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Loree V. Kessler, MPA
Executive Director

**Missouri State Board of Chiropractic Examiners
March 27, 2008 – 8:00 a.m.
Division of Professional Registration
3605 Missouri Boulevard – Jefferson City, Missouri**

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Except to the extent disclosure is otherwise required by law, the Missouri State Board of Chiropractic Examiners is authorized to close meetings, records and votes, to the extent they relate to the following: Sections 610.021(1), (3), (5), (7), (12), (13) and (14), RSMo, and Section 620.010.14(7) RSMo.

The Board may go into closed session at any time during the meeting. If the meeting is closed the appropriate section will be announced to the public with the motion and vote recorded in open session minutes.

Please see attached tentative agenda for this meeting.

Attachment

Tentative Open Session Agenda
Missouri State Board of Chiropractic Examiners
March 27, 2008 – 8:00 a.m.
Division of Professional Registration
3605 Missouri Boulevard - Jefferson City, Missouri

Call to Order Richardson	Dr. Lee
Roll Call Director	Executive
Approval of Agenda	
1. Approval of Minutes	
• Mail Ballot of November 2, 2007	
• Board Meeting of November 29, 2007	
• Mail Ballot of December 7, 2007	
• Mail Ballot of December 21, 2007	
• Mail Ballot of December 28, 2007	
• Conference Call of January 2, 2008	
• Conference Call of January 9, 2008	
• Mail Ballot of January 11, 2008	
• Mail Ballot of February 8, 2008	
2. Financial Report Director	Executive
3. Continuing Education	Dr. Thompson
• Memo from the Executive Director	
Jurisprudence Exam (No materials)	Loree Kessler
4. Ultra Sound on Children	
• Response from Logan College of Chiropractic	
5. Chiropractors Prescribing TENS	
• E-mail from David Porter	
6. Radiology Disc	
• Correspondence from Mary Ricky-Stradford, DC	
• Responses from Logan College of Chiropractic and Cleveland Chiropractic College	
7. Meetings	
• National Board Part IV Exams	

<ul style="list-style-type: none"> • NBCE Part IV Test Committee Meeting
<ul style="list-style-type: none"> • FCLB and NBCE Annual Meetings
<ul style="list-style-type: none"> • FCLB Delegate and Alternate
8. Injectable Nutrients

Motions to Close

Section 610.021 subsection (14) and 620.010.14 subsection (7) RSMo for the purpose of discussing investigative reports and/or complaints and/or audits and/or other information pertaining to the licensee or applicant. Section 610.021 subsection (1) RSMo for the purpose of discussing general legal actions, causes of action or litigation and any confidential or privileged communications between this agency and its attorney and for the purpose of reviewing and approving closed meeting minutes of one or more previous meetings under the subsections of 610.021 RSMo which authorized this agency to go into closed session during those meetings.

OPEN SESSION MINUTES
Missouri State Board of Chiropractic Examiners
March 27, 2008 – 8:00 a.m.
Division of Professional Registration
3605 Missouri Boulevard – Jefferson City, Missouri

At 8:13 a.m., the Missouri State Board of Chiropractic Examiners was called to order by Dr. Jack Rushin, President, at the Missouri Division of Professional Registration, 3605 Missouri Boulevard, Jefferson City, Missouri. The executive director facilitated roll call.

Board Members Present

Jack Rushin, D. C., President (Via telephone conference call)
Homer Thompson, D.C., Secretary
Paul Nahon, Public Member
Rick James, D. C.
Rick James, D.C.
William Madosky, D.C. (Via telephone conference call)

Staff Present

Loree Kessler, Executive Director
Jeanette Stuenkel, Executive I
Greg Mitchell, Counsel

Visitors

Kathleen Wilcoxson, MSCA Executive Director
Kay Carver, D.C.
Ralph Barrale, D.C., Logan University
Dr. Daniel McMurtray

Dr. Rushin indicated he would be voting in open and closed sessions.

Dr. Rushin welcomed Dr. Gary Carver to the board. Dr. Gary Carver is awaiting the Senate confirmation hearing of the board appointment. Dr. Carver was in attendance at the meeting but did not vote.

A motion was made by Dr. Richardson and seconded by Dr. James to approve the open session agenda adding a discussion regarding legislation. Motion carried unanimously.

A motion was made by Dr. Thompson and seconded by Dr. James to approve the mail ballot minutes of December 7, December 21, and December 28, 2007, conference call minutes of January 2 and January 9, 2008 and mail ballot minutes of January 11 and February 8, 2008. Motion carried unanimously.

Financial Report

A motion was made by Dr. Richardson and seconded by Dr. James to approve the financial report. Motion carried unanimously.

David Broeker, Director of the Missouri Division of Professional Registration joined the open session meeting in order to present Dr. Richardson a plaque congratulating and thanking Dr. Richardson on his tenure as a member to the Missouri State Board of Chiropractic Examiners.

Continuing Education

The board requested additional information regarding the continuing educational requirements for acupuncturists.

Dr. Barrale was asked by Dr Thompson whether acupuncture was part of core curriculum for chiropractors and Dr. Barrale explained it is offered as a post doctorate elective. To add it to the curriculum would require the Council of Chiropractic Education to modify its requirements.

Dr. Thompson expressed concern regarding licensees understanding the requirements for continuing education regarding the necessary didactic hours versus general continuing education. The executive director explained that information regarding CE is always part of the newsletter, has been included in the state association journal, is provided on the board's web site and included with the renewal information. A motion was made by made by Dr. James and seconded by Dr. Madosky to maintain the current continuing educational requirements. Board members voting aye: Dr. James, Dr. Madosky, and Dr. Richardson. Board members voting nay: Dr. Thompson, Mr. Nahon, and Dr. Rushin. The motion resulted in tie vote. The executive director suggested the board survey licensees regarding continuing education requirements. A motion was made by Mr. Nahon and seconded by Dr. Richardson to survey Missouri licensees regarding the continuing education requirements and licensees understanding of the didactic and general hours. Motion carried unanimously.

A motion was made by Dr. James and seconded by Dr. Thompson to provide licensees information regarding the standard of care for the use of ultrasound on children. Motion carried unanimously.

TENS Devices

The board reviewed the additional information regarding TENS devices that have been discussed at a previous meeting. No official action required.

Radiology Reports via Disk - The board reviewed additional information regarding this topic as submitted by Cleveland Chiropractic College. No official required.

Meetings and Travel

Dr. James was designated as Missouri's delegate to the FCLB and NBCE annual meetings in 2008. It was noted that Dr. Carver may also wish to attend however he would need to check his schedule.

Regarding Part IV of the national examination administration in May, Dr James will be traveling to Dallas, Texas with Dr. Carver traveling to Iowa.

Dr. Thompson indicated he would be a June test committee participant.

Legislation

The executive director provided an update regarding House Bill 1409 addressing the gross negligence language contained within the chiropractic statutes. Since the bill was not voted out of committee as a consent bill by the Special Committee on Professional Registration it was unlikely that it would make it through the current session. The executive director also provided a brief update regarding House Bill 2116 which prohibits chiropractors from being defined as specialists for the purpose of insurance reimbursement. The bill received a favorable committee hearing with only one person testifying in opposition to the legislation.

At 9:30 a.m., the board took a recess and reconvened at 9:42 p.m..

At 9:42 a.m. a motion was made by Dr. Richardson and seconded by Dr. Thompson to convene in closed session pursuant to section 610.021, subsection (14) and 620.010.14 subsection (7) RSMo for the purpose of discussing investigative reports and and/or complaints and/or audits and/or other information pertaining to the licensee or applicant, section 610.021, subsection (1) RSMo for the purpose of discussing general legal actions, causes of action or litigation, and any confidential or privileged communication between this agency and its attorney and for the purpose of reviewing and approving closed meeting minutes of one or more previous meetings under the subsections of 610.021 RSMo which authorize this agency to go into closed session during those meetings. Board members voting aye: Dr. Rushin, Dr. Thompson, Mr. Nahon, Dr. Madosky, Dr. James, and Dr. Richardson. Motion carried unanimously.

A motion was made by Dr. James and seconded by Dr. Richardson to invite Dr. Carver to meet with the board in closed session pending his confirmation as a board appointee. Board members voting aye: Dr. Thompson, Dr. James, Dr. Madosky, Dr. Rushin, Mr. Nahon, and Dr. Richardson. Motion carried unanimously.

At 3:15 p.m. a motion was made by Dr. James and seconded by Dr. Thompson to convene in open session. Board members voting aye: Dr. Thompson, Dr. James, Mr. Nahon, Dr. Madosky, and Dr. Richardson. Motion carried unanimously.



Loree Kessler, Executive Director

Approved by Board on May 8, 2008