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**DEPARTMENT OF HEALTH
MEDICAL QUALITY ASSURANCE
BOARD OF CHIROPRACTIC MEDICINE**

**MINUTES
GENERAL BUSINESS MEETING**

**Florida Hotel and Conference Center
1500 Sand Lake Road
Orlando, Florida 32809**

November 2, 2012

14 Agenda items are subject to being taken up at anytime during the meeting. Participants in this
15 public meeting should be aware that these proceedings are being recorded and that an audio file
16 of the meeting will be posted to the board's website.

17
18 **CALL TO ORDER:**

19 Dr. Michael Mathesie, Chairman, called the meeting to order at 8:10 a.m. Those present for all or
20 part of the meeting included the following:

21
22 **BOARD MEMBERS:**

23 Michael Mathesie, D.C., Chair
24 Debra Hoffman, D.C., Vice-Chair
25 Kevin Fogarty, D.C.
26 Ms. Linda Reynolds
27 Michael Shreeve, D.C.
28 Ron Wellikoff, D.C.

29
30 **BOARD STAFF:**

31 Bruce Deterding, Board Executive Director
32 Sharon Guilford, Program Operations Administrator

33
34 **BOARD COUNSEL:**

35 Deborah Loucks, Assistant Attorney General
36 Office of Attorney General

37
38 **PROSECUTING ATTORNEY:**

39 Tari Rossitto-Van Winkle, Assistant General Counsel

40
41 **COURT REPORTING SERVICES:**

42 American Court Reporting
43 (407) 896-1813

44
45 **APPROVAL OF MINUTES – August 24, 2012 Full Board Meeting**

46
47 **Dr. Fogarty moved to approve the above minutes as presented. The motion was seconded**
48 **and carried 6/0.**

49
50 **FINAL ORDER ACTIONS:**

1 **Motions for Final Order by Settlement Agreement:**

2
3 **John W. Jennings, D.C. – Case Number 11-15689**
4 **PCP: Jenkins/Reynolds**

5
6 Dr. Jennings was present, sworn and was represented by Mr. Kenneth A. Scaz, Esq.

7
8 Ms. Rossitto-Van Winkle informed the board that the respondent had violated:

- 9
10
11
12
13
- Section 460.413(1)(j), F.S.
 - Section 460.413(1)(k), F.S.
 - Section 460.413(1)(r), F.S.
 - Sections 460.413(1)(m), and 460.413(1)(ff), F.S.

14 Ms. Rossitto-Van Winkle advised the board that the settlement agreement contained the
15 following provisions:

- 16
17
18
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20
21
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23
24
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28
29
- letter of concern
 - administrative fine of \$5,000, payable in two (2) years in twenty-four (24) monthly installments
 - administrative costs of \$3,078.83, payable in two (2) years in twenty-four (24) monthly installments
 - completion of six (6) hours continuing education in the areas of record keeping, documentation and coding within one (1) year
 - completion of the National Ethics and Boundaries Examination within one (1) year
 - completion of the Florida Chiropractic Laws and Rules Examination within one (1) year
 - forever prohibited from performing, billing for, or in any way participating in, insurance company driven Independent Medical Examinations, Personal Injury Medical Examinations, Personal Injury Protection Medical Examinations or any other medical examination

30 Mr. Scaz addressed the board on behalf of Dr. Jennings. Dr. Jennings also addressed the board.

31
32 Discussion ensued.

33
34 **Dr. Wellikoff moved to accept the settlement agreement with the amendment of dismissing**
35 **count three (3). The motion was seconded and carried 4/1 with Dr. Shreeve opposed.**

36
37 **Marc A. Rachbind, D.C. – Case Number 10-16467**
38 **PCP: Harding/Hoffman**

39
40 Ms. Rossitto-Van Winkle stated the case had been pulled from the agenda.

41
42 **Lewis G. Singer, D.C. – Case Number 11-20496**
43 **PCP: Jenkins/Reynolds**

44
45 Dr. Singer was present, sworn and was represented by Mr. Edward Bayo, Esq.

46
47 Ms. Rossitto-Van Winkle informed the board that the respondent had violated:

- 48
49
50
- Sections 460.413(1)(m), 460.413(1)(ff), F.S. and/or Rule 64B2-17.0065, F.A.C.
 - Section 460.413(1)(r), F.S.

1 Ms. Rossitto-Van Winkle advised the board that the settlement agreement contained the
2 following provisions:

- 3 • reprimand
- 4 • administrative fine of \$7,500, payable in two (2) years in twenty-four (24) monthly
5 installments
- 6 • administrative costs of \$3,082.71, payable in two (2) years in twenty-four (24) monthly
7 installments
- 8 • dismissing count two (2)
- 9 • completion of six (6) hours continuing education in the areas of record keeping,
10 documentation and coding within one (1) year
- 11 • completion of three (3) hours in risk management and two (2) hours in laws and rules
- 12 • probation for a period of two (2) years
- 13 • imposed monitoring as defined in the Final Order
- 14 • monitor shall submit reports as defined in the Final Order
- 15 • tolling provision applies
- 16 • attend two (2) chiropractic board meetings within two (2) years
- 17 • submit affidavit
- 18 • completion of the National Ethics and Boundaries Examination within one (1) year
- 19 • after successfully completing one (1) year of probation respondent may request for early
20 termination

21
22 Mr. Bayo addressed the board on behalf of Dr. Singer. Dr. Singer also addressed the board.

23
24 Discussion ensued.

25
26 Due to the circumstances surrounding the case, the board agreed to dismiss the case.

27
28 If granted Mr. Bayo stated that he would waive attorney fees.

29
30 **Dr. Shreeve moved to reject the settlement agreement. The motion was seconded and**
31 **carried 5/0.**

32
33 **Dr. Fogarty moved to dismiss the case with no further actions. The motion was seconded**
34 **and carried 5/0.**

35
36 **Eric J. Springer, D.C. – Case Number 10-12261**
37 **PCP: Harding/Hoffman**

38
39 Dr. Springer was present, sworn and was represented by Mr. Kenneth A. Scaz, Esq.

40
41 Ms. Rossitto-Van Winkle informed the board that the respondent had violated:

- 42 • Sections 460.413(1)(m), 460.413(1)(ff), F.S. and/or Rule 64B2-17.0065, F.A.C.
- 43 • Section 460.413(1)(r), F.S.

44
45 Ms. Rossitto-Van Winkle advised the board that the settlement agreement contained the
46 following provisions:

- 47 • reprimand
- 48 • administrative fine of \$5,000, payable in two (2) years in twenty-four (24) monthly
49 installments

- 1 • administrative costs of \$3,549.12, payable in two (2) years in twenty-four (24) monthly
- 2 installments
- 3 • dismissed count two (2)
- 4 • completion of six (6) hours continuing education in the areas of record keeping,
- 5 documentation and coding within one (1) year
- 6 • completion of three (3) hours in risk management and two (2) hours in laws and rules
- 7 • completion of three (3) hours in medical errors
- 8 • probation for a period of one (1) year
- 9 • imposed monitoring as defined in the Final Order
- 10 • monitor shall submit reports as defined in the Final Order
- 11 • appearance before respondent is scheduled for termination of probation
- 12 • tolling provision applies

13
14 Mr. Scaz addressed the board on behalf of Dr. Springer. Dr. Springer also addressed the board.

15
16 Discussion ensued.

17
18 **Dr. Mathesie moved to accept the settlement agreement. The motion was seconded and**

19 **carried 3/2 with Dr. Wellikoff and Shreeve opposed.**

20
21 **Motion for Final Order Accepting Voluntary Relinquishment of License:**

22
23 **Charles R. Bame, D.C. – Case Number 12-13135**

24 **PCP: Waived**

25
26 Dr. Bame was neither present nor represented by counsel.

27
28 Ms. Rossitto-Van Winkle stated that the respondent had agreed to voluntarily relinquish his

29 license.

30
31 Discussion ensued.

32
33 **Dr. Fogarty moved to accept the voluntary relinquishment. The motion was seconded and**

34 **carried 6/0.**

35
36 **Motions for Determination of Waiver and Final Order by Hearing not Involving Disputed**

37 **Issues of Material Fact:**

38
39 **Ronald Lutchman, D.C. – Case Number 12-01684**

40 **PCP: Harding/Hoffman**

41
42 Dr. Lutchman was neither present nor represented by counsel.

43
44 Ms. Rossitto-Van Winkle informed the board that the respondent had violated:

- 45 • Sections 456.072(1)(q), 456.001(4), F.S.

46
47 **Dr. Wellikoff moved to accept the investigative report and all case materials including all**

48 **confidential and addendum materials, if any, into evidence in these proceedings. The**

49 **motion was seconded and carried 5/0.**

1 **Dr. Wellikoff moved that the respondent was properly served and had failed to respond.**
2 **The motion was seconded and carried 5/0.**

3
4 **Ms. Reynolds moved to adopt the findings of fact into evidence and conclusions of law and**
5 **find that the respondent was in violation as alleged in the administrative complaint. The**
6 **motion was seconded and carried 5/0.**

7
8 **Ms. Reynolds moved that the violation constituted a violation of the practice act. The**
9 **motion was seconded and carried 5/0.**

10
11 Ms. Rossitto-Van Winkle recommended the following penalty:

- 12 • reprimand
- 13 • indefinite suspension until payment of previous Final Order #2011-14145 and appearance
- 14 before the board
- 15 • attendance at a board meeting
- 16 • board to retain jurisdiction

17
18 Discussion ensued.

19
20 **Dr. Wellikoff moved to accept the department's recommendation and to include an**
21 **administrative fine of \$7,500. The motion was seconded and carried 4/1 with Dr. Mathesie**
22 **opposed.**

23
24 Discussion ensued.

25
26 **Ms. Reynolds moved to assess costs in the amount of \$246.44, payable prior to the lifting of**
27 **the indefinite suspension. The motion was seconded and carried 5/0.**

28
29 **Rafael E. Urena, D.C. – Case Number 12-02242**
30 **PCP: Harding/Hoffman**

31
32 Dr. Urena was neither present nor represented by counsel.

33
34 Ms. Rossitto-Van Winkle informed the board that the respondent had violated:

- 35 • Sections 460.413(1)(ff), and 456.072(1)(q), F.S.

36
37 **Ms. Reynolds moved to accept the investigative report and all case materials including all**
38 **confidential and addendum materials, if any, into evidence in these proceedings. The**
39 **motion was seconded and carried 5/0.**

40
41 **Ms. Reynolds moved that the respondent was properly served. The motion was seconded**
42 **and carried 5/0.**

43
44 **Ms. Reynolds moved to adopt the findings of fact into evidence as alleged in the**
45 **administrative complaint and conclusions of law and find that the respondent was in**
46 **violation as alleged in the administrative complaint. The motion was seconded and carried**
47 **5/0.**

48
49 **Ms. Reynolds moved that the violation constitutes a violation of the chiropractic practice**
50 **act. The motion was seconded and carried 5/0.**

1
2 Ms. Rossitto-Van Winkle recommended the following penalty:

- 3 • indefinite suspension of license until the respondent receives an evaluation from the
- 4 Professionals Resource Network (PRN)
- 5 • reprimand
- 6 • Suspension may be lifted upon proof of completing a PRN evaluation
- 7 • That he have a signed PRN contract if recommended by PRN
- 8 • That he appear before the board with a PRN representative if PRN contract is required
- 9 and PRN says that he is compliant with their contract and is safe to practice
- 10 • board to retain jurisdiction to impose additional penalties

11
12 Discussion ensued.

13
14 Dr. Wellikoff stated that he requested the department not to use ethnic or religious publications
15 for noticing respondents in the future, no matter how large their circulation.

16
17 **Dr. Wellikoff moved to accept the department's recommendation. The motion was seconded**
18 **and carried 4/1 with Ms. Reynolds opposed.**

19
20 Discussion ensued.

21
22 **Dr. Fogarty moved to assess costs in the amount of \$3,341.95, payable prior to the**
23 **reinstatement of the respondent's license. The motion was seconded and carried 5/0.**

24 25 **Prosecution Report**

26
27 Ms. Rossitto-Van Winkle provided an overview of the prosecution report.

28
29 **Ms. Reynolds moved to continue putting special emphasis on prosecuting the older cases**
30 **(one year and over) and to accept the prosecution report. The motion was seconded and**
31 **carried 6/0.**

32 33 **APPLICANTS PRESENTED FOR BOARD REVIEW:**

34 35 **Garth B. Ahner, D.C.**

36
37 Dr. Ahner was present, sworn but was not represented by counsel.

38
39 Ms. Loucks provided an overview of the application. She indicated that the applicant had
40 answered "yes" to the disciplinary history question and had received additional information.

41
42 Dr. Ahner was not present nor represented by counsel at the board meeting.

43
44 Discussion ensued.

45
46 **Dr. Hoffman moved to approve Dr. Ahner's application for licensure upon passing the**
47 **Florida Jurisprudence examination. The motion was seconded and carried 6/0.**

48 49 **Angeline Albert, R.C.A.**

1 Ms. Albert was not present and was not represented by counsel at the board meeting.

2
3 Ms. Loucks provided an overview of the application. She indicated that the applicant had
4 answered “yes” to question 3a and had received additional information.

5
6 Discussion ensued.

7
8 **Ms. Reynolds moved to deny Ms. Albert’s application for licensure as a Registered**
9 **Chiropractic Assistant due to the criminal information. Dr. Hoffman requested that board**
10 **staff notify the chiropractor of the board’s actions. The motion was seconded and carried**
11 **6/0.**

12
13 **Carrissa M. Creider, R.C.A.**

14
15 Ms. Creider was not present and was not represented by counsel at the board meeting.

16
17 Ms. Loucks provided an overview of the application. She indicated that the applicant had
18 answered “yes” to question 2 and had received additional information.

19
20 Discussion ensued.

21
22 **Dr. Wellikoff moved to approve Ms. Creider’s application for licensure as a Registered**
23 **Chiropractic Assistant. The motion was seconded and carried 6/0.**

24
25 **RATIFICATION OF LICENSURE:**

26
27 **Chiropractic Physicians**
28 **(Austin Glennon, CH 10704 – Caroline Louise Carpenter, CH 10757)**

29
30 **Dr. Wellikoff moved to approve the ratification list. The motion was seconded and carried**
31 **6/0.**

32
33 **Certified Chiropractic Physician Assistants**
34 **(Kyle Bryan Jennings, CI 716 – Shirla Warren, CI 722)**

35
36 **Dr. Wellikoff moved to approve the ratification list. The motion was seconded and carried**
37 **6/0.**

38
39 **Registered Chiropractic Assistants**
40 **(Eurydice James, RCA 10290 – Sheri Lynn Bronson, RCA 10604)**

41
42 **Ms. Reynolds moved to approve the ratification list. The motion was seconded and carried**
43 **6/0.**

44
45 **UPDATE ON FCLB’S 2012 DISTRICT REGIONAL MEETING – Drs. Fogarty/Hoffman**

46
47 Dr. Hoffman provided a brief overview of the meeting and stated that the document was for
48 information only.

49
50 **Dr. Mathesie moved to grant Drs. Fogarty, Hoffman and Mr. Deterding, Executive Director**
51 **to attend the FCLB meeting. The motion was seconded and carried 6/0.**

1
2 **CCE ACCREDITATION ACTIONS**
3

4 Dr. Ray Bennett with the CCE Accreditation submitted an email to the board of the August 16,
5 2012 Accreditation Action Announcement in the notification of CCE Accrediting decisions. For
6 information only.

7
8 **Reaffirmation of Accreditation (8-Year Cycle)**

- 9
 - University of Western States, Portland, OR

10
11 **Interim Site Visit (Midway thru 8-Year Cycle)**

- 12
 - none

13
14 **2-Year Program Characteristics Report**

- 15
 - Logan College of Chiropractic – Chesterfield, MO
 - University of Bridgeport – Bridgeport, CT
 - University of Western States – Portland, OR

16
17
18
19 **DISCUSSION OF ALLIED HEALTH INSTITUTE**
20

21 Dr. Danita Thomas Heagy, was present and provided an overview of her findings.

22
23 The board discussed Rule 64B2-18.002(5), F.A.C., and stated the language had not been modified
24 since the authorizing statute had been changed.

25
26 **Dr. Mathesie moved to file a Notice for Rule Development on Rule 64B2-18.002(5), F.A.C.,**
27 **and to have the board attorney present drafted language at the next meeting to match the**
28 **statutory requirements. The motion was seconded and passed 6/0.**
29

30 The board asked whether a final examination was being administered by the program for the
31 students.

32
33 Dr. Heagy stated they did.

34
35 Dr. Heagy stated that the program did not mention venipuncture but is required by Rule 64B2-
36 18.003(3), F.A.C.

- 37
38
 - Train in venipuncture therapy
 - Clinical and didactic training in a classroom setting
 - Practical/clinical training

39
40
41
42 Dr. Heagy stated that she would recommend approval of the program contingent on the board
43 requiring certain specific changes to the program:

- 44
45
 - 75% passing cumulative comprehensive proficiency exam on completion of the program
 - Venipuncture education
 - Psychomotor skills be demonstrated and taught during the clinical rotation
 - CVs to be submitted for all instructors and approved by the board
 - Training Program Chairman's approval upon completion

1 **Dr. Mathesie moved to approve the program with the above noted corrections and**
2 **approved by the Dr. Shreeve, Chair Training Program. The motion was seconded and**
3 **carried 6/0.**

4
5 **CHAIR/VICE-CHAIR REPORT**

6
7 No report.

8
9 **EXECUTIVE DIRECTOR'S REPORT:**

10
11 **NBCE Ethics and Boundaries Essay Examination**

12
13 Mr. Deterding provided an overview of the document received from NBCE regarding the Ethics
14 and Boundaries Essay Examination.

15
16 Information only.

17
18 **BOARD COUNSEL'S REPORT:**

19
20 **Rules Stats**

21
22 Ms. Loucks provided an overview of the Rules Status Report.

23
24 **COMMITTEE REPORTS:**

25
26 **Budget – Ms. Reynolds**

27
28 **MQA Annual Report FY 11-12 (Revenues, Expenditures, Cash**
29 **Balance, 6 Year Cash Balance, Adequacy of Fees and 6 Year**
30 **Projections of Revenues and Expenditures)**

31
32 Ms. Reynolds provided an overview of the budget reports.

33
34 **Continuing Education – Dr. Wellikoff**

35
36 **CE Provider and Courses Approved by CE Chair**

37
38 **Dr. Wellikoff moved to approve the ratification list as presented. The motion was seconded**
39 **and carried 6/0.**

40
41 **DISCUSSION OF PROVIDERS AND APPROVED CONTINUING EDUCATION (PACE)**
42 **– Dr. Hoffman**

43
44 Information only.

45
46 **Continuing Education – Dr. Wellikoff**

47
48 **Life University – Board Review:**

- 49
50
 - **Enhancing Patient Care and Professional Integration through Strategic**
51 **Planning**

1
2 Discussion ensued.

3
4 **Dr. Wellikoff moved to approve the program for 10 hours with the exception of The**
5 **Vitalistic Financial Philosophy, Money Tips and Prosperity Equation, for failure to meet**
6 **the educational program requirements. The motion was seconded and carried 6/0.**

- 7
8
 - **Torque Release Technique**

9
10 Discussion ensued.

11
12 **Dr. Wellikoff moved to approve the program for two (2) hours with the exception of the**
13 **remaining 13 hours, for failure to meet the educational program requirements. The motion**
14 **was seconded and carried 6/0.**

15
16 **Palmer College of Chiropractic – Board Review:**

- 17
18
 - **The Secrets of Scapula Dynamics Revealed in Sports Injuries and Rehab of the**
19 **Shoulder**

20
21 This course was submitted for approval after the course was offered.

22
23 Discussion ensued.

24
25 **Dr. Shreeve moved to approve the course but will not be granted in the future. The motion**
26 **was seconded and carried 6/0.**

27
28 **Parker University – Board Review:**

- 29
 - **Parker Seminars Chicago 2012**

30 **University of Western States – Board Review**
31
 - **ACASC Sports Council Symposium Making Clinical Excellence**

32
33 **Dr. Mathesie moved to approve and delegate Dr. Wellikoff, Continuing Education Chair,**
34 **the approval of continuing education programs if the content is acceptable and to ensure**
35 **the submission was within 60 days after offering. The motion was seconded and carried 6/0.**

36
37 **University of Miami, School of Medicine – Board Review**

- 38
 - **An Introduction to Aromatherapy**

39
40 Discussion ensued.

41
42 **Dr. Shreeve moved to deny the above course for failure to meet the continuing education**
43 **criteria of chiropractic medicine. The motion was seconded and carried 6/0.**

44
45 **CCPA – Dr. Shreeve**

46
47 **Delineating the protocols of the CCPA and Supervising Physician**

48
49 Mr. Paul Lambert, with the FCA was present and addressed the board.

1 Mr. Lambert stated that the association will work on proposed legislative language in Section
2 460.4165, F.S., to allow the board to establish protocols to define CCPA duties and
3 responsibilities.
4

5 It was noted that most DOAH cases are dismissing regarding the PIP cases where a CCPA and
6 RCA have seen patients through the billing process but not in actuality.
7

8 Mr. Deterding requested if Mr. Lambert was still proceeding with modifying the RCA language
9 by statute to require licensure. Also, he wanted to know if the board was still interested in
10 requiring licensure in this state.
11

12 Mr. Lambert stated that the association was not moving forward with these changes due to the
13 past couple of years the legislature had determined this modification would require new licensure
14 requirements.
15

16 **Credentials – Dr. Wellikoff**

17

18 No report.
19

20 **Disciplinary Compliance – Dr. Mathesie**

21

22 **Leonard J. Kronen, D.C. – Case Number 05-69017 – Request for extension of fines 23 and costs**

24

25 Dr. Kronen was present, sworn and was represented by Mr. Michael Lowe, Esq.
26

27 Mr. Lowe addressed the board on behalf of Dr. Kronen.
28

29 Discussion issued.
30

31 Mr. Lowe stated that his client would like to pay \$1,000 per quarter for a period of two years then
32 come back before the board.
33

34 **Ms. Reynolds moved to accept the extension in payment of the administrative fines and
35 costs to eight years, monthly payment for the first four years of \$400.00, and then equal
36 payments for the remaining four years. Also, granting an extension to take the National
37 Ethics and Boundaries examination until June 30, 2013. The motion was seconded and
38 carried 6/0.**
39

40 **Dennis C. Nobbe, D.C. – Case Number 09-01007 – Appearance Required**

41

42 Dr. Nobbe was present, sworn and addressed the board.
43

44 Dr. Nobbe stated that he was delayed in taking the National Ethics and Boundaries examination.
45

46 Ms. Latisha Footman, Consumer Service Compliance Officer, had indicated that she had received
47 the appropriate documentation for Dr. Nobbe to take the National Ethics and Boundaries
48 examination.
49

50 No action necessary.

1
2 **Guidelines when monitoring a chiropractor for the Florida Board of Chiropractic Medicine**
3

4 Dr. Mathesie provided an overview of the guidelines when monitoring a chiropractor for the
5 board. He stated that he believed the monitor should be able to go into the patient examination
6 room to monitor the licensee's interaction with the patient.
7

8 Dr. Wellikoff indicated that this should not be a requirement of the monitor but only to use this
9 type of monitoring when warranted and to include the specific guidelines of what the board
10 expected of the monitor in the Final Order.
11

12 After a lengthy discussion the board agreed on the amended language. Dr. Mathesie will forward
13 the language, as amended, to the board office.
14

15 Once Ms. Loucks receives and reviews the document, she will forward to all board members by
16 email.
17

18 **Examination – Dr. Hoffman**
19

20 Dr. Mathesie stated that he will be attending the next examination. No additional information
21 given.
22

23 **Legislation – Dr. Fogarty and Ms. Reynolds**
24

25 No report.
26

27 Mr. Lambert stated that he asked Ms. Lucy Gee, MQA Division Director, whether the statutory
28 profiling language needed to be modified to allow practitioners to include facebook, tweeter, etc.
29 in their profiles She has not responded at this time.
30

31 **Probable Cause – Ms. Reynolds/Dr. Fogarty/Dr. Hoffman**
32

33 **Stats**
34

35 Information only.
36

37 **Rules – Dr. Fogarty**
38

39 **Information from Amie H. Rice, J.D., Investigation Manager, Consumer Services Unit –**
40 **Discussion of Rules**
41

42 Ms. Loucks provided an overview of document from Ms. Rice.
43

44 **64B2-16.010, F.A.C. – Mediation**

45 **64B2-16.011, F.A.C. – Notice of Noncompliance**

46 **64B2-16.0075, F.A.C. – Citations**
47

48 The board did not want to make any changes to the above rules.
49

50 **Continuing Education – Dr. Wellikoff (continued)**
51

1 Dr. Wellikoff stated that he would like the board to delegate him to attend the meeting of the
2 Florida Chiropractic Physicians Association courses that he had previously attended in order to
3 determine if they were following proper procedures to ensure participation in CE courses.

4
5 Discussion ensued.

6
7 **Dr. Shreeve moved to delegate to Dr. Wellikoff to attend the February 2013 courses offered**
8 **by the FCPA and evaluate the programs. The motion was seconded and carried 6/0.**

9
10 **Discussion of Proposed Rule – Requirements for Performing EMG**

11
12 **64B2-17.0026 Standard of Practice for Electrodiagnosis.**

13 (1) Any chiropractic physician who in his or her practice uses electrodiagnosis must have acquired the
14 competence to perform said service, procedure, or treatment through appropriate education and/or training.

15 (a) Prior to any chiropractic physician engaging in the use of electrodiagnosis, he or she must have
16 completed a minimum of 300 hours of classroom instruction in electrodiagnostic or neurological training
17 through an accredited program and successfully complete a written and practical examination upon
18 completion.

19 (b) A chiropractic physician who holds diplomate status in chiropractic neurology overseen and certified by
20 the International Chiropractic Association (ICA) or the American Chiropractic Association (ACA) may
21 perform electrodiagnosis with no further educational or testing requirement.

22 (2) Any chiropractic physician that performs electrodiagnosis without meeting the requirements of this rule
23 may be subject to disciplinary action pursuant to Section 460.413(1)(t), Florida Statutes.

24
25 The board directed staff to research and agenda all discussions regarding EMG.

26
27 Mr. Deterding stated that he would email out all the previous agendaed material on this subject to
28 each board member. He also agreed to collect any revisions offered by board members to the
29 proposed rule so that the board could review them at the January meeting and determine which
30 was the most appropriate one to use or modify for rulemaking.

31
32 **Unlicensed Activity:**

33
34 No report.

35
36 **ELECTIONS OF OFFICERS**

37
38 **Dr. Mathesie moved to nominate Dr. Hoffman, as chair. The motion was seconded and**
39 **carried 6/0.**

40
41 **Dr. Mathesie moved to nominate Dr. Fogarty, as vice-chair. The motion was seconded and**
42 **carried 6/0.**

43
44 **NEXT MEETING DATE – January 18th - Orlando**

45
46 **ADJOURNMENT:**

47
48 The meeting was adjourned at 2:45 p.m.