



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 March 28, 2022 via Zoom.

Call to Order: Dr. Eric Froehling called the meeting to order at 12:03 PM CST.

Roll Call: Those present included Dr. Froehling, Dr. Ten Broek, Ms. Mellum, Dr. Remmick, Dr. Ficek, Dr. Yohe, Assistant Attorney General Ms. Allyson Hicks, Solicitor General Matthew Sagsveen, and Executive Director Lisa Blanchard. Absent: Ms. Botz. Public: There were public attendees on the Zoom.

Reading of the Mission Statement: Dr. Froehling

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

Agenda:

Dr. Jacob Schmitz Supreme Court Docket #20210273; Opinion #2022 ND 52; Schmitz v. North Dakota State Board of Chiropractic Examiners, Civ. No. 08-2020-CV-01827. Ms. Hicks and Mr. Sagsveen provided some general information regarding the Supreme Court Opinion issued on March 17, 2022. Additionally, they explained their interpretations of the opinion and how the Board will proceed with attorney consultation for this meeting and moving forward; what can be held in executive session and what must be held in open meeting.

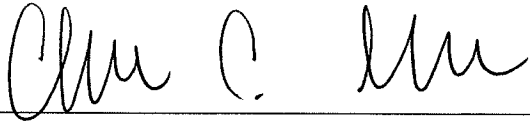
A motion was made by Dr. Ficek, second by Dr. Remmick, to move to executive session to receive attorney guidance. The legal authority for the executive session was N.D.C.C. 44-04-19.1(2) Attorney Consultation. A roll call vote was taken with Froehling, Ten Broek, Remmick, Ficek, and Yohe voting in the affirmative. Botz absent/not voting. Mellum abstaining. (5-0-1-1) Motion passed. The Executive Session began at 12:19 PM CST. The roll was taken with Dr. Froehling, Dr. Ten Broek, Ms. Mellum, Dr. Remmick, Dr. Ficek, Dr. Yohe, Assistant Attorney General Ms. Allyson Hicks, Solicitor General Matthew Sagsveen, and Executive Director Lisa Blanchard in attendance. The Executive Session was recorded as required by law. The Executive Session ended at 12:35 PM CST and the meeting was reopened.

Discussion was held on the guidance provided in the executive session. A motion was made by Dr. Remmick, second by Dr. Yohe, to proceed with a petition for rehearing as discussed in the executive session. A roll call vote was taken with Froehling, Ten Broek, Remmick, Ficek, and Yohe voting in the affirmative. Botz absent/not voting. Mellum abstaining. (5-0-1-1) Motion passed. Further discussion was held on whether any Board member wished to change or alter the Board's position as previously authorized. No changes were requested, therefore no action taken.

Per Diem. A motion was made by Dr. Remmick, second by Dr. Ficek, to pay a full per diem payment (\$250) for this meeting. A roll call vote was taken with Froehling, Ten Broek, Mellum, Remmick, Ficek, and Yohe voting in the affirmative. Botz absent/not voting (6-0-1). Motion passed.

Adjourn: A motion was made by Dr. Ficek, second by Dr. Yohe, to adjourn the meeting. Motion passed. The meeting ended at 12:40 PM CST.

These minutes were prepared by Lisa Blanchard, Executive Director, for signature by Ms. Christa Mellum, Secretary.



04-08-22

Christa Mellum, Secretary

Date