



**NORTH DAKOTA
STATE BOARD OF CHIROPRACTIC EXAMINERS**

**Minutes of the Board Meeting of the North Dakota State Board of Chiropractic
Examiners held March 22, 2019, at the ND Heritage Center, Bismarck, ND**

Call to Order: Dr. Dion Ficek called the meeting to order at 9:00 AM.

Roll Call: Dr. Ficek, Dr. Remmick, Dr. Froehling, Dr. Pederson, Dr. Yohe, Assistant Attorney General Ms. Allyson Hicks, and Executive Director Lisa Blanchard were present.

There were public attendees present in the meeting location and via teleconference.

Pledge of Allegiance.

Reading of the Mission Statement: Dr. Dion Ficek

Additions to the Agenda: A motion was made by Dr. Pederson, second by Dr. Froehling to add 1) Per Diem for the Conference Calls held on 12/12/18; 01/14/19; 02/27/19; 03/18/19; 2) Executive Director agreement; 3) Budget; 4) CBD oil; 5) Association of Wellness Chiropractors; 6) Minutes of the March 18, 2019 Special Meeting. Motion passed.

Approvals:

A motion was made by Dr. Froehling, second by Dr. Pederson, to approve the Minutes of the January 24, 2019 Board Meeting (with correction of typo); February 27, 2019 Special Meeting, and the March 18, 2019 Special Meeting. Motion passed.

Board Business:

Administrative Rules Review. The Board started their detailed review and discussion of proposed corrections, edits, additions, and subtractions of Title 17. The Board discussed section by section of each Article and Chapter. Review was completed of Article 17-01 and Article 17-02. The Board will pick up with Article 17-03 at their next meeting. No action taken.

The Board recessed for lunch from 12:00 PM – 1:00 PM.

Board Meetings/2019 Calendar. Discussion regarding the board calendar was held. A motion was made by Dr. Yohe, second by Dr. Pederson, to update and finalize the 2019 scheduled board meetings to be held in Bismarck on July 10, 2019; September 20, 2019; and November 13, 2019. Special Meetings may be called if necessary. The previously scheduled meeting for April 26, 2019 is cancelled. Motion passed.

Cases:

Freedom Chiropractic/Dr. Schmitz. Nothing new to report. No action at this time.

Dr. Lamp. He has 90-days from date of letter (Feb. 8, 2019) to reimburse the board for the costs of the Peer Review committee. Update only. No action taken.

Dr. N. Weiss. All terms of the agreement have been met. A motion was made by Dr. Froehling, second by Dr. Yohe, to have Ms. Hicks send a letter providing Dr. Weiss with the option to lapse his license/closing the case effective the date of the letter or to wait until September 1, 2019. A roll call vote was taken with all members voting in the affirmative (5-0). Motion passed.

Dr. Hengel-Borud. The signed agreement has been received. She has 90-days to comply. Information only. No action taken.

Dr. Sauer. A motion was made by Dr. Froehling, second by Dr. Pederson, to dismiss the complaint with a written letter of warning referencing the ND Law regarding advertising and Federal regulations. A roll call vote was taken with one-member voting in the affirmative (Froehling) and the remaining voting negative (1-4). Motion failed. A motion was made by Dr. Pederson, second by Dr. Yohe, to have Ms. Hicks re-offer the previous conditional dismissal with the \$500 fee and removing the jurisprudence requirement. A roll call vote was taken with all members voting in the affirmative (5-0). Motion passed.

Dr. Pozarnsky. The complaint and response have been received. A motion was made by Dr. Pederson, second by Dr. Yohe, to dismiss the complaint as no violation of the law was found. A roll call vote was taken with all members voting in the affirmative (5-0). Motion passed.

Dr. Wiseth. The Executive Director provided Ms. Hicks with all previous documentation regarding Dr. Wiseth. Upon review, a copy of the signed plea agreement and a copy of the final sentencing disposition are required. The Board instructed the Executive Director to request copies of these items from Dr. Wiseth. Instruction only.

Board Business:

Board Office/Insurance. Ms. Hicks researched the ND Fire Fund and advised the Board that they are not eligible to participate, therefore they should research private options. The Executive Director will review the Procurement contracts and/or vendors and provide further information. Information only.

Legislative Bills. Ms. Hicks provided updates regarding HB1279; HB2306; and HB2353. These are all still pending at the time of the meeting and will continued to be monitored as there may be items that the Board will be required to take action on in Administrative Rules and on applications. No action taken.

Executive Director Agreement. Ms. Hicks provided an updated agreement for the Board & Executive Director. A motion was made by Dr. Froehling, second by Dr. Pederson, to adopt the 2019 Executive Director Agreement. A roll call vote was taken with all members voting in the affirmative (5-0). Motion passed.

2017/2018 Audit. Brady Martz has scheduled to begin work on the audit starting May 6, 2019. Information only.

CBD Oil. Dr. Remmick asked Ms. Hicks if there have been any updates regarding CBD oil. She would like to do further research and discuss with the Assistant Attorney General assigned to the Medical Marijuana law. She will update the Board when she has further information. The Executive Director will continue to refer all questions to the ND Department of Health. Information only.

Annual Board Report/Annual Meeting of NDCA. Due to the ND Open Meeting Laws, the Board will no longer provide a report during the Annual Meeting of the NDCA. Additionally, any questions asked of the Board or Board members should be referred to the Executive Director. Information only.

Association of Wellness Chiropractors. A question was asked of Ms. Hicks regarding a statement made on the website of the AWC. Ms. Hicks responded that in her assignment of representing the Board, the Board has followed the disciplinary procedures set forth in N.D.C.C. 43-06-15.

Financial Accounts – Bank of North Dakota & Wells Fargo. The Executive Director reported that a transfer of funds from the BND to Wells Fargo will be required in 2019. The process for that transfer appears complicated. Dr. Froehling and the Executive Director recommended that the Board open a checking account at the Bank of North Dakota for easier transfers or immediate funds. A motion was made by Dr. Froehling, second by Dr. Pederson, to open a checking account with the Bank of North Dakota. A roll call vote was taken with all members voting in the affirmative (5-0). Motion passed.

CCCA Renewal Report. The Executive Director provided the Board with a copy of the 2019 CCCA Renewal report that will be attached to the 2019 Executive Director 1st quarter report. Information only.

Application Requirements Review. Included as changes to the Administrative Rules or pending Legislative Bills may affect the current applications and edits may be required. No action taken.

Policy Manual. To be included on all agendas as board action may require updates to the manual. No action taken.

Per Diem:

A motion was made by Dr. Froehling, second by Dr. Pederson, to pay a per diem payment for the conference call meetings held on 12/12/18, 01/14/19, 02/27/19, and 03/18/19. Motion passed.

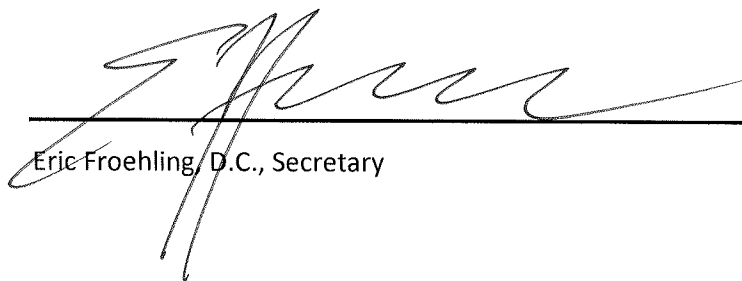
Discussion regarding the board's policy on the paying a per diem payment for every 4 conference calls was held. A motion was made by Dr. Remmick, second by Dr. Froehling, to update the policy and pay a ¼ Per Diem payment (\$62.50) for each conference call held. A roll call vote was taken with all members voting in the affirmative (5-0). Motion passed. The policy manual will be updated.

A motion was mad by Dr. Pederson, second by Dr. Remmick, to pay per diem and appropriate expenses for this board meeting. A roll call vote was taken with all members voting in the affirmative (5-0). Motion passed.

Adjourn: A motion was made by Dr. Pederson, second by Dr. Yohe to adjourn the meeting. Motion passed. The meeting concluded at 3:08 PM CST.

The next board meeting is scheduled for Wednesday, July 10, 2019 in Bismarck, ND.

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


Eric Froehling, D.C., Secretary


Date