



**NORTH DAKOTA  
STATE BOARD OF CHIROPRACTIC EXAMINERS**

**Minutes of the Conference Call Board Meeting of the North Dakota State Board  
of Chiropractic Examiners held August 16, 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:** Dr. Amanda Zakeri

**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; ND Medical Imaging and Radiation Therapy (NDMIRT) Board's proposed Administrative Rules

A motion was made by Dr. Pederson, second by Dr. Ficek, to accept the additions and to approve the agenda as proposed. Motion passed.

**Cases:**

**Dr. N. Weiss:** Completed license renewal and converted his license to the Inactive status. Concerned about the status of his agreement as he has only completed 1 review. ED requested an update from Affiliated Monitors. Update received. No actions taken – Information only.

**Dr. Lamp:** Board received verification that he passed all 5 parts of the EBAS exam as required by the 2<sup>nd</sup> Amended Settlement Agreement. A 25-patient review, done by a ND Peer Review committee, to be completed around June 18, 2018 as the remaining term. To be discussed again at the April 2018 board meeting. No action taken – Information only.

**Freedom Chiropractic (Dr. Schmitz) (Dr. Condon):** The Settlement Agreements have been provided to the parties. A request was made by Mr. Nilson for additional information. Mr. Erickson will provide that information to him. No action taken.

**Dr. Sauer:** The Board received his response regarding the request for information on the possible HIPAA violation. The Board is satisfied with the response and actions taken by Dr. Sauer and dismiss concern. A motion was made by Dr. Ficek, second by Dr. Yohe, to send a letter to Dr. Sauer and to the original complainant (from the Department of Health email) regarding the Board's decision. A roll call vote was taken with all members of the Board voting in the affirmative (5-0). Motion passed.

Dr. Sauer: The Board has not received a response from Dr. Sauer regarding the advertising complaint. The Board did receive a notice from Dr. Sauer that he would like additional time to respond as he would like to speak with his attorney, but no date for anticipated response was provided. The ED will provide a follow-up date for the requested response in order to have it received prior to the September 22<sup>nd</sup> board meeting.

Dr. Blackwood/ND Life Spa: The Board has received the original complaint. They have also received the additional information provided by the complainant. Dr. Remmick decided to wait until this meeting before sending the first letter to respond, so the full Board could share their input on what they would like provided in that response. A discussion was held and a list of items drafted. Also discussed was the Ad from the Bismarck Tribune. A motion was made by Dr. Pederson, second by Dr. Froehling, to have the Executive Director draft the standard letter to respond to both complaints (consumer and ad) and to include the list of items discussed. The respond by date should be for the September 22<sup>nd</sup> meeting. Motion passed.

Dr. Wiseth: Held over until the September 22<sup>nd</sup> board meeting. No action taken.

#### **New Business:**

Dry Needling Seminar Proposal: The Board members have all received the information regarding the proposed seminar, by Structure and Function Dry Needling, to be held in Fargo. A motion was made by Dr. Ficek, second by Dr. Yohe, to approved this seminar. Motion passed.

Acupuncture Certifications: The ED reported that she is concerned that the acupuncture certified chiropractors, that are not completing the required 2 hours of CE, fully understand that their certification will lapse on 09/01/17. Additionally, they may no longer practice Acupuncture after that date and that there are additional requirements to have that certification reinstated. Also, due to this being the first year of this requirement, it seems that there is some confusion due to the questions that she has received. A motion was made by Dr. Pederson, second by Dr. Froehling, for this year only, to allow the ED to offer, those individuals that have not completed or that have lapsed, a 30-day extension for the completion of the 2016-2017 Acupuncture Continuing Education hours without penalty. Motion passed.

NDCA Bylaw Proposed Changes/HCR 3026. Dr. Remmick shared that he felt this discussion should be postponed and held at the September 22<sup>nd</sup> board meeting. The Executive Director will invite the President or Representative of the NDCA to attend our meeting for this discussion or more. Mr. Erickson should be able to report on the September 12<sup>th</sup> meeting held by the Administrative Rules Committee regarding any information learned. No action taken at this time.

#### **Old Business:**

CCCA: The ED reported on the progress and status. An email reminder to all license holders may be considered. An email with concerns from Dr. M. Dockter was reviewed and discussed. The ED will respond addressing that the purpose of the CCCA certification is to improve the level of patient care and safety; most all health care professions have a certified-level of individuals and that we were one of the last to include and this should have been done a long time ago; it establishes a standard of education/training for all individuals; and there is the possibility that it could open doors to allow for insurance reimbursement.

License Renewals: The ED emailed the Board an update prior to the meeting. It appears to be going slowly as we do not have 50% completed with 2 weeks remaining. The Executive Director may send a mass email reminder to those that have not renewed if she feels it would help. No action – information only.

ND MIRT: The Board members received the letter and the proposed Administrative Rules from this board. The ED will email a letter indicating that as drafted we have no issues with these rules and thank them for the opportunity to respond.

The next scheduled meeting & new doctor seminar is September 22, 2017 in Bismarck. Start time is TBD.

**Adjourn:** A motion was made by Dr. Froehling, second by Dr. Ficek, to adjourn the meeting. Motion passed. The conference call ended at 1:39 PM CST.

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

  
Eric Froehling, D.C., Secretary

09/22/17  
Date