

**Arkansas State Board of Chiropractic Examiners  
Board Meeting- Teleconference  
Tuesday, June 26, 2018**

**CALL TO ORDER**

The teleconference was called to order by Kent Moore, D.C., President, at 8:01 a.m.

**ROLL CALL**

Board Members present:

Kent Moore, D.C.  
Dustin Heard, D.C.  
Jack McCoy  
Thomas D. Taylor, D.C.  
Michael Courtney, D.C.  
Harold Gunter  
Tanya Holt, D.C. (called in at 8:05 am)

Board Members absent:

None

Guests Present:

Laurie Mayhan, Executive Director  
Brad Nye, Assistant Attorney General  
Lisa Cross, Administrative Analyst

## MINUTES

Dr. Taylor motioned to approve the April 5, 2018 board minutes. Mr. McCoy seconded the motion. Motion passed.

## DIRECTOR'S REPORTS

### Budget Report

An itemized cash flow statement for January - May was presented to the Board, along with the May service bureau budget report. The total amount expended thus far for fiscal year 2018 (July 01, 2017-May 31, 2018) is \$121,595.67 with \$69,283.33 remaining of the FY18 budget (\$190,879.00). The total revenue received thus far for fiscal year 2018 is \$190,397.70, which includes money received and interest on COI.

### CE Report FY2018

(July 1, 2017 – June 30, 2018)

Status	Apps received	Class hours offered	Fee Due	Fee Paid
Approved	379	5,703	\$28,515.00	\$28,515.00
Approved with Exception	3	71	\$355.00	\$355.00
Not Approved	1	47	\$235.00	\$235.00
Pending	0	0	\$0.00	\$0.00
Cancelled	5	74	\$370.00	\$370.00
Incomplete	0	0	\$0.00	\$0.00
Void	0	0	\$0.00	\$0.00
<b>Total:</b>	<b>388</b>	<b>5,895</b>	<b>\$29,475.00</b>	<b>\$29,475.00</b>

### FOIA Report

A total of **35** Freedom of Information Act requests have been received from 7/1/17 thru 6/21/18. **3** of those were received since the last board meeting.

Dr. Taylor inquired about the FOIA request concerning litigation. The director and board counsel explained that this request was concerning the lawsuit that was filed, over a year ago, in the circuit court and that a hearing was held recently concerning that lawsuit. The board was notified of the lawsuit at their April 2017 meeting. There is no other pending or new litigation. The outcome of the hearing is unknown at this time and the board will be updated once the judge has made a ruling.

A motion to approve the Directors reports was made by Dr. Taylor. Motion seconded by Dr. Holt. Motion passed.

## **OLD BUSINESS**

### **Preceptor Legislation Draft**

The preceptor program draft bill was presented to the board for approval. Also provided was an email from Ms. Beel, who is in the legal research and drafting department at the bureau of legislative research. Her email mentions, it might be easier to make changes to the language in the future if this bill was more broad and then have the specific details of the program promulgated as a rule. Dr. Taylor motioned that the draft be sent back to Ms. Beel for her to make the bill more broad and to give us some ideas as to what that would look like. Dr. Courtney seconded the motion. Motion passed.

### **Proposed language & Rule changes**

Again, proposed rules and or legislation language was presented to the Board for consideration as it was tabled from the last meeting for updates. Some items have already been approved by the Board where as others have not.

A draft of the medical board's corporation act with ASBCE substituted into it was tabled in order for the new attorney to have more time to review it. It also was briefly discussed that an Act would not be necessary as the board could simply reference the State's professional corporation act in their rules.

Dr. Taylor mentioned that he did not see the jurisprudence exam in the statutes and that he was concerned it may have gotten repealed along with 17-81-306. Dr. Taylor mentioned he saw it in the transfer of license rules, but nowhere else. Dr. Moore agreed to discuss this issue further in July.

## **NEW BUSINESS**

### **PiezoWave2 Acoustic Wave therapy**

Dr. Hannelie van der Merwe submitted a letter asking if the PiezoWave2 Acoustic Wave therapy falls within the ASBCE scope of practice, as she wants to use the modality in her practice. Dr. van der Merwe provided some literature on the subject with her letter. After discussion about the literature provided by Dr. van der Merwe, a member stated that the literature mentions the use of injections or oral medications, which would not be within the ASBCE scope of practice. However, after further discussion it was determined that this modality does not always use injections or oral medications with treatment. Dr. Courtney motioned that the board clarifies that shockwave therapy is within the scope, but that the chiropractic physician(s) that utilize it, study the statute so that all forms of it is in compliance with Arkansas law. Mr. Gunter seconded the motion. Motion passed.

### **Orientation attendance approval request**

Dr. Kristy Davis attended the January 9, 2018 board meeting/orientation as a guest. Her transfer license application had been reviewed and approved one the same day. Since she had not been asked to attend the orientation by the board, yet, she attended as a guest in hopes that would fulfill her attendance requirement. Dr. Davis requests that her attendance in January would be accepted as her orientation requirement. The director did confirm her attendance on January 9, 2018. Dr. Taylor motioned to approve the request. Motion seconded by Dr. Holt. Motion passed.

### **Duplicate License request**

Dr. Lauren Newton Morter submitted a request to have a new wall license printed with her married name. Dr. Heard motioned that anyone seeking a name change should provide government identification such as a marriage license or divorce decree, and if any requests similar to this are received in the future, that the

director may process them without preapproval from the board. Dr. Holt seconded the motion. Motion passed.

### **Externship Application**

Ms. Tracy Tedford has requested to participate in the externship program with Dr. Amanda Bledsoe as her preceptor. Ms. Tedford lacks part IV of national boards, and will not be able to take it until November, which is her reason for the externship application. Dr. Taylor motioned to approve the application. Dr. Holt seconded the motion. Motion passed.

## **Credentials Review**

### **Transfer License requests**

**Timothy Goulart** has submitted a completed transfer license application. He meets all requirements for a transfer license. However, he does not have NBCE Part III or IV due to the fact they were not created until after he graduated. He does have board actions in Oregon. Dr. Courtney motioned to accept the application. Mr. McCoy seconded the motion. Motion passed.

**John Noblin** has submitted a completed transfer license application. He meets all requirements for a transfer license. Dr. Heard motioned to accept the application. Dr. Courtney seconded the motion. Motion passed.

**Breanna Batey** has submitted a completed transfer license application. She meets all requirements for a transfer license. Mr. Gunter motioned to accept the application. Mr. McCoy seconded the motion. Motion passed.

**Charles Spencer** has submitted a completed transfer license application. He meets all requirements for a transfer license. He does have a board action in Tennessee. Dr. Holt motioned to accept the application. Dr. Heard seconded the motion. Motion passed.

**Brad Veal** has submitted a transfer license application. He does not have NBCE Part IV as he said it was not required at the time of his graduation. Dr. Courtney motioned to decline the application due to not have Part IV or SPEC. Mr. McCoy seconded the motion. Motion passed.

**Travis Sellers** has submitted a completed transfer license application. He meets all requirements for a transfer license. Dr. Heard motioned to accept the application. Dr. Courtney seconded the motion. Motion passed.

**Richard Cheshier** has submitted a completed transfer license application. He meets all requirements for a transfer license. Dr. Holt motioned to accept the application. Mr. Gunter seconded the motion. Motion passed.

### **Original License requests**

**Ryan Carlson** has submitted a completed original license application. He meets all requirements for licensure. Dr. Holt motioned to accept the application. Mr. McCoy seconded the motion. Motion passed.

**Leslie Aaron Jackson** has submitted a completed original license application as well as a supervised temporary license request. He meets all requirements for a licensure. Dr. Holt motioned to accept the application and supervised temporary license. Mr. McCoy seconded the motion. Motion was amended to

include that Dr. Wulf's CIN-BAD check is clean and that he has no other temporary license holders under his supervision. Motion with amendment passed.

**Amanda Stewart** has submitted a completed original license application. She meets all requirements for licensure. Dr. Moore motioned to accept the application. Mr. Gunter seconded the motion. Motion passed.

**Tyler Collins** has submitted a license application prior to his graduation in October. Pending items are his final chiropractic transcript, copy of diploma, and results of his National Boards. The applicant requests approval to attend the upcoming orientation, as he will be graduating three months before the next orientation. He meets all other requirements of a new applicant. Dr. Courtney motioned that the application is incomplete and that it is denied until completed. Motion seconded by Mr. McCoy. Motion passed.

**Samuel Sawyer** has submitted a license application prior to his graduation in August. Pending items are his final chiropractic transcript, copy of diploma, and results of his National Boards III and IV. He meets all other requirements of a new applicant. Dr. Courtney motioned that the application is incomplete and that it be denied pending completion, maybe he can apply for the externship. Motion seconded by Dr. Holt. Motion passed.

**Anthony Le** has submitted a license application prior to his NBCE scores being released in October. Pending items are the results of all National Boards. The applicant requests approval to attend the upcoming orientation, as he will receive his scores prior to the January orientation. He meets all other requirements of a new applicant. Dr. Courtney motioned that the application is incomplete and that it is denied until completed. Motion seconded by Dr. Holt. Motion passed.

## **Investigative Committee Report**

### **Complaint Recommendations**

Complaints dismissed for lack of evidence to prove violation:  
644-08-31-16, 651-10-06-16, 677-06-26-17

Complaints dismissed for lack of violation:  
685-12-11-17

Complaints recommended for Hearing  
684-11-27-17

All other complaints are pending or under further investigation/review.

Dr. Courtney motioned that the board follow the recommendations of the investigative committee with dismissing items (1) 644-08-31-16, (2) 651-10-06-16, (11) 677-06-26-17, (16) 685-12-11-17 and that there be a hearing on item (15) 684-11-27-17. Motioned seconded by Dr. Moore. Motion passed.

Hearing will be noticed to coincide with the October meeting.

## **ADJOURN**

Mr. McCoy moved to adjourn. Mr. Gunter seconded the motion. The motion passed unanimously. The Board adjourned at 9:37 a.m.

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*Board minutes approved: **July 19, 2018***