



**NORTH DAKOTA
STATE BOARD OF CHIROPRACTIC EXAMINERS**

Minutes of the Conference Call held May 11, 2016

A special meeting of the State Board of Chiropractic Examiners was held via conference call on May 11, 2016.

The meeting was called to order by President, Dr. Michael Remmick, at 7:00 pm CST.

Roll call: Present - Dr. Remmick, Dr. Froehling, Dr. Ficek, Dr. Weiss, and Executive Director Lisa Blanchard. Absent - Dr. Pederson. No other public was present on the call.

Agenda: Additions to the agenda: Dr. Cline inquiry; LIDO patch. A motion was made by Dr. Froehling, second by Dr. Weiss, to approve the additions and the agenda. Motion passed.

Dr. Nelson. Dr. Nelson continues to seek further explanation regarding the complaint and the board's decision to offer the conditional dismissal. Dr. Nelson did not respond, by signing, the conditional dismissal by the deadline offered by the Board. A motion was made by Dr. Weiss, second by Dr. Froehling, to have Mr. Erickson respond to Dr. Nelson re-offering the original conditional dismissal terms and include an additional \$500.00 fine for non-compliance. The Board would offer Dr. Nelson 2 weeks to respond. Motion passed.

Dr. Nelson/Facebook. In the course of the investigation regarding the complaint above, the Board found Dr. Nelson's clinic Facebook page offering Free Massage and Free Rock Taping. A motion was made by Dr. Ficek, second by Dr. Weiss, to have the Executive Director draft a letter to Dr. Nelson asking him to respond to this advertisement. Motion passed. The Executive Director will confirm with Mr. Erickson that this is how the Board should proceed before sending the letter.

Dry Needling proposed administrative rule language. The Board members have all reviewed the proposed language by the Dry Needling sub-committee. A motion was made by Dr. Froehling, second by Dr. Weiss, to accept and approve the draft as written, using the term "authorized" in #6. Motion passed.

Acupuncturists questions. A motion was made by Dr. Ficek, second by Dr. Froehling, to have the Executive Director draft a response to the email stating the Board is confident in the training of the ND Chiropractic Acupuncturists; to-date we have had no complaints and have not been made aware of any malpractice claims; and the Board will investigate any formal complaints received. Motion passed.

ND Medical Imaging Board proposed rules. The Board members have had a chance to review the proposed rules. A motion was made by Dr. Ficek, second by Dr. Weiss, to have the Executive Director prepare a response that states we have no comments regarding their proposed rules and thank them for keeping the communications open with our Board. Motion passed.

Dr. Cline/Functional Medicine/Diet exemption. A motion was made by Dr. Weiss, second by Dr. Froehling, to send Dr. Cline a letter stating that the Board's interpretation of the law and rules would permit Dr. Cline to write the letter exempting the child from the regular menu and to place him/her on the gluten-free menu. If there are special circumstances or statutes, this Board is unaware of them. For advocacy, she needs to utilize the NDCA. Motion passed.

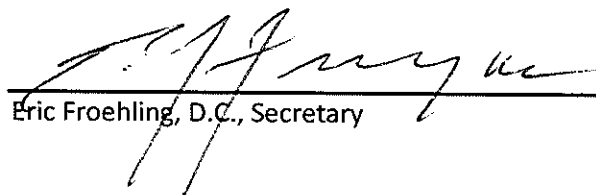
Proposed Administrative Rule Changes. A motion was made by Dr. Ficek, second by Dr. Froehling, to send the changes to Mr. Erickson for his comment and finalization. Changes/Additions to the draft are below. Motion passed.

- Question to Mr. Erickson regarding the proposed language in 17-02-01-02 – should this addition to the section remain here or would it be better in 17-02-01-10 or both?
- 17-02-01-16. Inactive re-activation: #3. Change 5 years to 3 years.
- 17-02-04-06. Needle Acupuncture: add #6. Requiring 2 hours of CEU's in acupuncture annually for those license holders with the acupuncture certification.
- 17-03-01-01. Unprofessional Conduct: add (18)(h). Advertising which offers free items to induce patients to receive care.

LIDO Patch. The Board discussed this over-the-counter product. A motion was made by Dr. Weiss, second by Dr. Froehling, to let Dr. Kelly know that the Board cannot determine if this product is included or not within the scope of practice for chiropractors. The Board cannot make an endorsement. Motion passed.

Adjourn. A motion was made by Dr. Ficek, second by Dr. Froehling, to adjourn the meeting. Motion passed. The meeting adjourned at 8:27 pm CST.

These minutes were prepared by Lisa Blanchard, Executive Director, for the signature by the Secretary, Dr. Eric Froehling.


Eric Froehling, D.C., Secretary

10/10/14
Date