



**NORTH DAKOTA
STATE BOARD OF CHIROPRACTIC EXAMINERS**

**Minutes of the Conference Call Board Meeting of the North Dakota State Board
of Chiropractic Examiners held May 17, 2017.**

Call to Order: Dr. Michael Remmick called the meeting to order at 12:30 PM CST.

Roll Call: Those present included Dr. Michael Remmick, Dr. Dion Ficek, Dr. Eric Froehling, Dr. Steven Pederson, Dr. Kent Yohe, Assistant Attorney General Mr. Edward Erickson, and Executive Director Lisa Blanchard. Public present on the call were Mr. Ross Nilson and Dr. Jacob Schmitz.

Reading of the Mission Statement: President Remmick read the Mission Statement of the Board of Examiners to open the meeting.

Agenda: There were no additions to the proposed agenda.

Cases:

Health & Wellness Chiropractic. The Board members have reviewed the advertising complaint. The response to the complaint has been received and reviewed. A motion was made by Dr. Pederson, second by Dr. Ficek, to offer Health & Wellness Chiropractic a Conditional Dismissal for the advertising violation to include a \$500.00 fee and the successful completion of the online Jurisprudence Examination when it is available/completed. Motion passed.

Optimal Chiropractic. The Board members have reviewed the advertising complaint. The response to the complaint has been received and reviewed. A motion was made by Dr. Yohe, second by Dr. Pederson, to offer Dr. Jahner and Dr. Barney Conditional Dismissals for the advertising violation to include a \$500.00 fee and the successful completion of the online Jurisprudence Examination when it is available/completed. Additionally, there are a few questions/concerns that the Board members would like further information on: the statement regarding the marketing tactic used by stating 25 vouchers remaining may be misleading to the public if it is indeed not true – were there a specific number of vouchers available or not; the statement below the signature line on the email sent states “Check in and Like us on Facebook for a chances to win weekly giveaways, are they aware this is a potential violation; further explanation is needed regarding the statement made in the response that states: “We do not even work with 3rd party payers with our initial visit fees.” A roll call vote was taken with all members voting in the affirmative. Motion passed.

Premier Chiropractic. Mr. Erickson has the information, but has not had a chance to respond, but will do so. Information only.

Freedom Chiropractic. The Board members have received the latest response from Dr. Schmitz. Dr. Remmick asked Dr. Schmitz to confirm that Dr. Condon and Dr. Jaeger were employees not independent contractors. He confirmed this to be true. The Board members discussed Dr. Schmitz’s response and

determined that they would like to offer Dr. Condon a chance to respond to this. Mr. Erickson will prepare this letter and send to Dr. Condon's attorney.

Discussion regarding Dr. Jaeger's involvement in the case was discussed. A motion was made by Dr. Pederson, second by Dr. Ficek, to dismiss Dr. Jaeger from the complaint. To be included in the letter: it was noted that on the date of service provided by Dr. Jaeger there were x-ray charges, but no mention of this in the patient notes, the Board would like to remind Dr. Jaeger that an x-ray report must be included in the patient file. A roll call vote was taken with all members voting in the affirmative. Motion passed.

This concluded the agenda items. As there was time available, Dr. Remmick did verbal reporting from the FCLB Annual Conference. Topics mentioned:

- Wellness Care Documentation
 - Mr. Erickson did note that if the Board has expectations of the regulated community or a change in their interpretation of the law/rules, that the Board must notify the regulated community of this to give them the time and opportunity to make corrections.
- Affiliated Monitors
 - Dr. Remmick shared regarding the conversation with Mr. Anliot. The Board will work on a template/checklist to provide to Affiliated regarding documentation and record requirements.

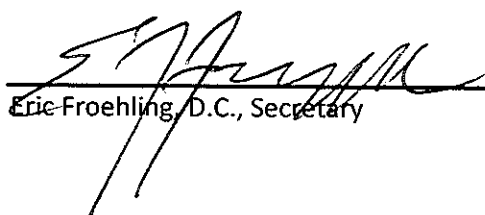
The Executive Director has website determinations that she cannot make without Board approval or assistance. The Board will hold a special meeting on Wednesday, May 24, 2017 at 12:30 PM CST to finalize these details. She will provide the members with a breakdown of the items prior to the meeting so they can be prepared and ask questions in advance.

The ND Board of Veterinarian Medicine has their next meeting on June 6th. Per Mr. Erickson's recommendation, the Board will wait to meet with them again until we have a proposal in place to present.

Adjourn: A motion was made by Dr. Yohe, second by Dr. Ficek, to adjourn the meeting. Motion passed. The conference call ended at 1:23 PM CST.

The next scheduled conference call meeting will be on June 21, 2017.

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


Eric-Froehling, D.C., Secretary

9/22/17
Date