

FLORIDA | Board of Chiropractic Medicine

DRAFT MINUTES

June 30, 2020

Department of Health
4042 Bald Cypress Way
Tallahassee, Florida 32399



Danita Heagy, D.C., *Chair*
Chris Fox, D.C., *Vice-Chair*
Anthony Spivey, DBA, *Executive Director*

The Florida Board of Chiropractic Medicine held a meeting on Tuesday, June 30, 2020, commencing at 2:00 p.m. This meeting was held at the Department of Health, 4042 Bald Cypress Way, Tallahassee, Florida, at meet me number (888) 585-9008, participant code 136-103-141, to which all persons were invited to attend. Participants in this public meeting were made aware that these proceedings were being recorded and that an audio file of the meeting will be posted to the board's website.

AGENDA

Section I began: 2:01 p.m.

1 **I. CALL TO ORDER (Roll Call):**

- 2
- 3 Danita Heagy, D.D., Chair
- 4 Julie Hunt, D.C.
- 5 Christopher Fox, D.C., ATC(L) Vice Chair
- 6 Kevin Fogarty, D.C., F.I.C.A.
- 7 Mindy Weingarten, D.C.
- 8 Paul Licata (*Not present; Board term ended*)

9 **Board Staff Present:**

- 10
- 11 Dr. Anthony Spivey, DBA, Executive Director
- 12 Gail Curry, Program Operations Administrator
- 13 Kelly Woodard, Regulatory Supervisor
- 14

15 **Board Counsel**

- 16
- 17 Lawrence Harris, Assistant Attorney General
- 18

19 **Court Reporter:**

- 20
- 21 For the Record
- 22 850-222-5491
- 23

24 **Section II began: 2:03 p.m.**

25
26 **II. PETITION FOR WAIVER/VARIANCE:**

27
28 **a. Sean K. Padgett, D.C.**

29
30 Dr. Padgett was not present, nor represented by counsel.

31
32 **Action:** Motion to allow extension of continuing education and reactivation of license
33 contingent upon verifying the doctor has no discipline on other state licenses made by
34 Dr. Fogarty. Second made by Dr. Weingarten.

35
36 **Vote:** 5 yeas/0 opposed. Motion Carried.

37
38 **Section III began: 2:13 p.m.**

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40 **III. BOARD COUNSEL:**

- 41
- 42 **a. 64B2-11.001**
- 43 **b. 64B2-12.0155**
- 44 **c. 64B2-16.007**
- 45 **d. 64B2-18.0015**
- 46

47 **Mr. Harris explained the procedure for the repeal of Registered Chiropractic**
48 **Assistants (House Bill 713) and presented the revised rules for adoption.**

49

50 **Action:** Motion to adopt rule language for rule 64B2-11.001, 2-12, 2-16, and 2-18,
51 Florida Administrative Code made by Dr. Hunt. Second made by Dr. Fox.

52

53 **Vote:** 5 yeas/0 opposed. Motion Carried.

54

55 Mr. Harris asked whether the proposed rules would have adverse impacts on small
56 business and whether regulatory costs would exceed two hundred thousand dollars
57 within one year of implementation. The board members agreed that there would not be
58 adverse impacts or excess costs.

59

60 Mr. Harris asked whether the proposed rules would have adverse impacts on small
61 business and whether regulatory costs would exceed one million dollars within five
62 years of implementation. The board agreed that there would not be adverse impacts or
63 excess costs.

64

65 Mr. Harris asked whether the proposed rules would be subject to a minor violation.
66 Minor violation means that it will not directly affect the public health, safety, or
67 welfare and is able to be resolved with citation or notice of non-compliance. The
68 board agreed that the proposed rules are not subject to minor violation.

69

70 Mr. Harris asked if there should be a sunset provision within the rule.

71

72 **Action:** Motion to state ‘No’ for all questions made by Dr. Fogarty. Second made by Dr.
73 Hunt.

74

75 **Vote:** 5 yeas/0 opposed. Motion Carried.

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77 **Section IV began: 2:21 p.m.**

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79 **IV. APPLICATIONS:**

- 80
- 81 **i. Chiropractic Initial Licensure Application**
- 82 **ii. Chiropractic Medical Faculty Certification Application**
- 83 **iii. Application for Certified Chiropractic Physician Assistant**
- 84

85 **Action:** Motion to approve the applications with corrections made by Dr. Hunt. Second
86 made by Dr. Weingarten.

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88 **Vote:** 5 yeas/0 opposed. Motion Carried.

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90 The board accepted public comments at 2:37 p.m.

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Section V began: 2:45 p.m.

V. ADJOURNMENT:

Action: Motion to adjourn the meeting at 2:45 p.m. made by Dr. Fogarty. Second made by Dr. Hunt.

Vote: 5 yeas/0 opposed. Motion Carried.

DRAFT