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**FLORIDA** | Board of Chiropractic Medicine  
Legislative Task Force

DRAFT MINUTES  
July 2, 2015

Teleconference  
Department of Health  
4042 Bald Cypress Way  
Tallahassee, FL 32399-3257



Danita Heagy, D.C.  
**Chair**

David Colter  
**Vice-Chair**

Anthony B. Spivey, DBA  
**Executive Director**

1 **General Board Business started: 12:33 p.m.**

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3 I. The meeting was called to order by Dr. Heagy, Chair. Those present for all or part of the meeting included the following:

4  
5 **MEMBERS PRESENT:**

6 Danita Heagy, D.C., Chair  
7 David Colter

8  
9 **STAFF PRESENT:**

10 Anthony B. Spivey, DBA, Executive Director  
11 Joseph Lesho, Program Operations Administrator

12  
13 **BOARD COUNSEL:**

14 Deborah Loucks, Assistant Attorney General  
15 Office of Attorney General

16  
17 **OTHERS PRESENT:**

18 Sal LaRusso, D.C.  
19 National Board of Chiropractic Examiners

20 Paul Lambert, Esq.  
21 General Counsel, Florida Chiropractic Association

22 Kim Driggers, Esq.  
23 Assistant General Counsel, Florida Chiropractic Association

24 Gerry Clum, D.C., FICA

25 *Please note the minutes reflect the actual order agenda items were discussed and may differ from the agenda outline. AUDIO from this*  
26 *meeting can be found online: <http://floridaschiropracticmedicine.gov/meeting-information/past-meetings>*

27  
28 **Section II began: 12:34 p.m.**

29  
30 **II. CHAPTER 460 REVISIONS:**

31  
32 Dr. Heagy began the meeting by introducing s. 460.406(6), F.S., as the first discussion item. Specifically, she asked the task  
33 force to discuss and define “international equivalent.”

34  
35 Mr. Lambert discussed the possibility of utilizing the Council of Chiropractic Education International (CCEI), but pointed out  
36 that it may present a problem in Great Britain and in other countries that aren’t affiliated with an agency recognized by CCEI.

37  
38 Dr. Clum pointed out that CCEI is not an accrediting agency; rather, they are a trade organization that determines whether or  
39 not the requirements of other agencies (CCE U.S., CCE Canada, etc.) are equivalent to one another.

40  
41 After additional discussion, Dr. Clum stated that he believes the only necessary change to the proposed language would be to  
42 remove the word “accrediting” from the phrase “additional accrediting agencies” because accreditation is a concept that is  
43 primarily used only in North American, and does not apply to most foreign countries.

44  
45 Dr. Heagy asked how the curriculums of different chiropractic schools or colleges could be determined equivalent. Dr. Clum  
46 explained that determining the equivalency of curriculums would be problematic because of the different requirements in  
47 each country, and pointed out that the requirements can even differ greatly from state to state.

48  
49 Dr. Clum suggested that if an applicant has graduated from a chiropractic school or college in their country of origin whose  
50 curriculum has been deemed sufficient by the regulatory body in that country, and subsequently passes the NBCE  
51 examination, then the board could accept that and deem the applicant competent to practice. Drs. Heagy and LaRusso, as well  
52 as Mr. Colter all agreed.

53  
54 Dr. Heagy then asked Dr. Clum for his opinion on the proposed language for foreign graduate licensure requirements. Dr.  
55 Clum pointed out that only the U.S. and Canada offer a Doctor of Chiropractic (D.C.) degree, and that the degree issued in  
56 order to practice chiropractic in other countries varies from country to country. He advised against specifically requiring a  
57 D.C. degree for foreign applicants. He then recommended that the undergraduate education and professional education  
58 requirements be reviewed to provide more specific clarification.

1 Mr. Lambert asked Ms. Loucks if the language granting the board rulemaking authority needs to be reviewed. Ms. Loucks  
2 explained that language granting the authority needs to be as specific as possible. Mr. Lambert then recommended that any  
3 amendments to the draft language be subject to the review and approval of Ms. Loucks.  
4

5 Dr. Heagy then moved the discussion to the topic of licensure by endorsement. She reminded the task force that at the June 5,  
6 2015 Legislative Committee meeting, the committee had decided to make the active practice requirement for endorsement  
7 eligibility 5 years, and also removed the SPEC examination requirement from the proposed language.  
8

9 Dr. Clum expressed concern about the pre-professional education requirements; more specifically, he wondered about  
10 prospective applicants who were originally licensed in another jurisdiction prior during the time when a bachelor's degree  
11 was not required to attend chiropractic college. He suggested adding language to address the issue to allow those that  
12 obtained their license without a bachelor's degree to still be eligible for licensure by endorsement, as long as they meet the  
13 other requirements. Ms. Loucks reiterated that sentiment, stating that it would be problematic to require a bachelor's degree  
14 because many other states do not require one.  
15

16 Dr. Heagy stated that demonstrating safe practice for at least 5 years with no discipline should be sufficient to determine  
17 whether or not a chiropractor would be safe to practice in Florida, regardless of whether or not they hold a bachelor's degree.  
18

19 Dr. LaRusso expressed concern because the scope of practice for chiropractors in Florida is broad compared to other states,  
20 and he worries that chiropractors coming from other states will be allowed to perform procedures for which they have not  
21 been trained. Dr. Heagy asked Ms. Loucks if a law exists prohibiting chiropractors from practicing procedures and techniques  
22 for which they have not been trained. Ms. Loucks confirmed that such a law exists, but the disciplinary process can only be  
23 initiated after an adverse incident has occurred.  
24

25 Dr. LaRusso questioned how an applicant's competency could be assessed when it comes to performing procedures that their  
26 license in another jurisdiction did not allow. Dr. Heagy responded by questioning how the competency is assessed for current  
27 Florida licensees. She then asked Dr. LaRusso if he had any solution in mind to address the issue, and he suggested that  
28 applicants for licensure by endorsement be required to take additional examinations and/or training courses. Dr. Clum argued  
29 that requiring additional examinations or training would be inconsistent since it is not required of current licensees.  
30

31 Ms. Loucks advised that the task force consider the issue from the perspective of which Florida requirements they would  
32 accept from other states that they would not make an applicant have to meet upon applying in Florida.  
33

34 Mr. Colter opined that additional requirements should not be made for individuals who have safely practiced in another  
35 jurisdiction for a prolonged period of time. He stated that the task force should trust that the other states are doing their jobs  
36 diligently and accept their decisions in protecting the public.  
37

38 Dr. Heagy asked Mr. Lesho to assist with crafting language that captures everything discussed during the meeting to be  
39 presented to the full board at its next meeting.  
40

41 Mr. Lambert explained that the Florida Chiropractic Association (FCA) has not taken a position on the issue of licensure by  
42 endorsement, but that he will present the draft language to the FCA board at its next meeting.  
43

44 Ms. Driggers reiterated the previous concerns over licensees by endorsement coming to Florida and performing procedures  
45 for which they have not been trained. Additional discussion ensued regarding the issue.  
46

47 Ms. Driggers then asked how the changes discussed during the meeting would affect malpractice carriers, and wondered if  
48 they have been contacted to see if they have any standards that should be considered. Dr. Heagy stated that she could look  
49 into it. Dr. LaRusso stated that he believes the malpractice carriers insure licensees based on the licensure requirements of the  
50 state and that this issue shouldn't be a problem, but that he would defer to the experts.  
51

52 Dr. Heagy thanked everyone for their input and for their time, and adjourned the meeting.  
53

### 54 III. ADJOURNMENT

55 **The meeting was adjourned at 1:27 p.m.**  
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