



NORTH DAKOTA BOARD OF CHIROPRACTIC EXAMINERS

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Minutes of the Special Meeting of the North Dakota State Board of Chiropractic Examiners held April 14, 2021 via Conference Call, Grafton, ND.

Call to Order: Dr. Dion Ficek called the meeting to order at 12:00 PM CST.

Roll Call: Those present via teleconference included Dr. Ficek, Dr. Remmick, Dr. Froehling, Dr. Yohe, Dr. Ten Broek, Ms. Mellum, Ms. Botz, Assistant Attorney General Ms. Allyson Hicks, and Executive Director Lisa Blanchard. Public: There were public attendees on the conference call.

Reading of the Mission Statement: Dr. Ficek

As this was a special meeting, no additions to the agenda were permitted.

Agenda:

Dr. Remmick takes over the meeting for the next topic. Dr. Ficek recused.

Records Request from Dr. Custer. Dr. Custer verbally requested a copy of the executive session recording for the case relating to him held at the board meeting on March 26, 2021. The legal authority for holding the executive session was N.D.C.C. Section 44-04-19.2(1) Closed or Confidential records and N.D.C.C. Section 43-06-15(6) Medical or psychological information is not public record. As the executive session recording is an exempt record, the Board must vote to release or not release. A motion was made by Dr. Froehling, second by Dr. Yohe, to deny Dr. Custer's request for the records based on the legal authorities for holding the executive session. A roll call vote was taken with Remmick, Froehling, Yohe, Ten Broek, Mellum, and Botz voting in the affirmative. Ficek abstaining. (6-0-1) Motion passed.

Dr. Ficek takes over the meeting.

Open Record/Open Meeting Law Complaint Response. The Board has received an open record/open meeting complaint filed with the Office of the Attorney General. All board members received a copy of the complaint and the drafted response. A motion was made by Dr. Ten Broek, second by Dr. Froehling, to approve the response as drafted. A roll call vote was taken with all members voting in the affirmative (7-0). Motion passed.

Per Diem. A motion was made by Dr. Froehling, second by Dr. Yohe, to pay a ¼ per diem payment (\$62.50) for this meeting. A roll call vote was taken with all members voting in the affirmative (7-0). Motion passed.

Adjourn: A motion was made by Dr. Yohe, second by Ms. Mellum, to adjourn the meeting. Motion passed. The meeting ended at 12:10 PM CST.

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

Eric Froehling, D.C., Secretary

Date

7/14/21