that point, that's certainly a decision the board could make.

I would caution the board that any changes to makes at this point to the proposed rules as published need to be -- we need to make sure that they are not substantial changes but only very minor changes.

DR. BUTLER: I'm just trying to get us out of trouble not get us into trouble.

MR. OHRENBERGER: Yes, sir.

DR. BUTLER: But dose anybody else have a comment on that?

UNIDENTIFIED SPEAKER: That we include (inaudible) just saying excluding weekends and holidays?

DR. BUTLER: Or we could say with a week. I don't know what --

UNIDENTIFIED SPEAKER: Timely manner I think would be right, what you should start with.

DR. BARNETT: Historically, what we've always done in the past has been, you know, when they have the timeframe like that, it's three working days or ten -- could we do that?

UNIDENTIFIED SPEAKER: Okay. That's good.

DR. BARNETT: It's in here somewhere. I can't even find it right now. I read all of this last night. I'm sorry, but it's in here somewhere.

Does anybody got that page?

MS. WRIGHT: I'm looking for it right now.

DR. BARNETT: Okay.

MS. WRIGHT: This is Rebecca.

Okay. It looks to be under Section D, complaint handling procedures, Page 12.

DR. BARNETT: Twelve, okay. Complaint procedures?

MS. WRIGHT: Yes, complaint handling procedures.

DR. BARNETT: Where is it on the page?

Help me out.

MS. WRIGHT: Towards the bottom of the page. You should see Section D, Complaint Handling Procedures.

DR. BARNETT: Okay. And where is it?

MS. WRIGHT: And there's a one and a two. Let's see. I don't see where it has within three days.

The one I show that has been submitted for posting to the public, it says the subject of the complaint will receive notification and a copy of the complaint, he or she will be given ten days to submit a response in writing to the board office.

DR. BARNETT: Right. But when we received it, you were under some restraint somewhere and I thought it was three days. I could be correct but it was late last night when I read it.

MS. WRIGHT: Okay.

DR. BARNETT: I seemed to have misplaced it right now.

MR. OHRENBERGER: May I address that for you? This is Mark Ohrenberger again.

Let me remind folks we do have a court

reporter, so please be sure to say your name before you speak.

DR. BARNETT: Okay.

MR. OHRENBERGER: On Page 13, Subpart 8 is where the special handling procedures for procure complaints begin or complaints involving procures. Under 8-A, it talks about the complaint after being received being distributed to the subject of the complaint without delay.

And then under 8-C is where you have the three business day issue that I think you're referring to.

DR. BARNETT: Okay.

MR. OHRENBERGER: And that says within three business days of the distribution of such complaint, the board shall initiate service notice on the licensee.

I think that's what you're referring to.

DR. BARNETT: Okay. Well, I didn't --

MR. OHRENBERGER: It does say three business days already.

DR. BARNETT: Okay. Does that cause any problems to Rebecca or the --

UNIDENTIFIED SPEAKER: (Inaudible.)

MS. WRIGHT: There's some background noise. If you'd like to mute your phone, you can press star six.

DR. BARNETT: Okay. Moving along -- somebody -- thank you.

Let's see. Where were we. We were going to entertain a motion to accept the rules and regs.

DR. CAROLYN: Dr. Barnett, this is Dr. Carolyn.

DR. BARNETT: Hey, Dr. Carolyn.

DR. CAROLYN: Can I ask a couple of questions if you don't mind?

DR. BARNETT: Mark, is the public allowed to ask questions?

MR. OHRENBERGER: You are the chair. It's up to you.

DR. BARNETT: Yes, I will allow you to ask a question.

DR. CAROLYN: Thank you, Doctor.

The first thing is actually more of a comment. I'm in agreement with the fee raise. But wasn't another reason we're having the fee raised because we hired a full-time staff also for the office?

DR. BARNETT: That was (telephone interference).

DR. CAROLYN: Okay. The second one is with these regs that you're going to vote on, when will they be published and when will they be in effect? Or if you will, when do we have to comply with them?

DR. BARNETT: It is my understanding you have to comply to them now because these were inactive under the (telephone interference) rules and regs; is that correct, Mark?

MR. OHRENBERGER: There's a bit of a distinction that needs to be drawn.

First, the emergency rules are currently in effect. However, the rules that we are adopting today or the board is adopting today are broader than just what was covered in the emergency rules. And so I think the question that Dr. Carolyn had is what the effective date of these final rules will be, if I understand him correctly.

And the answer to that question is 30 days after they are filed with the secretary of state, state library, and the bureau of legislative research, the board will have to

make a decision after it takes its vote here in just a minute about going to appear before the legislative rules committee and holding off on filing these rules with the secretary of state until after that process is complete, which would be, I would expect, about mid-June.

That's my expectation. I'm not sure what date they have on the calendar for their next meeting.

DR. CAROLYN: Thank you, Mark. And do we know when they might be published for the public? In writing, if you will.

MR. OHRENBERGER: Yes, sir. They should be published as of -- well, first of all, as proposed rules, they are published now not only on the board's website but also on the secretary of state's website.

And they will be published as final rules in both of those places, I would expect, on the day that they are filed with the secretary of state or within about a day after that would be my anticipation.

DR. CAROLYN: Thank you.

MS. SUTTON: Mark, this Jessica Sutton again with the bureau of legislative research.

MR. OHRENBERGER: Thanks, Jessica.

MS. SUTTON: I just wanted to let you guys know that these rules are tentatively scheduled to appear before our July agenda and that meeting is, I believe, July the 8th. It's on that Wednesday of that second week in July. I want to say that's the 8th. It could be the 9th, but it's on that Wednesday.

MR. OHRENBERGER: Okay. Thank you, Jessica.

MS. SUTTON: Yeah.

MR. OHRENBERGER: I didn't realize that we weren't going to be on the June calendar.

MS. SUTTON: Yeah. For our June agenda, then any rules placed on June would have had to have had public comments, comment period expired by May 15th.

MR. OHRENBERGER: Okay. Thank you.

MS. SUTTON: Yes. And so since these rules did not meet that deadline, they would be moved to our July agenda.

DR. BARNETT: Does that answer your question, Dr. Carolyn?

DR. CAROLYN: I do believe so. So basically, what the lady was saying -- and I

forget her name, I apologize. In July, once they have their meeting?

MS. WRIGHT: Correct.

DR. CAROLYN: Okay. Thank you.

MR. OHRENBERGER: Dr. Carolyn?

DR. CAROLYN: Yes, sir?

MR. OHRENBERGER: Presuming they will be filed with the secretary of state within a day or two of going before that legislative committee, it's been 30 days before the effective date of the rule. That would put you mid-August, I would expect.

DR. BARNETT: Whoever is using the calculator, would you mind stopping? I find that kind of annoying.

Okay. Do we have any other comments?

DR. TAYLOR: This is Tom Taylor. I've got a question with regard --

UNIDENTIFIED SPEAKER: Hi, Tom.

DR. TAYLOR: Hey -- with regard to the chiropractic aids section that I mentioned about -- I think, Mark, you were going to look and see about the --

MR. OHRENBERGER: Yes, sir. Thank you for bringing that up, Dr. Taylor.

What Dr. Taylor is referring to is on Page 9. Section 2 there on Page 9 deals with chiropractic aids. And if I have Dr. Taylor's question correct, it deals with the additional Subparts D and E.

And, Dr. Taylor, correct me if I made a mistake here. The intention is that D and E be alternative certification processes. You were concerned that the way D begins, by saying chiropractic aids must obtain a radiologic technology license through the Arkansas Department of Health, it under minds that making them alternative methods; is that correct?

DR. TAYLOR: Well, it also dealt with -- yeah. I mean, that -- that's pretty much along the lines.

But it had dealt with the fact that it says in E that, you know, chiropractic aids may obtain certification but it doesn't say that it's in lieu of or that it's an alternative.

MR. OHRENBERGER: Right. And that was the intention, that they be alternative provisions?

DR. TAYLOR: That's correct.

MR. OHRENBERGER: You can get your

certification either through the process described in D or through the process described in E?

DR. TAYLOR: Correct.

MR. OHRENBERGER: If that's the case, I think simply adding to the front of E, the following: In lieu of obtaining a radiologic technology license through the Arkansas Department of Health under in Subpart D above, comma, and then just carrying with E right from that point forward.

DR. TAYLOR: Or simply in lieu of 2-D above, comma, chiropractic aids may obtain?

MR. OHRENBERGER: That would also work, yes, sir.

DR. BARNETT: Okay. Does anyone have a problem with that?

UNIDENTIFIED SPEAKER: No.

UNIDENTIFIED SPEAKER: Nope.

DR. BARNETT: Okay. Then we don't need a motion.

MR. OHRENBERGER: Well, whenever we vote on all of the rules, Dr. Barnett, I guess the motion would have to include the --

DR. BARNETT: The changes?

MR. OHRENBERGER: -- the changes to the two parts we've discussed. One being the $200 fee becoming 250 and then the change here with 2-E on Page 9 and whether you would want to go with the language I proposed or Dr. Taylor proposed. Either way, the board would just need to make it clear which it wants.

DR. BARNETT: We will now entertain a motion.

MR. OHRENBERGER: Dr. Barnett, Mark Ohrenberger again. I'm certainly not trying to be a trouble maker.

I did want to just go over, before a motion is made, what the APA requires for the board to consider. Because there are certain considerations that have to be taken.

DR. BARNETT: Okay.

MR. OHRENBERGER: I just want to make sure they're spelled out for all the board members. And if there's anything the board members feel like they have not taken into consideration, that ought to be addressed before a motion.

These are things listed in Code Section 25-15-204 and they include that we have to consider all of the comments, which has already

been done.

But then, the next considerations are whether the agency is required by statute to adopt the proposed rule, whether a specific date and whether the agency has discretion to promulgate rules. So you considered promulgation authority already, other statutes relevant to the proposed rule and its alternatives. And of course, you've discussed the statute from the 2013 legislative session.

There goes on to be the specific nature and significance of the problem the agency addresses with the proposed rule, including without limitation, it lists the following: Majoring degree, the risk the problem proposes, the priority of addressing those risks as opposed to other matters or activities within the agency's jurisdiction, whether the problem warrants new agency action, there's a (inaudible) risk that may be posed by alternative rules for the agency.

That is -- and then of course, any reasonable alternatives to the proposed rule such as adopting no rule --

DR. BARNETT: Okay.

MR. OHRENBERGER: -- or amending existing rules. So I just wanted to make sure that all those factors are taken into consideration.

Financial impact of the rule also has to be considered and any other factor relevant for the need and alternatives of the proposed rule.

And so if there's any of that the board members feel like they have not considered, it ought to be addressed before a motion is made.

DR. BARNETT: (Telephone interference) anybody would like to say?

MR. MCCOY: Dr. Barnett, this is Jack McCoy.

Have any other proposals been made?

DR. BARNETT: No.

MR. MCCOY: Okay. Thank you.

DR. BARNETT: Now, with that, are there any additional comments?

DR. TAYLOR: This is Tom Taylor. I just want to throw this out there because I have some concern about the language in 3-D, I'm sorry, 4-D. Maybe it's -- I'm sorry. It's in D on Page -- let's see.

It's the professional conduct C, D, advertising by chiropractor physicians. This

is on Page 6 and there's a section in there that I just had a concern about. Maybe the interpretation of the (inaudible) with abilities with regard to the strict instruction (telephone interference).

But anyway, chiropractic physicians have the sole responsibility over the employees or agents hired. I'm not sure, you know, what, how broad that could be interpreted and whether that is, you know, like -- I mean, that sounds to me, I mean -- is it -- I mean, is it the responsibility for them at all times or is there (telephone interference) working -- I'm not sure. It just seems so broad to me.

UNIDENTIFIED SPEAKER: (Telephone interference).

MS. WRIGHT: Dr. Taylor, this is Rebecca. Would you mind repeating your question? There was some background noise and not everybody could hear what you were saying.

DR. TAYLOR: In regard to the proposed change in the rule under D, Page (telephone interference) chiropractic physicians (telephone interference) physicians have a responsibility over the employees or agents

hired including those hired for (telephone interference) --

COURT REPORTER: I'm unable to hear what is being said.

DR. TAYLOR: That seems to be (telephone interference) statement open for broad interpretations.

I'm just kind of throwing that out there. I've got some concern about the way that is worded.

DR. BARNETT: What number is it?

DR. TAYLOR: It's under advertising by chiropractic physicians. Page 6 is what I'm looking at now.

DR. BARNETT: Okay.

DR. TAYLOR: On the computer, it's showing Page 8 but it's under advertising by chiropractic physicians.

DR. BARNETT: Okay. Tom, does it have a number?

DR. TAYLOR: I don't see a number on this. I mean --

MS. WRIGHT: This is Rebecca. It's right before number one. It says Section D, advertising --

UNIDENTIFIED SPEAKER: (Inaudible.)

MS. WRIGHT: -- by chiropractic physicians. And on that paragraph, the last sentence that's been added before number one.

DR. BARNETT: Okay.

Mark, would it be appropriate to ask for your input on that?

MR. OHRENBERGER: Ultimately, Dr. Taylor, the board is going to be -- the first line of interpreting that, I think it would probably be considered a pretty strained reading of that to think that the board intended that chiropractic physicians would have responsibility over their agents just when they're doing things in their daily lives that are unrelated to procuring chiropractic patients.

So I wouldn't have too, too much concern about that. Certainly, the board could bring it up if it wishes.

UNIDENTIFIED SPEAKER: I think it's fine just like it is, Tom. I agree with Mark.

UNIDENTIFIED SPEAKER: I think it's self-explanatory. If you're CA, you're responsible for her but not in her daily life, only when she's performing your (telephone

interference).

DR. BARNETT: Okay. Any other comments?

UNIDENTIFIED SPEAKER: It's so hard to hear. Whoever can mute their phone, that would be great. It think it's star six and it mutes it. Sorry.

DR. BARNETT: (Telephone interference) car doors and what have you.

Okay. At this time, we'll entertain a motion to accept the changes in the rules and regs with amendments that were discussed.

And I guess part of that motion will have to include Page 2-E to read as Mr. Ohrenberger suggested or as Dr. Taylor suggested.

DR. MOORE: This is Kent Moore. I make that motion.

DR. BARNETT: Okay. And you want things to reflect the opinion of Mr. Ohrenberger or the opinion of --

DR. MOORE: Ohrenberger.

DR. BARNETT: Okay.

We have a motion on the floor to accept the rules and regs changes with the, including the change of 2-E, Page 9, as suggested by Mr. Ohrenberger. Do we have a second?

DR. TAYLOR: Second, Tom Taylor.

DR. BARNETT: Tom Taylor, second. Discussion?

All in favor say aye.

(Aye by all members.)

DR. BARNETT: All opposed?

The motion carries unanimously.

Rebecca?

MS. WRIGHT: Yes.

DR. BARNETT: I would like to draft some language explaining the rationale for the increase and also explaining that we did address the concerns with the public. And also at this point then, this will be forwarded over to legislative review.

Mark, what's the term for that? It's not the legislative review but the --

MR. OHRENBERGER: Jessica can help me out here on this, but I believe it's the legislative rules committee.

DR. BARNETT: Legislative rules committee, okay.

With that said, is there any other discussion? I will entertain a motion that the meeting be adjourned.

UNIDENTIFIED SPEAKER: I make a motion.

DR. BUTLER: Seconded by Tom Butler.

DR. BARNETT: All right. The meeting is adjourned. Have a good day.

(WHEREUPON, the proceedings were concluded in the matter at 1:43 p.m.)

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C E R T I F I C A T E

STATE OF ARKANSAS)
)
COUNTY OF PULASKI)

I, CRIS M. BRASUELL, Certified Court Reporter and Notary Public do hereby certify the proceedings which appear in the foregoing pages are the proceedings taken by me verbatim through the use of the voice-writing method and was thereafter reduced to typewritten form under my supervision; that the foregoing pages contain a true and correct record of the testimony given held to the best of my ability, along with all items of evidence admitted hereto.

I FURTHER CERTIFY, that I am not a relative or employee of any attorney or employed by the parties hereto, nor financially interested or otherwise, in the outcome of this action, and that I have no contract with any parties within this action that effects or has a substantial tendency to affect impartiality, that requires me to relinquish control of an original transcript or copies of the transcript before it is certified and delivered to the custodial attorney, or that requires me to provide any service not made available to all parties in the action.

WITNESS MY HAND AND SEAL this 12th day of June, 2014.

_____

CRIS M. BRASUELL, CCR
Arkansas State Supreme Court
Certified Court Reporter No. 742

My Commission Expires:
August 21, 2021

2014 Rules, Regulations, and Statutes Proposed Language

FOR

From: Philip Bland
To: Rebecca Wright
Subject: license fee Renewal
Date: Wednesday, May 28, 2014 12:49:04 PM

I would like to encourage the board to vote for the fee increase. If they feel it is necessary. Our renewal fee is very minimal and a $50 increase should not truly effect anyone.
Thanks for your hard work.
Philip Bland

--
Philip Bland, DC
www.nwachiropractic.com
NWA Chiropractic, PA
479 633 8917

2014 Rules, Regulations, and Statutes Proposed Language

AGAINST

From: Laura
To: Rebecca Wright
Subject: License fee
Date: Wednesday, May 28, 2014 12:25:32 PM

I'm not in favor of the increase.

Dr. Laura Douglas
Hope , Arkansas

Sent from my iPhone

From: Marla Roberds
To: Rebecca Wright
Subject: From the office of Dr. allen Roberds and Dr. Valerie Grevers, Roberds Chiropractic Clinic
Date: Wednesday, May 28, 2014 12:26:34 PM

Hi Rebecca-

I've been instructed to inform you that they vote no to license renewal rate increase. That would be two doctors in this clinic, Dr. Valerie Grevers and Dr. Allen Roberds.

Thank you,

Marla Roberds, Wellness Consultant
Roberds Chiropractic Clinic
4038 Remington Dr., Suite 3
Fayetteville, AR 72703
479-582-1444
www.RoberdsChiropractic.com

From: Dr. Tad Scarbrough, DC
To: Rebecca Wright
Subject: Chiropractor License Fee Increase
Date: Wednesday, May 28, 2014 12:30:18 PM

I vote "no" on a fee increase for license renewal.

Thank you...Tad

--
Dr. T. Scarbrough, DC
http://www.ScarbroughClinic.com

IMPORTANT NOTICE: This e-mail transmission (and/or the documents accompanying it) may contain confidential information belonging to the sender. The information is intended for use of the individual or entity above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited by law. If you have received this transmission in error, please notify us by telephone to arrange for return of the documents.

From: Reddell
To: Rebecca Wright
Subject: Renewal Fee
Date: Wednesday, May 28, 2014 12:31:54 PM

I am not in favor of the renewal fee of a $50 increase. Why would there be increase and what would the extra money be used for?

Dr. Reddell Nolan

From:	Jo"s Email
To:	Rebecca Wright
Subject:	Please no increase on our renewal
Date:	Wednesday, May 28, 2014 12:33:32 PM

Please do not increase our fees. Everything little bit counts for us. I know it does for y'all has well but please keep us from increasing our fees.

Thank you,

Josi Owens
Sent from my iPhone

From: Lissa Kelly
To: Rebecca Wright
Subject: License fee
Date: Wednesday, May 28, 2014 12:35:00 PM

Rebecca,

I am writing to inform you that I am NOT in favor of increasing the license renewal fee.

Sincerely,

Elizabeth Kelly D.C.

Sent from my iPhone

From: Candice Holt, D.C.
To: Rebecca Wright
Subject: Fee increase
Date: Wednesday, May 28, 2014 12:40:39 PM

I was notified by ACS that there is a vote to increase the renewal fees. I am opposed to this increase. Decreased reimbursements and increased cost of running a clinic make fees difficult enough. Please help keep these costs down.

Candice Holt, D.C.
8645 Peach Street
Erie, PA 16509
P: 814-866-7041
F: 814-866-6615

From: MHC
To: Rebecca Wright
Subject: Renewal Increase
Date: Wednesday, May 28, 2014 1:11:42 PM

Hi Rebecca-
We just heard about a potential change in our renewal fees. We, Dr Josh Rowden and Dr Sarah Morter Rowden, are not in favor of the license renewal fee increase. If our vote counts, then there it is.

Thanks for your time,
Dr Sarah
Sent from my iPhone

From: Michael Paul
To: Rebecca Wright
Subject: Fee Increase
Date: Wednesday, May 28, 2014 1:24:03 PM

I am not in favor of a fee increase for license renewal.

Dr. Michael V. Paul
1208 S Pleasant
Springdale, AR 72762

Sent from my iPhone

From: Charles Osgood
To: Rebecca Wright
Subject: Renewal Fee Increase
Date: Wednesday, May 28, 2014 1:29:27 PM

I am writing to let you know that I oppose any increase in my renewal Fees.

Thanks,

Charles Osgood, D.C.

From: Cindy
To: Rebecca Wright
Subject: licensing fee increase
Date: Wednesday, May 28, 2014 1:31:29 PM

I was wondering why they are wanting to increase our licensing fees by $50? I hope they vote against it.

Dr. Brock

From: josh jones
To: Rebecca Wright
Subject: renewal fee increase
Date: Wednesday, May 28, 2014 1:35:49 PM

Hello,

I say that any increase in fees is preposterous. Already, Arkansas' fees are double what they are in many states. On top of that, many states have a two-year renewal period instead of every year.

Sincerely,

--
Joshua R. Jones, D.C.
the Better Back Co.
479-877-6948
100 SW 14th St. Ste. 20
Bentonville, AR 72712

From: Larry Goodwin
To: Rebecca Wright
Subject: Increase in Chiropractic license renewal fee
Date: Wednesday, May 28, 2014 1:35:56 PM

This is to let you know that I strongly oppose increasing the Chiropractic license renewal fee. This fee is already unfair and much too high.

Larry Goodwin, D.C.

From: Tyson Austin
To: Rebecca Wright
Subject: License renewal fee
Date: Wednesday, May 28, 2014 1:55:48 PM

Rebecca,

I've heard that there will be a vote tomorrow regarding renewal fees. I am just sending a note to express that we obviously do not wish to have a licensing renewal fee increase.

Be well,

Tyson Austin DC
Sent from my iPhone

From: Dr Jean Gibson Dc
To: Rebecca Wright
Subject: fee increase
Date: Wednesday, May 28, 2014 2:04:19 PM

Dear State Board of Chiropractic Examiners,
I am totally against a license fee increase. Sincerely,
Dr. D. Jean Gibson
License #1322

From: drgarnerairhc@aol.com
To: Rebecca Wright
Subject: Do not agree with $50 increase
Date: Wednesday, May 28, 2014 2:23:07 PM

I do not agree with a 50$ increase proposed for chiropractic license renewal.

Sincerely,

Dr. Seth Garner DC,
AdvancedHealthcareNWA.com
479-571-2273

From: Jim Weatherley
To: Rebecca Wright
Subject: proposed changes
Date: Wednesday, May 28, 2014 2:50:20 PM

Mrs. Wright,

It has come to my attention there are changes to regulations to be voted on soon. In the past we have always received something in the mail on any proposed changes. I am NOT in favor of any changes until everyone in the profession has been notified and has had ample time to review and voice their opinion.

Please delay the vote if possible and let us have an opportunity to voice any concerns

Sincerly,

Dr. Jim Weatherley, D.C.
Natural State Clinic of Chiropractic
(501) 327-3355
www.naturalstateclinic.com

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Follow us on Twitter - https://twitter.com/natstclinic

"The doctor of the future will give no medicine, but will interest his patients in the care of the human frame, in diet, and in the cause and prevention of disease." ~Thomas Edison

From: Dr. Ronald S. Yow
To: Rebecca Wright
Subject: FEE INCREASE
Date: Thursday, May 29, 2014 3:50:59 PM

I am not in favor of a license fee increase.

Dr. Ronald S. Yow
Ash Flat, AR 72513

This email is free from viruses and malware because avast! Antivirus protection is active.

From: Ronny Phipps
To: Rebecca Wright
Subject: No increase please
Date: Thursday, May 29, 2014 1:18:40 PM

Hello my name is Dr. Eric Phipps and I vote is to not increase any fees. Things are hard enough fighting insurance companies for payments and audits. Thank you and hello Rebecca.

Sent from my iPhone

From: Dan Wolfe
To: Rebecca Wright
Subject: Increase in licensing
Date: Thursday, May 29, 2014 11:24:39 AM

Please reconsider the increase in the Chiropractic license fees. Things are bad enough with lower income and all of the law changes. $50.00 may not seem like a lot of money, but in todays market it means a lot to a mom and pop clininc like mine.

Professionally:

R Daniel Wolfe DC, PA

From: Kevin Ethridge
To: Rebecca Wright
Subject: License Fee"s
Date: Thursday, May 29, 2014 10:30:54 AM

Hey Mrs. Rebecca,

I'd like to cast a vote for no fee increase. I know times are tough everywhere, but I'm still new and trying to build up my career.

Thank You Very Much!!!!
Kevin Ethridge
601-527-9707 cell
601-635-3843 landline

From: markswelby@aol.com
To: Rebecca Wright
Subject: License fees
Date: Thursday, May 29, 2014 9:38:15 AM

Dear Mr. Wright,

If the votes of licensed doctors mean anything, put me down as being absolutely against any increase in doctor's license fees.

Dr. Roger Gardner

From:	Dr. Hays
To:	Rebecca Wright
Subject:	Not in favor of increasing the license renewal fee
Date:	Thursday, May 29, 2014 9:33:23 AM
Attachments:	image001.png

Thank you,

Dr. Elliott Hays

From: Patrick Barry
To: Rebecca Wright
Subject: License Fee Increase
Date: Thursday, May 29, 2014 9:22:48 AM

Rebecca,

I would not like to see a fee increase for chiropractic licensing.
Sincerely,

Patrick Barry, DC
Adjust for Vitality Chiropractic & Acupuncture
479-657-2112

From: William Acridge
To: Rebecca Wright
Subject: license renewal fee
Date: Thursday, May 29, 2014 9:07:06 AM

I was emailed about the proposed increase for the license renewal fee. I would like to know what the additional revenue from the increase would be used for, otherwise I have to say that I am against the proposed changes. Being a first year business owner this year, every bit will help and I would like to know where my money is going and what it is being used for before I give my approval.

In Best of Health,

William Acridge D.C.

117 S. Dixieland St. Suite B
Lowell, AR 72745
P: 479-770-0022
F: 479-770-0093

From: DUEKRAKEM@aol.com
To: Rebecca Wright
Subject: License renewal increase
Date: Thursday, May 29, 2014 8:58:04 AM

In consideration of reduced reimbursement by 3rd party payers and overall increase in practice overhead I do not favor increased license renewal fees.

C Michael DuPriest PT DPT DC DABCO
AFCN-Physical Medicine
Doctor of Physical Therapy
Doctor of Chiropractic
Diplomate American Board of Chiropractic Orthopedist

AFCN-Physical Medicine
4200 N. Rodney Parham, Suite 102
Little Rock, AR 72212

Office : 501-661-0336
Fax: 501-661-0412

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From: Dr. Jessica Dziurkowski
To: Rebecca Wright
Subject: Fee increase
Date: Thursday, May 29, 2014 8:28:37 AM

Hi Rebecca,

I was informed there will possibly be an increase in annual fee. For what will these fees be used?

Jessica Dziurkowski, D.C.

Precision Chiropractic & Wellness
5507 Ranch Drive, Suite 3
Little Rock, Arkansas 72223

P: 501-868-3500
F: 501-868-3501

www.chiropracticLR.com

From: Ben Pittman
To: Rebecca Wright
Subject: Renewal fee increase
Date: Thursday, May 29, 2014 7:49:47 AM

I am not in favor of the price increase. What is the reasoning?

-DR Ben Pittman

Sent from my iPhone

From: Barry S.Wilson, D.C.
To: Rebecca Wright
Subject: Re: Fee Change
Date: Thursday, May 29, 2014 1:51:29 AM

Dear Rebecca Wright,

Please forward this to The Arkansas Chiropractic Healing Arts Board Officers.

I am not in favor of the increase in the Arkansas Chiropractic License Fee.
Missouri has a 200.00 for two years, this is only 100.00 each year.

Barry S. Wilson, D.C.

From: Evan Rowe
To: Rebecca Wright
Subject: License renewal increase-just say no
Date: Wednesday, May 28, 2014 6:03:25 PM

Hello. I would like to give my two cents about the proposed renewal increase for the chiropractic license. I feel that rates are high enough and I would like to oppose this increase and hope that you vote the same.

Dr. Evan Rowe, D.C.

Sent from my iPad

From: Don Dailey
To: Rebecca Wright
Subject: Chiropractic Annual free increase
Date: Wednesday, May 28, 2014 5:59:40 PM

Please do not raise the amount of the license renewal fee.
Many DC's are struggling to make ends meet as is.
If you need more revenue, look at raising the other fees associated with renewal such as:
In-State inactive fees
Out-of-State active fees
These fees are way out of balance with the In-State Active renewal fees, the active, working instate practitioner is being unfairly burdened with the proposed increase in the renewal fee.

Thank you

Dr. Don Dailey, D.C.
Dailey Chiropractic Clinic
501-984-9977

--
Fide Et Fortitudine

From: Jason Collins
To: Rebecca Wright
Subject: License Renewal Fee Increase
Date: Wednesday, May 28, 2014 5:53:17 PM

I have just been made aware of a proposed increase in the fee for license renewal. I was able to scan through the most recently posted newsletter (March 2014) in which a proposed fee increase was mentioned, but no amount was indicated nor a justification for the proposed increase. Therefore, I am not in favor of increasing this fee.

Thank you.

--
Jason M. Collins, D.C.
Collins Chiropractic & Diagnostics
903 Northwest 9th Street
Bentonville, Arkansas 72712
(479) 254-9355
Twitter: @drjmcollins
Facebook: facebook.com/collinschiropracticdiagnostics

From: ticechiro@windstream.net
To: Rebecca Wright
Subject: Chiropractor license renewal fee
Date: Wednesday, May 28, 2014 5:45:43 PM

We are against the $50.00 raise in the fee to renew our Chiropractic Licenses. Please vote against it. Thank you.

John D. Tice, D.C.
Teresa R. Tice, D.C.
Tice Chiropractic Center-Crossett Arkansas

From: Tracy Romick
To: Rebecca Wright
Subject: License renewal increase
Date: Wednesday, May 28, 2014 3:50:48 PM

Rebecca,

Please make sure to note that I oppose the increase in the annual license renewal fee.

Thank you,

Tracy Romick, DC
License: 15994

From: Dana
To: Rebecca Wright
Subject: Fee increase
Date: Wednesday, May 28, 2014 3:37:29 PM

Please do not raise our licensing fees.
Sincerely,
Dr. Dana Browning

Sent from my iPhone

From: Dr. Lee
To: Rebecca Wright
Subject: License Renewal Fee Raise
Date: Wednesday, May 28, 2014 3:36:41 PM
Attachments: image001.png

Rebecca,

I wanted to send this email to voice an opinion that I am not in favor of an increase in the License Renewal Fee.

Thank you!

BETTER TEAM BETTER LIFE,

HURLEY
Chiropractic and Wellness Center

Mary Lee, DC
Doctor of Chiropractic
Doctors Team Leader
501.513.3322 phone // 870.307.4798 cell
hurleychiropractic.com | facebook | twitter

From: Phylls Keller
To: Rebecca Wright
Subject: License increase
Date: Wednesday, May 28, 2014 3:09:07 PM

To ASBCE,

As a longtime practitioner in this state I have tried to stay abreast of on going Chiropractic issues. I was just informed
of the upcoming board vote to raise our licensure fees.

In this time in which the state professional organizations are working to keep expenses and relicensure seminar costs down, I do
not feel it appropriate to raise license fees to shuffle paper.

Respectfully,

John L. Keller, D.C.

From: Dr. Bledsoe
To: Rebecca Wright
Subject: fee increase not in favor
Date: Wednesday, May 28, 2014 3:03:08 PM

I am not in favor of the proposed increase of $50.
Thanks,
Dr. Amanda Bledsoe
Hurley Chiropractic, Conway AR

From: Kyle Kifer
To: Rebecca Wright
Subject: license renewal
Date: Wednesday, May 28, 2014 2:52:02 PM

I am not in favor for a fee increase in regards to license renewal. I was not informed nor given the proper information in a timely manner to make such a decision. Why has the ASBCE not informed in writing or via email the proposed changes?

Kyle Kifer, D.C.

http://www.afcnphysicalmedicine.com/

AFCN Physical Medicine
4200 N. Rodney Parham Ste. 102
Little Rock, AR 72212
Phone (501)661-0336
Fax (501)661-0412

2014 Rules, Regulations, and Statutes Proposed Language

Comment on Procurer Language

From: Laurie Mayhan
To: Rebecca Wright
Subject: FW: Teleconference Meeting 5-30-2014
Date: Thursday, May 29, 2014 3:51:15 PM

From: Travis Berry [mailto:Travis@arklaw.com]
Sent: Thursday, May 29, 2014 3:26 PM
To: Laurie Mayhan
Subject: Teleconference Meeting 5-30-2014

I am an attorney in Arkadelphia with the firm Wright, Berry, Moore and White. I understand there will be a hearing tomorrow May 30, 2014 regarding "runners" who are presently involved in bringing patients involved in motor vehicle accidents to different chiropractors. I have information relating to the number of "runners" and the amount of money paid to these "runners" in order for the patient's treatment from the various chiropractors.

Many of the patients who are victims of these "runners" do not wish to seek treatment and are uninformed about the process. Some patients are even promised money in return for their seeking treatment. The "runners" often give legal advice and represent themselves as employees of the medical profession, insurance profession or legal profession. Many times, the "runners" are paid a direct fee by the chiropractors in order to generate patients. I have knowledge of specific cases with dates and names of the chiropractors and "runners" using this type of arrangement. Typically, the chiropractor will then file a lien with the insurance policy and the total bill ends up being less than $5,000 under the personal injury protection provision.

Additionally, I have been in contact with Mark Blankenship of the National Insurance Crime Bureau. I believe that he has signification information and that this inquiry could benefit from discussing the matter with him.

If you wish to contact me regarding the information I know about this situation or have any questions, please contact me on my personal cell phone at 870-403-1520. Thank you for your time and attention to this matter.

I plan on calling in and being part of this teleconference tomorrow. Best personal regards.

Travis Berry
Board Certified Civil Trial Advocate
Advocate with ABOTA
Certified Mediation
P.O. Box 947
Arkadelphia, AR 71923
(870) 246-6796
Travis @arklaw.com