



**NORTH DAKOTA
STATE BOARD OF CHIROPRACTIC EXAMINERS**

**Minutes of the Conference Call Board Meeting of the North Dakota State Board
of Chiropractic Examiners held July 19, 2017.**

Call to Order: Dr. Michael Remmick called the meeting to order at 12:31 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. No other public present on the call.

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

Agenda: Additions: Dual Fee Schedules

A motion was made by Dr. Froehling, second by Dr. Yohe, to accept the addition and to approve the agenda as proposed. Motion passed.

New Business:

NDCA Fall Seminar/CCCA CE hours. The NDCA requested the Board review the course/instructor information for their September seminar and asked if the Board would also approve the hours for CCCA's. A motion was made by Dr. Pederson, second by Dr. Froehling, to approve the Fall seminar for D.C.'s and CCCA's. Motion passed.

Cases:

Dr. Lamp. The Board received confirmation that Dr. Lamp completed the EBAS exam on July 13, 2017. The exam scores were not available/completed at the time of this meeting. Information only.

Dr. N. Weiss. Dr. Weiss asked the Executive Director, by email, what the difference between the Inactive and Retired license statuses are. ND does not have a retired status. Per his Signed Settlement Agreement, he must maintain the Active or Inactive status for the duration. The Executive Director will share this information with Dr. Weiss.

HealthSource of Minot. All 3 Conditional Dismissals were signed/fees paid. A motion was made by Dr. Ficek, second by Dr. Froehling, to accept the agreements, pending closure at the completion of the online Jurisprudence Examination. Motion passed.

Optimal Chiropractic. The response to the second batch of advertising screen shots was received and reviewed by the Board. A motion was made by Dr. Pederson, second by Dr. Ficek, to take no additional action against Optimal Chiropractic for this promotion. Motion passed.

Dr. Gunderson. The follow-up response was received to the additional questions was received and reviewed by the Board. The Board was satisfied with the information provided. A motion was made by Dr. Ficek, second by Dr. Yohe, to notify Dr. Gunderson and the Complainant that the Board properly investigated this complaint and although it was an unfortunate situation, there was nothing illegal found. A roll call vote was taken with all members voting in the affirmative (5-0). Motion passed.

Freedom Chiropractic. The Board received the drafted Settlement Agreements from Mr. Erickson, per their instructions during the Executive Session on June 26, 2017.

Dr. Condon. A motion was made by Dr. Ficek, second by Dr. Pederson, to authorize Mr. Erickson to offer the Settlement Agreement to Dr. Condon, with the 2 discussed changes/corrections to the document. A roll call vote was taken with all members voting in the affirmative (5-0). Motion passed.

Dr. Schmitz. A motion was made by Dr. Ficek, second by Dr. Yohe, to include in the terms of the Settlement Agreement, the reimbursement of Progressive Insurance Company, per the Peer Review Committee's response, for \$7,719.02. A roll call vote was taken with all members voting in the affirmative (5-0). Motion passed.

A motion was made by Dr. Pederson, second by Dr. Ficek, to authorize Mr. Erickson to offer the amended Settlement Agreement to Dr. Schmitz, with the discussed changes/corrections to the document. A roll call vote was taken with all members voting in the affirmative (5-0). Motion passed.

Dr. Sauer. The complainant regarding the potential HIPAA violation has not responded to the Executive Director indicating that she would like the Board to proceed with her inquiry as a formal complaint. Mr. Erickson shared that the Board may utilize the information to notify Dr. Sauer that they are aware of the situation and request a response as to how he has rectified the situation. A motion was made by Dr. Yohe, second by Dr. Ficek, to proceed with the HIPAA inquiry and to request a response to the previous advertising complaint as well. Motion passed.

The next scheduled conference call meeting is August 16, 2017 at 12:30 PM CST.

Adjourn: A motion was made by Dr. Froehling, second by Dr. Pederson, to adjourn the meeting. Motion passed. The conference call ended at 1:37 PM CST.

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


Eric Froehling, D.C., Secretary


Date