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Loree V. Kessler, MPA  
Executive Director

**Missouri State Board of Chiropractic Examiners  
OPEN AGENDA  
Tentative Agenda  
June 10, 2010 – 8:00 a.m.  
Missouri Council of School Administrators  
3550 Amazonas Drive - 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: Chapter 610.021 subsections (1), (3), (5), (7), (13), (14), and Chapter 324.001.8 and 324.001.9 RSMo.

The State Board may convene in 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 agenda for this meeting.

Attachment

**Missouri State Board of Chiropractic Examiners  
 OPEN AGENDA  
 Tentative Agenda  
 June 10, 2010 – 8:00 a.m.  
 Missouri Council of School Administrators  
 3550 Amazonas Drive - Jefferson City, Missouri**

Call to Order	Dr. William Madosky, Secretary
Roll Call	Loree Kessler, Executive Director
Approval of Agenda	
Election of Officers	
1. Approval of Minutes	
• March 18, 2010 Board Meeting	
• March 26, 2010 Mail Ballot	
• March 30, 2010 Mail Ballot	
• April 16, 2010 Mail Ballot	
• May 12, 2010 Mail Ballot	
• May 13, 2010 Nutrition Administration Subcommittee Meeting	
Nutrient Administration Subcommittee – Dr. Rushin (No Materials)	
2. Financial Report	Loree Kessler, Executive Director
• Legislative Update (No materials)	
3. Regulatory Changes (Mailed under separate cover)	
4. Bax 3000	
5. NCV and Needle EMG	
• Email from Vanessa Wilczak DC	
FCLB and NBCE Annual Meeting (No Materials)	Dr. Carver
MTAA National Exam (No Materials)	Dr. Thompson
6. MSCA Annual Meeting	
7. Board Member Assignments (No Materials)	

## Motions to Close

Section 610.021 subsections (14), 324.001.8 and 324.001.9 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 action, 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 subsection 610.021 RSMo which authorizes this agency to go into closed session during those meetings.

**OPEN SESSION MINUTES**  
**Missouri State Board of Chiropractic Examiners**  
**June 10, 2010 – 8:00 a.m.**  
**Missouri Council of School Administrators**  
**3550 Amazonas Dr – Jefferson City, Missouri**

At 8:10 a.m., the Missouri State Board of Chiropractic Examiners meeting was called to order by Dr. William Madosky, Board Secretary, at the Missouri Division of Professional Registration, 3605 Missouri Boulevard, Jefferson City, Missouri. The Executive Director facilitated roll call.

**Board Members Present**

William Madosky, D.C., President  
Gary Carver, D.C., Secretary  
Homer Thompson, D.C.  
Paul Nahon, Public Member (via telephone conference call at 8:43 a.m.)  
Jack Rushin, D.C.

**Staff Present**

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

**Visitors**

Kathleen Wilcoxson, MPA, Executive Director MSCA  
Dr. Roger Ott (via telephone conference call)

A motion was made by Dr. Carver and seconded by Dr. Thompson to approve the open session agenda. Board members voting aye: Dr. Thompson, Dr. Rushin, Dr. Carver, and Dr. Madosky. Motion carried unanimously.

**Election of Officers**

The executive director provided information on the election of officers.

A motion was made by Dr. Thompson and seconded by Dr. Carver to nominate Dr. Madosky as board president. There were no other nominations for the office. Board members voting aye: Dr. Thompson, Dr. Rushin, Dr. Carver and Mr. Nahon. Dr. Madosky recused himself from the vote. Motion carried.

A motion was made by Dr. Rushin and seconded by Dr. Thompson to nominate Dr. Carver as board secretary. There were no other nominations for the office. Board members voting aye: Dr. Thompson, Dr. Rushin, Dr. Madosky and Mr. Nahon. Dr. Carver recused himself from the vote. Motion carried.

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

A motion was made by Dr. Carver and seconded by Dr. Thompson to approve open session minutes of the March 18<sup>th</sup> board meeting, mail ballots of March 26, 30, April 16, and May 12 and minutes of the Nutrition Administration Subcommittee meeting of May 13, 2010. Board members voting aye: Dr. Thompson, Dr. Rushin, Dr. Carver, Dr. Madosky and Mr. Nahon. Motion carried unanimously.

## **Financial Report**

The board reviewed the income and expenditures for the current fiscal year. Dr. Thompson inquired about a possible fee reduction for the upcoming renewal cycle. The executive director reported that at the end of June the fund balance report would be reviewed with the division to determine if a fee reduction was possible. A fee reduction would require an emergency regulation, noting the statute allows for such amendments to accommodate a fee reduction or increase. A motion was made by Dr. Carver and seconded by Dr. Rushin to approve the financial report. Board members voting aye: Dr. Thompson, Dr. Rushin, Dr. Carver, Mr. Nahon, and Dr. Madosky. Motion carried unanimously.

## **Regulatory Changes**

The executive director requested clarification from the board regarding changes to the MTAA regulation, adding the national examination administered via the ACA Council of Chiropractic Acupuncture (CCA) and the American Board of Chiropractic Acupuncture (ABCA). Specifically, the 100 and 300 hour course of study allows a person to take the national examination. The board instructed the executive director to draft the regulation to reflect that the board must approve the course of study if it is to be used toward the educational requirement for acupuncture.

## **Bax 3000**

Clarification is needed regarding the phrase "FDA clearance" as used in the Bax 3000 promotional information. In an email from Dr. Hancock there is reference to the use of vials and the regulations prohibit this practice. The board instructed the executive director to draft a letter, to be reviewed by counsel, regarding these areas and send to Dr. Hancock

## **NCV and Needle EMG**

The board reviewed the request for information from Dr. Wilczak and Dr. Carver stated he research the topic more fully and report to the board. Staff was directed to ask Dr. Wilczak if she had taken the course from New York Chiropractic College or Palmer.

## **FCLB & NBCE Annual Meeting**

Dr. Carver provided an overview of the two annual meetings he attended in May of this year. The board discussed a recent email concerning a change in leadership at NBCE regarding the officers and directors. Dr. Carver was asked by the board to serve as the board's liaison and staff to work on a letter regarding the continuing high cost of the national examination.

## **MTAA Continuing Education**

The board discussed the twelve hours of formal continuing education to maintain the certification. The executive director provided information regarding section 331.030.9(2) RSMo that requires the board to establish minimum and continuing education requirements for all specialties. No official action taken by the board.

## **MSCA Annual Meeting**

The board discussed attending the annual meeting of MSCA and the Midwest License Renewal Seminars being held in Branson at the same time. The board members requested lodging reservations be made at the annual meeting site noting the cost difference between CONUS and the meeting room rate would be paid by each board member. Dr. Thompson indicated arrival on Friday, July 30; Dr. Rushin, July 29; and Dr Carver July 28<sup>th</sup>. A request for lodging and registration would be submitted to the division travel desk.

At 10:09 a.m., the board took a recess and reconvened at 10:20 a.m.

At 10:20 a.m., a motion was made by Dr. Thompson and seconded by Dr. Carver to convene in closed session pursuant to section 610.021 subsections (14), 324.001.8 and 324.001.9 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 action, 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 subsection 610.021 RSMo which authorizes this agency to go into closed session during those meetings. Board members voting aye: Dr. Thompson, Dr. Rushin, Dr. Carver, Mr. Nahon and Dr. Madosky. Motion carried unanimously.

At 3:38 p.m., a motion was made by Dr. Rushin and seconded by Dr. Carver to convene in open session. Board members voting aye: Dr. Thompson, Dr. Rushin, Dr. Carver, and Dr. Madosky. Motion carried unanimously.

At 3:39 p.m., a motion was made by Dr. Thompson and seconded by Dr. Carver to adjourn the meeting. Board members voting aye: Dr. Thompson, Dr. Rushin, Dr. Carver, and Dr. Madosky. Motion carried unanimously.



Executive Director

Approved by State Board on September 16, 2010