
Florida Board of Chiropractic Medicine

BOARD MEETING MINUTES

August 27, 2021 at 8:30 A.M. ET

The Florida Board of Chiropractic Medicine will hold a meeting Friday, August 27, 2021, commencing at 8:30 a.m. This meeting will be held at the Hyatt Regency, 9801 International Drive, Orlando, Florida 32819, to which all persons are invited to attend.



Gretchen Saunders
Chair

Jason Comerford, D.C.
Vice Chair

Christina McGinnis, MPH
Executive Director

BOARD MEMBERS

Gretchen Saunders, Chair
Jason Comerford, DC
Vice Chair
Julie Mayer Hunt, DC, FCCJP, DICCP
Walter Calvin Melton, Jr., DC
Anthony Oliverio, DC
Michael Roberts, DC
Ellen Ostman, Esquire, Consumer

BOARD STAFF

Christina McGinnis, MPH, Executive Director
Dontavia Wilson, Program Operations Administrator

BOARD COUNSEL

Lawrence Harris, Senior Assistant Attorney General

COURT REPORTER

Magnolia Court Reporting, (407) 896-1813

Recording

Participants in this public meeting should be aware that these proceedings are being recorded. An audio file of the meeting will be posted on the Florida Board of Chiropractic Medicine’s website.

Participants are asked to mute themselves upon entering the meeting to reduce background noise. Participants will be recognized by the Chair when it is their turn to speak.

Attendance and Continuing Education Credit

Pursuant to section 456.013, Florida Statute, and Rules 64B2-13.004 and 64B2-13.007, Florida Administrative Code, attendance requirements or Continuing Education credits are available at this meeting. First year chiropractors seeking attendance and chiropractors seeking continuing education credits must sign in, stay for the duration of the meeting, and sign out, as detailed in rule.

I) CALL TO ORDER

Ms. Saunders called the meeting to order at 8:35AM.

A) Roll Call

Gretchen Saunders, Chair- *Present*
Jason Comerford, DC, Vice Chair- *Present*
Julie Mayer Hunt, DC, FCCJP, DICCP- *Present*
Walter Calvin Melton, Jr., DC- *Present*
Anthony Oliverio, DC- *Present*
Michael Roberts, DC- *Present*
Ellen Ostman, Esquire, Consumer- *Present/Not present*

Christina McGinnis, MPH, Executive Director - *Present*
Dontavia Wilson, Program Operations Administrator- *Present*

Lawrence Harris, Senior Assistant Attorney General- *Present*

B) Welcome

Ms. Saunders opened with the pledge of allegiance.

II) SERVICE AWARDS

- A) Fifty Year Service Awards
- John O. Tucker, D.C

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- George S. Pierce, D.C
- B) Christopher Fox, DC- *Present*
C) Mindy Weingarten, DC- *Present*
D) Danita Heagy, DC- *Present*
E) Kevin Fogarty, DC- *Present*
F) Woody Brown, DC- *Not Present*

III) **PROFESSIONALS RESOURCE NETWORK, INC. (PRN)**

- A) **Overview Presentation by Dr. Martha Brown-** Dr. Brown provided an overview of the Professionals Resource Network (PRN) and their operations. PRN provides information to the board office for each practitioner evaluated, as requested by the board. The program contracts range from 1-5 years and are monitored during the timeframe of the contract.

IV) **PROSECUTOR REPORT**

- A) **Florida Department of Health, Bureau of Enforcement Overview-** Mr. John Wilson gave a brief overview of the different functions and operations of Prosecution Services Unit (PSU).

Ms. Marshall reviewed the prosecutors report. Currently, there are sixty-eight open cases, thirty of these cases are one-year and older. Prosecution PSU requested to continue to process the one-year and older cases.

A motion was made by Dr. Hunt to allow PSU to continue prosecuting all one-year and older cases. Dr. Melton seconded the motion. Motion passed unanimously.

V) **DISCIPLINARY PROCEEDINGS**

- A) Settlement Agreements

- 1) **Jeremy Eric Thompson, D.C., Case No.: 2019-49606.** *Not present.* Mr. Wilson presented the case. Dr. Thompson is represented by legal counsel, Johnathan Rose. Dr. Thompson is currently on suspension and has an open settlement agreement for the following;
- A required appearance at a board meeting (has been waived per the board),
 - Reprimand reimbursement costs (not to exceed \$17,500), although, the current cost is \$17,295.32,
 - Suspension of his license until he submits to a PRN facilitated evaluation and is determined safe to practice. The request is for the board to accept that Dr. Thompson isn't present and is undergoing a contract with PRN.

A motion was made by Dr. Hunt to accept the modified settlement agreement presented, with the only change from the previous agreement including a waived appearance. Dr. Comerford seconded the motion. Motion passed unanimously.

- 2) **Roderick Jones, D.C., Case No.: 2019-05178-** *Present.* Ms. Marshall presented the case. Dr. Jones is represented by legal counsel, Mr. Edwin Bayo. The settlement agreement is as follows:
- Required appearance,
 - A letter of concern,
 - \$500 fine repaid within one year,
 - Costs not to exceed \$3,500 within one-year, current cost is \$3,286.87,
 - 3 hours CE in risk management within 12 months and 3 hours CE in recordkeeping within 12 months.

A motion was made by Dr. Comerford to dismiss the case agreement. Dr. Roberts seconded the motion. Motion passed with Dr. Melton and Ms. Saunders in opposition.

3) **James W. Gatza, D.C., Case No.: 2016-14446- Present.** Ms. Marshall presented this case. The settlement agreement is as follows:

- Required appearance,
- Reprimand,
- Fine of \$1,000 paid within two years,
- Costs of \$4,431.74 paid within two years,
- 6 hours continuing education (CE) in Laws and Rules taken within two years.

Dr. Roberts made a motion to accept the settlement agreement as is. Dr. Comerford seconded the motion. Motion passed unanimously with Dr. Hunt recused.

4) **Justin Boylan, CCPA, Case No.: 2019-17555 Not present.** Ms. Marshall presented this case. Mr. Boylan is represented by legal counsel, Mr. Edwin Bayo.

- Letter of concern,
- \$2,000 fine repaid within 60 days of the final order,
- Costs not to exceed \$1,000, and
- 3 hours CE in ethics and 3 hours CE laws and rules within 12 months of the final order.

A motion was made by Dr. Comerford to reconsider the prior decision to reject the settlement agreement offer and to offer a counter agreement without a previous counteroffer. Motion seconded by Dr. Roberts. Motion passed unanimously with Dr. Hunt recused.

A motion was made by Dr. Roberts to accept the settlement agreement as presented by Ms. Marshall. Dr. Comerford seconded the motion. Motion passed unanimously with Dr. Hunt recused.

B) Informal Hearings

1) **Kenton Scott Owens, D.C., Case No.: 2018-19650- Present.** Mr. Wilson presented this case.

- Reprimand,
- \$2,000 fine paid within two years,
- Patient reimbursement of \$1,125.00 paid within 6 months,
- 2 years' probation with review of accounting and billing records,
- Reimbursement of departments cost of \$914.66 paid within 2 years

A motion was made by Dr. Hunt to accept the respondent waived rights of a formal hearing. Dr Oliverio seconded the motion. Motion passed unanimously.

A motion was made by Dr. Roberts to accept the findings of fact. Dr. Comerford seconded the motion. Motion passed unanimously.

A motion was made by Dr. Melton accept all findings (document presented). Dr. Hunt seconded the motion. Motion passed unanimously.

A motion was made by Dr. Comerford to adopt the conclusions of law. Dr. Melton seconded the motion. Motion passed unanimously.

Dr. Roberts made a motion to move forward with a reprimand, waive the \$2,000 fine, ensure patient reimbursement within 60 days, include oneyear probation of monitoring of billing records and payment of the Department's cost (\$914.66) within the term of probation (one year). Dr. Comerford seconded with the amendment for 1 year of probation. Motion passed unanimously.

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- 2) **Alan Chad Smith, D.C. Case No.: 2020-01064- Present.** Mr. Wilson presented this case. Dr. Smith was represented by legal counsel, Ms. Catherine Hedglon.
- Revocation without a fine
 - Costs of \$5,457.99 paid within 1 year.
 - EBAS-ethics and boundaries CE

A motion was made by Dr. Roberts to convene the informal hearing, determine no facts in dispute, adopt the finding of facts from the administrative complaint, adopt the entire investigative file into evidence, and to adopt the conclusions of law. Dr. Comerford seconded the motion. Motion passed unanimously.

A motion was made by Ms. Ostman to accept a \$10,000 administrative fine paid within 2 years, costs of \$5,457.99 paid over 2 years, 1 year license suspension, EBAS exam and ethics and boundaries completed with 1 year, permanent practice restrictions for future treatment with licensed chaperon for female patients. Dr. Roberts seconded the motion. Motion passed unanimously.

Recess: 11:02-11:18AM

- C) Petition for Termination of Licensure Conditions
- 1) **Octavio Fernandez, D.C., Case Nos.: 2010-24153, 2010-24154, & 2010-18950- Present.** Ms. Marshall presented this case. Dr. Fernandez is represented by legal counsel, Mr. Edwin Bayo. Mr. Bayo request for the board to grant Dr. Fernandez an unencumbered license and taken off conditions until fines are paid. The current order requests a payment of \$43,000.

Ms. Ostman made a motion to terminate the final order based on receiving the payment of the \$43,000.00 and return his license to clear and active. Dr. Roberts seconded the motion. Motion passed unanimously.

VI) APPLICATIONS PRESENTED FOR REVIEW

- A) **Boyd Williams, D.C., 501/15454- Not present.** Mr. Harris presented this application. Dr. Comerford motioned to request an appearance at one of the next two meetings. Dr Roberts seconded the motion. Motion passed unanimously.
- B) **David Avolio, D.C., 501/15474- Present.** Mr. Harris presented this application. Dr. Avolio gave a brief statement of why he believes he should be granted a license. A motion was made to accept the application by Dr. Comerford and seconded by Dr. Roberts. Motion passed unanimously.

Random roll call of five attendees for attendance/CE credit.

- C) **Justin Coffeen, D.C., 501/14863- Present.** Mr. Harris presented this application. Dr. Coffeen gave a brief summary of the situation in his file. A motion was made by Dr Comerford to approve the application for licensure upon demonstration of passing the EBAS and Ethics and Boundaries exam within 6 months. Once the information is received by the board office, the Executive Director has the authority to issue the license at which time the restriction on his license must have a licensed chaperone for 3 years when treating female patients. At the end of 3 years the restriction would fall off. Dr. Roberts seconded the motion. Motion passed with Ms. Ostman and Dr. Oliverio in opposition.
- D) **Marfel Casingal, D.C., 501/15538- Present.** Mr. Harris presented this application. A motion was made by Ms. Saunders to approve the application contingent to 3 years of monitoring his billing records. Dr. Roberts seconded the motion. Motion passed unanimously.
- E) **Sean Bennington, D.C., 501/15138- Present.** Mr. Harris presented this application. Dr. Bennington gave a brief summary of his situation. A motion was made by Ms. Saunders to

request voluntarily withdrawal of his application and once he completes a PRN evaluation, he can submit a new application. Dr. Comerford seconded the motion. Motion passed with Dr. Melton in opposition.

Recess: 12:24PM-1:00PM

- F) **Vida Vodopalas-Puodziunas, D.C., 501/10867- Present.** Mr. Harris presented this application. Dr. Vodopalas-Puodziunas gave a brief summary of her situation. A motion was made by Dr. Comerford to approve the application. Dr. Hunt seconded the motion. Motion passed unanimously.
- G) **Whitney Powell, D.C., 501/15331- Not present.** Mr. Harris presented this application. A motion was made by Dr. Hunt to deny the application within 10 days from today to withdraw his application in writing. If the board does not receive a response within 10 days from the applicant, the denial stands. Dr. Roberts seconded the motion. Motion passed unanimously.
- H) **John Rontondi III, D.C. 501/9543- Present.** Mr. Harris presented this application. Dr. Rontondi gave a brief summary of his situation in Colorado. A motion was made by Dr. Roberts to approve the application. Ms. Ostman seconded the motion. Motion passed unanimously.
- I) **Debra Logan, D.C. 501/13989- Not present.** Mr. Harris presented this application. A motion was made by Ms. Saunders to request appearance at one or the next two board meeting. Dr. Roberts seconded the motion. Motion passed unanimously.

VII) **PETITION FOR WAIVER/VARIANCE**

- A) **Casey Rogers, D.C., 501/14789; 64B2-13.004: (Continuing Education) Not Present.** Mr. Harris presented the petition; A motion was made by Dr. Robert to deny the petition for variance for waiver due to not submitting the requested extra documentation. Dr. Hunt seconded the motion. Motion passed unanimously.
- B) **Gerald Bogin, D.C., 501/6400; 64B2-13.004: (Continuing Education) Not present.** Mr. Harris presented the petition. A motion was made by Dr. Robert to deny the petition for variance for waiver. Dr. Hunt seconded the motion. Motion passed unanimously.

Michael Perusich, D.C., 501/14529, 64B2-13.007: (Continuing Education- Requirements Dir/Initial Licensure Period) Not present. Mr. Harris presented the petition. A motion was made by Dr. Roberts to deny the petition for waiver. Dr. Hunt seconded the motion. Motion passed unanimously.

VIII) **PETITION TO INITIATE RULE MAKING**

- A) 64B2-13.004: Continuing Education- Mr. Harris presented initiating rule making.
 - 1) **Rick Warner, DC – Present.** Representative of “Go learn Network” requested to permit “doctors choice” in allowing the option for chiropractors to choose how they meet their 40 hours, whether it be 100% online, 100% in person, or a combination of the two. Dr. Warner also requested to align course requirements (testing) for online and in person classes.

Steven Miller asks to remove the sunset language and allow it to continue.

Discussion ensued. Dr. Warner clarifying his request through discussion, noting he would submit alignment of continuing education course requirements in a separate petition.

A motion was made by Dr. Hunt to allow 50

A motion was made by Dr. Comerford to grant the petition of all CE hours be completed online if practitioner wishes to do so. Dr. Oliverio seconded the motion. Motion passes with Dr Roberts, Dr. Melton, and Dr. Hunt in opposition.

A motion was made by Dr. Comerford to open Rule 64B2-13.004 and accept the proposed language. Dr. Oliverio seconded the motion. Motion passed with Dr. Melton, Dr. Roberts, Dr. Hunt in opposition.

A motion was made by Dr. Melton to amend the motion of granting the petition of all CE hours be completed online if practitioner wishes to do so to change the proposed language to fifty percent. Motion seconded by Dr. Roberts. Motion failed with Dr. Comerford, Ms. Ostman, Dr. Oliverio, Ms. Saunders

SERC Questions

Will the proposed rule amendments have adverse impact on small business and be likely to increase regulatory costs directly or indirectly to any entity including government more than \$200,000 in the aggregate in Florida within one year after implementation?

Motion: By Dr. Comerford of no adverse impact on small businesses or increase in cost of \$200,00.00.

Seconded: By Dr. Oliverio.

Vote: Motion passes unanimously.

Should a violation of this rule or any part of this rule be designated as a minor violation?

Motion: by Dr. Comerford that no part of this rule or a violation of this rule should be designated as a minor violation.

Seconded: Ms. Ostman

Vote: Motion passes unanimously.

Would a Sunset provision be applicable to this Rule?

Motion: by Ms. Ostman to not need a sunset provision.

Seconded: by Dr. Oliverio

Vote: Motion passes with Dr. Roberts, Dr. Hunt, and Ms. Saunders in opposition.

- 2) **Roderick A. Lacy, MD, DC- Not Present.** Comments weren't discussed during this meeting, Although, the material were provided to the Board.
- 3) **Ron Watson, Representative of Florida Chiropractic Physician Association (FCPA),** requested on behalf of the FCPA for freedom of choice, to have the modality of all 40 hours to be at choice of the physician. He asked to start the rule process today. if this is not done today his fear is running out of time and being in a crunch situation. He mentioned it would be good to get rid of the sunset for clarity purposes.
- 4) **Cheryl McFarland-Bryant, DC- Not present.** Comments weren't discussed during this meeting, Although, the material were provided to the Board.

IX) PUBLIC COMMENT REGARDING THE PETITION TO INITIATE RULE MAKING

Ms. Saunders requested public comment regarding this petition to initiate rulemaking addressed during this portion of the meeting, rather than at the end of the meeting.

Eddie Martinez, D.C. -Florida Chiropractic Society- Dr. Martinez provided a statement on behalf of the FCS whereas, the FCS is prepared to deliver whatever the state board approves regarding on-line continuing education.

Kim Driggers, Florida Chiropractic Physician Association FCPA, Assistant General

Counsel, Chair, and Consumer member. This is the only state that has the requirement of the 1-year practitioners to attend a board meeting for jurisprudent. The FCPA request for the board to strongly consider keeping the sunset rule in place as the association does not agree with all CE hours being taken online.

Dr. Hunt questioned other practitioners' information regarding online vs. in person continuing education requirements, noting similarities between the practice of chiropractors to physical therapists. Ms. McGinnis provided an overview of the modalities currently permitted for online vs in person continuing education, including physical therapists.

X) BOARD COUNSEL REPORT

- 1) **Rules-** Mr. Harris gave a brief description of the purpose of the rules report. **July & August Rules Reports-** Provided in the agenda material. The Rules Report is provided as a for board member information purposes.
- 2) **Annual Regulatory Plan Review and Discussion-** Mr. Harris discussed and reviewed with the Board before submitting the accepted plan. No action is required.
- 3) **64B2-10.0055 Notice to the Department of Mailing Address and Place of Practice-** Mr. Harris discussed and reviewed alongside the following rule, noting discrepancies between the dates in each of the rules.
- 4) **64B2-16.011 Notice of Noncompliance-** Mr. Harris discussed and reviewed, noting the discrepancy between the dates listed in this rule alongside Rule 64B2-10.0055. A motion was made by Dr. Hunt to amend the rule, open for development, and accept the proposed language as shown, reducing the day count from 45 days to 30 days to align with Rule 64B2-10.0055. Dr. Roberts seconded the motion. Motion passed unanimously.

SERC Questions

Will the proposed rule amendments have adverse impact on small business and be likely to increase regulatory costs directly or indirectly to any entity including government more than \$200,000 in the aggregate in Florida within one year after implementation?

Should a violation of this rule or any part of this rule be designated as a minor violation?

Would a Sunset provision be applicable to this Rule?

Motion: by Dr. Comerford answering "no" to all four SERC questions.

Seconded: by Dr. Melton.

Vote: Motion passed unanimously.

- 5) **64B2-16.0075 Citations-** Mr. Harris discussed the subsections of this rule and reviewed with the Board. A motion was made by Dr. Comerford to update subsection 3(a) changing the statutory reference, 3(b) changing the statutory reference, 3(c) adding an additional reference, 5(a) and 5(b) updating language to include: failure to complete certain number of continuing education hours; Administrative Complaints filed and issued to all practitioners who does not complete CE's. Delete the language that allows up to 10 hours to be resolved and a \$100 fine and a failure to complete 10 or more CE's up \$200 fine. Dr. Roberts seconded the motion. Motion passed unanimously.

SERC Questions

Will the proposed rule amendments have adverse impact on small business and be likely to increase regulatory costs directly or indirectly to any entity including government more than \$200,000 in the aggregate in Florida within one year after implementation?

Should a violation of this rule or any part of this rule be designated as a minor violation?

Would a Sunset provision be applicable to this Rule?

Motion: by Dr. Comerford answering "no" to all four SERC questions.

Seconded: by Dr. Roberts.

Vote: Motion passed unanimously.

- 6) **64B2-16.0035 Notice of Proposed Rule-** Mr. Harris presented a summary on how to create a rule that would be a general policy rule to establish standard terms for disciplinary orders. A motion was made by Dr. Melton to amend the rule pursuant to the written comment. Dr. Roberts seconded the motion. Motion passed unanimously.

SERC Questions

Will the proposed rule amendments have adverse impact on small business and be likely to increase regulatory costs directly or indirectly to any entity including government more than \$200,000 in the aggregate in Florida within one year after implementation?

Should a violation of this rule or any part of this rule be designated as a minor violation?

Would a Sunset provision be applicable to this Rule?

Motion: by Dr. Comerford to accept answering no to all four SERC questions.

Seconded: by Dr. Roberts.

Vote: Motion passed unanimously.

- 7) **64B2-17.0021 Sexual Misconduct-** Mr. Harris reviewed and discussed. This has been tabled for the next board meeting. Dr. Comerford will work with Mr. Harris on correct terminology.
- 8) **64B2-16.003 Guidelines for the Disposition of Disciplinary Cases-** the legislature added two new offenses of which a licensee can be disciplined. In order to impose discipline the board must have a statutory range of penalty. A motion was made by Dr. Comerford to propose language as the range of penalty of F.S.456.072 (r)(r). Dr. Hunt seconded the motion. Motion passed unanimously.

SERC Questions

Will the proposed rule amendments have adverse impact on small business and be likely to increase regulatory costs directly or indirectly to any entity including government more than \$200,000 in the aggregate in Florida within one year after implementation?
Should a violation of this rule or any part of this rule be designated as a minor violation?

Would a Sunset provision be applicable to this Rule?

Motion: By Comerford to answer no, no, not applicable, and no to all four SERC questions.

Seconded: by Dr. Melton.

Vote: Motion passed unanimously.

B) **Antitrust Updates**

- 1) **Smile Direct Club, LLC v. Battle 11th CCA 19-12227 Parker-Brown Immunity-** Mr. Harris discussed and reviewed with the board about this case that took place with the Board of Dentistry trying to limit the ability of non-dentistry to whiten teeth in North Carolina. At the conclusion of this case you must prove that the governor of the state approved of the rule. Mr. Harris reassured the Board that it is his responsibility to prevent the Board from an Anti-Trust lawsuit.
- 2) **Biden Executive Order: July 9, 2021-** Mr. Harris discussed and reviewed with the Board. The federal government looks at professional licensing to sue more states of which are acting anti-competitively.

Recess: 3:34pm-3:44pm

XI) EXECUTIVE DIRECTOR REPORT

A) Continuing Education & Board Meeting Attendance

- 1) **Data & Referrals Updates-** Ms. McGinnis provided an update noting all licensees that did not complete their Human Trafficking CE are being handled by the Department for all professions together, simultaneously. She stated all those that did not complete their continuing education credits after the COVID-19 extension and those that did not complete their first-year board meeting attendance were referred to prosecution services.
- 2) **Process Improvement Options and Rule Discussion: 64B2-13.007 - Continuing Education Requirements During Initial Licensure Period-** Ms. McGinnis reviewed suggested rule text alongside operational processes with CE Broker, noting system automation can only take place for a full biennium, not in between a biennium. A motion was made by Dr. Hunt to approve the proposed language. Dr. Comerford seconded the motion. Motion passed unanimously.

SERC Questions

Will the proposed rule amendments have adverse impact on small business and be likely to increase regulatory costs directly or indirectly to any entity including government in excess of \$200,000 in the aggregate in Florida within one year after implementation?

Should a violation of this rule or any part of this rule be designated as a minor violation?

Would a Sunset provision be applicable to this Rule?

Motion: by Dr. Comerford with the answers to the four questions; no, no, no, yes.

Seconded: by Dr. Roberts.

Vote: Motion passed unanimously.

B) Licensure Renewal Fees

- 1) **Data Review-** Ms. McGinnis asked the Board for clarification on rules 64B2-12.005 and 64B2-12.018 as it covers a renewal cycle or would it only be covering a calendar date. Dr. Hunt and Ms. Saunders stated that it is to cover the date given of March 31, 2022.

C) Confirmation of Fees by Biennium National Board of Chiropractic Examiners (NBCE)

- 1) **Applications Waiting for Examination-** Ms. McGinnis reviewed this item, noting there are ten applications with day counts over 365 days. This was previously permitted by the board due to issues in receiving testing dates due to COVID-19. Dr. Hunt made a motion to extend the date to have the exam taken until December 31, 2021. Dr. Comerford seconded the motion. Motion passed unanimously.
- 2) **State Board Examiner Nomination Request-** Ms. McGinnis provided the requirements and location (Port Orange, FL on November 12-14th) for attending. This request is for 2 Chiropractors licensed for 5 years or more. Dr. Roberts volunteered to attend.
- 3) **Jurisprudence Examination Update-** Ms. McGinnis gave a brief review noting future work and updates will be provided as they are available.

- D) 2022 Proposed Meeting Dates-** Ms. McGinnis provided the tentative proposed 2022 meeting dates. Ms. Saunders suggested moving board meetings to any day but Friday's. Dr. Comerford suggested a weekend date while Ms. Saunders asked the board members to have board meetings on Thursday's at 8:30am.

Ron Watson, FCPA representative invited the board to attend during their meeting on Friday, February 18, 2022 for the FCPA offers an invitation at Windham in Orlando, Florida.

Ms. McGinnis will finalize the dates and send out to board members to confirm availability, including working with Mr. Watson.

- E) **Chair/Vice Chair-** Ms. McGinnis reviewed the annual Board Chair/Vice-Chair meeting is scheduled for September 17, 2021 in Tallahassee, FL. While both Chair and Vice-Chair have conflicts with this date. Dr. Melton volunteered to attend.
- F) **Quarter Three Budget Review-** Ms. McGinnis will provide this at the November 5th meeting with the full fiscal year report.

XII) COMMITTEE REPORT

This agenda item was not discussed and tabled for the November 5, 2021 board meeting.

- A) Budget – Ms. Saunders
- B) Certified Chiropractic Physician’s Assistant – Dr. Hunt
- C) Continuing Education – Dr. Comerford/Dr. Melton
- D) Compliance – Dr. Roberts
- E) Credentials – Dr. Melton
- F) Examination – Dr. Roberts
- G) Legislation – Dr. Olivero/Dr. Comerford
- H) Probable Cause – Ms. Ostman/Dr. Melton
- I) Rules – Dr. Olivero
- J) Unlicensed Activity – Dr. Hunt
- K) Outstanding Service Award – Ms. Saunders

XIII) CONTINUING EDUCATION

- A) Mr. Harris presented these courses as the board staff has reviewed and have brought forth for ratification. Request for Reconsideration: Florida Chiropractic Association (CE Course 20-771847) - A motion was made by Dr. Hunt to reconsider the course, vacate the notice of intent to deny, and grant a withdrawal. Dr. Roberts seconded the motion. Motion passed unanimously
- B) National Board of Chiropractors Examiners (NBCE) Review Request: (*Dr. Hunt*)- A motion was made by Dr. Melton to approve the hours of 13.75 for her services. Ms. Ostman seconded the motion. Motion passed unanimously.

XIV) OLD BUSINESS

Dr. Hunt provided information regarding the FCLB. There are two meetings that are held, a District meeting in Jersey City on October 17, 2021 and the Annual meeting on May 4, 2022 in Denver, Colorado. She is requested someone to volunteer to attend the October meeting in her place. Dr. Roberts volunteered to attend. Dr. Hunt recognized Dr. Fogarty received the FCLB 2021 highest regulator award.

XV) NEW BUSINESS

Nothing to report.

XVI) RATIFICATIONS

- A) Licensure
 - 1) Chiropractic Physician- A motion was made to approve the license numbers 13482-13654 by Dr. Hunt and seconded by Dr. Melton. Motion passed unanimously.
 - 2) Certified Chiropractic Physician Assistant- A motion was made to approve the license numbers 13482-13654 by Dr. Hunt and seconded by Dr. Melton. Motion passed unanimously.
- B) Continuing Education
 - 1) CE Providers & Courses approved by CE Committee Chair- Dr. Comerford made a motion to hunt seconded the motion. Motion passed unanimously.

XVII) APPROVAL OF MINUTES

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- A) **May 21, 2021**- A motion was made by Dr. Melton to approve with amendments. Dr. Comerford seconded the motion. Motion passed unanimously.
 - B) **August 9, 2021**- A motion was made by Dr. Hunt to approve. Dr. Comerford seconded the motion. Motion passed unanimously.

XVIII) PUBLIC COMMENT

None.

XIX) NEXT MEETING DATE

Ms. Saunders reviewed the next meeting date of November 5, 2021 in Orlando, Florida.

XX) ADJOURNMENT

A motion to adjourn at 4:25pm was made by Dr. Comerford. Dr. Roberts seconded the motion and it passed unanimously.