

**Arkansas State Board of Chiropractic Examiners  
Board Meeting / Orientation Minutes  
July 23, 2015**

***CALL TO ORDER***

The meeting was called to order by Julie Traylor-Logan, D.C., President, at 11:04 a.m.

***ROLL CALL***

Board Members present:

Julie Traylor-Logan, D.C.  
Thomas Butler, D.C.  
Harold Gunter  
Dustin Heard, D.C.  
Kent Moore, D.C.  
Thomas D. Taylor, D.C., FICA  
Jack McCoy

Board Members absent:

None

Staff Members present:

Sara Farris, Assistant Attorney General  
Laurie Mayhan, Executive Director

Guests Present:

Chris Cathey, D.C.  
Pat Carolan, D.C.  
Brad Chambers, D.C.  
Steven Bennett, D.C.  
Becky Crenshaw, Rehab Net  
Gaylon Carter, D.C.  
Gail Ragland  
Kendra Booth, BCBS

## ***NEW LICENSEE ORIENTATION***

Congratulations to the following applicants who attended orientation and received their licenses this day:

	<b>License No.</b>	<b>First Name</b>	<b>MI</b>	<b>Last Name</b>
1.	16107	Michael	C	Colgrove
2.	16102	Samantha	L	Craig
3.	16104	Holly	E	Cunningham
4.	16098	Venita	N	Jones
5.	16101	Troy	H	Liming
6.	16078	Roy	D	Meek
7.	16099	Bradley	R	Pennington
8.	16093	Edward	K	Sarver
9.	16090	Gregory	C	Schrader
10.	16106	Micah	J	Scudder
11.	16103	Shanuri	D	Settles
12.	1733 (reinstated)	Vita	K	Simpkins-Spain
13.	16089	Justin	A	Sutter

The following applicants attended orientation this day but were not issued a license at this time.

16097	Ryan	N.	Roth
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Ryan Roth's license is pending until his graduation in September. With the receipt of his final documents showing proof of graduation he will be issued a license effective immediately.

16091	Serge	Pierre	Francois
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Dr. Francois's license is pending due to complaints that were filed prior to licensure. Once the complaints have been investigated and resolved and no further actions are needed then a license may be issued.

## ***MINUTES***

The June 16, 2015, minutes were presented to the Board. Dr. Thomas Taylor made a motion to approve the minutes with an amendment on top of page 5. The amendment is to read as follows, "Dr. Thomas Tylor made a motion that this be forwarded to the investigator to follow up on. Motion seconded by Mr. Jack McCoy. Dr. Thomas Taylor, Mr. McCoy, Dr. Thomas Butler, and Mr. Harold Gunter voted for the motion. Dr. Kent Moore and Dr. Dustin Heard were opposed. Motion passed." The motion with amendment was seconded by Dr. Thomas Butler. Motion passed unanimously.

The July 24, 2015, emergency teleconference minutes were presented to the Board. Dr. Dustin Heard made a motion to approve the minutes. Mr. Jack McCoy seconded the motion. The motion passed unanimously.

## ***DIRECTOR'S REPORTS***

### **Budget Report**

The entire FY15 Monthly Expenditure Report by Appropriation and the Monthly Revenue Summary Report by Fund were presented to the Board. As of July 1, 2015 the total expense for FY15 was \$132,627.95 with a savings of \$34,010.42.

### **Continuing Education Report**

**CY 2015 January 1, 2015 – July 21, 2015**

<b>CE Status</b>	<b># of Apps</b>	<b># of Hours</b>	<b>Fee Due</b>	<b>Fee Paid</b>
Approved	145	2382	\$11,910.00	\$11,910.00
Approved w/exception	1	20	\$100.00	\$100.00
Cancelled	2	30	\$150.00	\$150.00
Not Approved	7	72	\$360.00	\$360.00
Pending	11	389	\$1,945.00	\$1,945.00
<b>Totals:</b>	<b>166</b>	<b>2893</b>	<b>\$14,465.00</b>	<b>\$14,465.00</b>

### **FY 2016 July 1, 2015 – July 21, 2015**

(Totals below are included in report above)

<b>CE Status</b>	<b># of Apps</b>	<b># of Hours</b>	<b>Fee Due</b>	<b>Fee Paid</b>
Approved	4	398	\$1,990.00	\$1,990.00
Not Approved	1	2	\$10.00	\$10.00
Pending	11	389	\$1,945.00	\$1,945.00
<b>Totals:</b>	<b>16</b>	<b>789</b>	<b>\$3,945.00</b>	<b>\$3,945.00</b>

### **FOIA Report**

0 FOIA Requests have been received thus far for FY16.

Motion to approve the Director's reports was made by Mr. Jack McCoy and seconded by Dr. Thomas Taylor. The motion passed unanimously.

## ***OLD BUSINESS***

### **Proposed Language**

Currently Dr. Thomas Taylor is still working on some proposed language regarding Part IV. No language submitted at this time.

### **Physical Therapy Board Re: Kathleen Rea, PhD (advertisement)**

A letter and supporting documents provided by the Physical therapy board regarding an advertisement by Kathleen Rea, PhD was presented to the Board in June. The Board forwarded this information to their investigator and no updates have been provided at this time.

### **The Joint**

On May 12, 2015 a response from The Joint was received regarding the Boards letter dated February 6<sup>th</sup>. This item was tabled at the last meeting so that the Board's attorney could have more time to review the Joint's letter and exhibits. At this time the Board's attorney would like to continue to look into this item. A motion to table this agenda item was made by Dr. Thomas Taylor and seconded by Mr. McCoy. Dr. Moore abstained. Motion passed.

### **Dry Needling**

A chiropractic student inquired about licensing requirements for dry needling, and if it's considered acupuncture or is it within the chiropractic scope in Arkansas? This item was presented at the June 16 meeting and the Board requested a pole be run by FCLB. Said pole was presented to the Board and a motion was made by Dr. Thomas Butler that only individuals certified in acupuncture may perform dry needling and that it is within Arkansas chiropractic scope of practice. Motion was seconded by Dr. Dustin Heard. Dr. Thomas Taylor opposed. Motion passed.

### **Osteopractor**

This item was discussed at the June 16 meeting in which the Board voted to request proof of certification from the PT Board and/or Ms. Bush since the PT Board took no action. An email was sent to the PT Board requesting all certifications for Ms. Bush and she complied. The certificate copies were presented to the Board for review. The Board decided that no other actions would be taken at this time.

### **Chad Loveless**

On June 24 an emergency teleconference was held to review two applicants that were inadvertently skipped over during credentials review on June 16. This particular applicant, Chad Loveless, had some questionable items that needed to be addressed. The Board requested a copy of the Order from Kentucky along with getting an explanation of affiliation regarding the FOIA that the Board had of file. The applicant, Loveless, submitted the requested documents for the Board to review. Dr. Thomas Taylor made a motion to send a letter to the applicant stating the Board has reviewed his information and that he can reapply credentialing in December. Motion seconded by Dr. Kent Moore. Motion passed unanimously.

## ***NEW BUSINESS***

### **CE credit for NBCE testing**

Dr. Dustin Heard submitted a request to have the attendance as an examiner of the NBCE Part IV examination count as 12 continuing education hours. Discussion was also brought up about hours for attending FCLB conferences and that if CE was approved for either attendance that it could be misconstrued as favoritism, etc. Dr. Heard made a motion to accept the examiners hours of

the NBCE Part IV going forward but not for the FCLB conferences. The motion was then withdrawn in order to table this agenda item. The board's attorney mentioned that this might be an ethical issue and that she could look into it. Board tabled this item until the next meeting in order for their attorney to look into it further.

### **Election of Officers- FY16**

Dr. Thomas Taylor made a motion to nominate Dr. Julie Traylor-Logan as President. Motion seconded by Dr. Kent Moore. Dr. Thomas Butler moved that nominations cease. Motion seconded by Mr. Jack McCoy. Dr. Julie Traylor-Logan is accepted by acclamation.

#### **Julie Traylor-Logan, DC – President FY16**

Dr. Kent Moore made a motion to nominate Dr. Thomas Taylor as Secretary. Motion seconded by Dr. Thomas Butler. Mr. Jack McCoy moved that nominations cease. Dr. Thomas Taylor is accepted by acclamation.

#### **Thomas Taylor, DC – Secretary FY16**

Dr. Thomas Taylor made a motion to nominate Mr. Jack McCoy as Treasurer. Lack of a second. Dr. Thomas Butler made a motion to nominate Mr. Harold Gunter as Treasurer. Dr. Kent Moore seconded Dr. Butler's motion. Dr. Kent Moore moved that nominations cease. Motion seconded by Dr. Dustin Heard. Mr. Harold Gunter is accepted by acclamation.

#### **Mr. Harold Gunter – Treasurer FY16**

The President, Dr. Julie Traylor-Logan appointed Dr. Dustin Heard as Examination officer and Dr. Thomas Butler as Investigation Liaison.

#### **Dustin Heard, DC – Examination Officer FY16**

#### **Thomas Butler, DC – Investigation Liaison FY16**

### **Vote to pay Stipends**

Dr. Thomas Butler made a motion to authorize payment to its members of a stipend not to exceed one hundred (\$100) per meeting attended for CY2015. Motion seconded by Dr. Kent Moore. Motion passed.

## ***INVESTIGATION REPORT***

### **Thomas Hayde, DC - order**

A proposed consent order was presented to the Board for approval. A motion to approve the order was made by Dr. Kent Moore and seconded by Mr. Harold Gunter. Dr. Thomas Taylor confirmed several items listed in the order and thought that it should be added that the Board reserves the right to impose any fines or penalties. Dr. Moore and Mr. Gunter withdrew their motion second. The addition to the order under Agreed Action Items section 2, last sentence, is to read as follows: *lifted reinstated. If the Board reinstates Respondent's license, the Board reserves the right to impose any reasonable fines or penalties it deems appropriate, as well as imposing reasonable measures to ensure Respondent's continued sobriety.* Dr. Kent Moore made a motion to accept the order with the aforementioned addition to the order. Dr. Thomas Butler seconded the motion. Motion passed.

## Complaint report

	Recommendations	Complaint No.	Complaint Allegations
1	<i>Dismiss with letter of caution</i>	578-02-09-15	Solicitation/ Unregistered Procurers/ Unprofessional Conduct
2	<i>Dismiss with letter of caution</i>	583-02-23-15	Unregistered Procurer
3	<i>Dismiss with letter of caution</i>	584-02-23-15	Unregistered Procurer
4	<i>Dismiss with letter of caution</i>	585-02-23-15	Unregistered Procurer
5	<i>Dismiss with letter of caution</i>	586-02-23-15	Unregistered Procurer
6	<i>Dismiss with letter of caution</i>	591-03-09-15	Solicitation by Unregistered Procurer
7	Tentative Hearing- 10/08/15	598-03-31-15	Aiding or abetting an unlicensed practitioner Unregistered procurers
8	Under Investigation	605-05-19-15	Unregistered Procurer
9		612-05-25-15	Unregistered Procurer / Advertising
10	<i>Dismiss with letter of caution</i>	516-1-21-14	Solicitation
11	<i>Dismiss with letter of caution</i>	547-6-20-14	Unregistered Procurer
12	<i>Dismiss with letter of caution</i>	552-7-2-14	Solicitation; Unregistered procurer; Unregistered procurer using alias (name also isn't registered)
13	<i>Dismiss with letter of caution</i>	569-11-25-14	Unprofessional Conduct/Solicitation
14	Under Investigation	607-05-22-15	Unregistered Procurers/ unprofessional conduct
15	Under Investigation	608-05-22-15	unregistered Procurer/ unprofessional conduct
16	<i>Dismiss with letter of caution</i>	512-1-8-14	Solicitation
17	<i>Dismiss with letter of caution</i>	513-1-8-14	Solicitation
18	<i>Dismiss with letter of caution</i>	517-1-20-14	Solicitation
19	<i>close</i>	518-1-21-14	Solicitation dup rec to 517-1-20-14
20	<i>close</i>	519-1-13-14	Solicitation- dup rec to 513-1-8-14
21	<i>close</i>	520-1-13-14	Solicitation- dup rec to 512-1-8-14
22	Further Investigation	539-2-27-14	Solicitation
23	<i>Dismiss with letter of caution</i>	524-2-11-14	Unregistered Procurers
24	<i>Dismiss with letter of caution</i>	567-11-19-14	Solicitation by unregistered procurer
25	<i>Dismiss with letter of caution</i>	573-12-5-14	Solicitation
26	<i>Dismiss with letter of caution</i>	609-05-22-15	Unregistered Procurer/ Unprofessional Conduct
27	<i>Dismiss with letter of caution</i>	610-05-22-15	Unregistered Procurer/ Unprofessional Conduct
28	<i>Close-Board does not have statutory authority over complaint</i>	575-12-29-14	Unprofessional Conduct
29	<i>Close - no violation of RRS</i>	576-1-5-15	Unprofessional conduct
30	<i>Dismiss with letter of caution</i>	528-2-20-14	Solicitation; Unregistered Procurer
31	<i>Dismiss with letter of caution</i>	549-6-23-14	Solicitation
32	<i>Dismiss with letter of caution</i>	562-9-11-14	solicitation/ unregistered procurer
33	<i>Dismiss with letter of caution</i>	593-03-19-15	Unregistered Procurer
34	<i>Dismiss with letter of caution</i>	594-03-19-15	Unprofessional Conduct
35	<i>Dismiss with letter of caution</i>	595-03-19-15	Unregistered Procurer
36	<i>Dismiss with letter of caution</i>	596-03-19-15	Unprofessional Conduct

37	<b>Dismiss with letter of caution</b>	597-03-19-15	Unregistered Procurer
38	Further Investigation	515-1-16-14	Unprofessional Conduct: Not Supervising on Premise - 2(n) negligent or reckless practice
39	<b>Under Investigation</b>	525-2-18-14	Unprofessional Conduct
40	<b>Close-Board does not have statutory authority over complaint</b>	531-3-3-14	Unprofessional Conduct
41	<b>Pending</b>	615-06-24-15	Unprofessional conduct- not fulfilling request for records / insurance fraud
42	<b>Dismiss with letter of caution</b>	478-7-23-13	Solicitation
43	<b>Dismiss with letter of caution</b>	491-10-9-13	Solicitation; Unprofessional Conduct
44	Remain Open	394-7-29-10	Practicing Chiropractic without a License; Non-Licensee
45	Remain Open	401-9-20-10	Practicing Chiropractic without a License; Non-Licensee
46	Close w/ possible fwd to Inspector General	602-04-27-15	Unprofessional Conduct
47	Close w/possible fwd to inspector general	603-04-27-15	Advertising
48		574-12-9-14	Solicitation
49	<b>Dismiss with letter of caution</b>	468-2-9-13	Solicitation
50	<b>Dismiss with letter of caution</b>	487-9-22-13	Solicitation
51	Further Investigation	543-6-5-14	Solicitation; Unregistered Procurer
52		616-07-15-15	Unregistered Procurer
53	Further Investigation	566-10-21-14	Billing
54	Remain Open until Board can review letter- in order to make Rec.	601-04-22-15	Unprofessional Conduct
55		617-07-15-15	Unregistered Procurer
56	<b>Dismiss with letter of caution- no violation</b>	551-7-2-14	Advertisement
57	<b>Closed - Forwarded to Prosecuting attorney</b>	388-6-8-10	Practicing Chiropractic without a License; Non-Licensee

58	<b>Closed - Forwarded to Prosecuting attorney</b>	402-9-20-10	Practicing Chiropractic without a License; Non-Licensee
59	Further Investigation	509-12-18-13	Solicitation
60	Duplicate Record	510-12-27-13	Solicitation - dup rec of 509-12-18-13
61	Further Investigation	532-3-7-14	Solicitation
62	Further Investigation- requested additional info	540-5-21-14	Solicitation
63	Further Investigation	544-6-5-14	Solicitation
64	Tentative Hearing- 10/08/15	572-12-3-14	Solicitation
65	Tentative Hearing- 10/08/15	577-01-30-15	Solicitation/ unprofessional conduct
66	Under Investigation	604-04-29-15	Unregistered Procurer/ Unprofessional conduct
67		613-06-04-15	Unregistered Procurer / Unprofessional conduct
68		614-06-04-15	Unregistered Procurer / Unprofessional conduct
69	<b>Close- not enough evidence to proceed</b>	565-10-15-14	Unprofessional Conduct
70	<b>Dismiss with letter of caution</b>	579-02-09-15	Solicitation/ Unregistered Procurer/ Unprofessional Conduct
71	<b>Dismiss with letter of caution</b>	587-02-23-15	Unregistered Procurer
72	<b>Dismiss with letter of caution</b>	588-02-23-15	Unregistered Procurer
73	<b>Dismiss with letter of caution</b>	589-02-23-15	Unregistered Procurer
74	<b>Dismiss with letter of caution</b>	590-02-23-15	Unregistered Procurer
75	<b>Under Investigation</b>	606-05-19-15	Unregistered Procurer
76	<b>Under Investigation</b>	611-05-25-15	Unregistered Procurer / advertising
77	Further Investigation	555-7-1-14	Solicitation; False Statements by Registered Procurer

**Note: letters of caution are for licensees to review all rules and regulations.**

Mr. Jack McCoy made a motion to approve the investigative report with the recommendations of the investigative committee. Dr. Kent Moore seconded the motion. Motion passed.

### **Adjourn**

Dr. Kent Moore moved to adjourn. Dr. Thomas Butler seconded the motion. The motion passed unanimously. The Board adjourned at 1:04 p.m.

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*Board minutes approved: 10/08/2015.*