



# 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 December 13, 2023 via Zoom.**

**Call to Order:** Dr. Eric Froehling called the meeting to order at 12:01 PM CST.

**Roll Call:** Those present included Dr. Froehling, Dr. Ten Broek, Ms. Mellum, Dr. Yohe, Dr. Rokke, and Dr. Askew. Absent: Ms. Botz. Also present were Assistant Attorney General Ms. Allyson Hicks and Executive Director Lisa Blanchard. Public: There were public attendees present.

**Reading of the Mission Statement:** Dr. Froehling

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

### **Agenda:**

#### ***Applications:***

CCCA Application – C. Weathermon. There was no new information available at the time of the meeting, therefore this topic was tabled until the next meeting.

#### ***New Complaint:***

Dr. Petry (#2023-07). A motion was made by Dr. Yohe, second by Dr. Ten Broek, to move to Executive Session for the discussion of this case. The legal authorities for the Executive Session are: N.D.C.C. 44-04-19.2(1) A governing body may hold an executive session to consider or discuss closed or confidential records; N.D.C.C. 43-06-15(2) Signed written statements and other reports reporting to the board violations or alleged violations under chapter 43-06 are not public records; and N.D.C.C. 43-06-14.1(7): All data and information, including patient records acquired by the board or the peer review committee, in the exercise of its duties and functions, are confidential and closed to the public. All board and peer review committee meetings wherein patient testimony or records are taken or reviewed are confidential and closed to the public. The Executive Session began at 12:05 PM CST. Attending the Executive Session were Dr. Froehling, Dr. Ten Broek, Ms. Mellum, Dr. Yohe, Dr. Rokke, Dr. Askew, Ms. Hicks, and Ms. Blanchard. The Executive Session was recorded as required by law. The Executive Session ended at 12:14 PM CST and the meeting was reopened.

Upon return to open meeting, a motion was made by Dr. Yohe, second by Dr. Askew, to have Ms. Hicks proceed with requesting a response from Dr. Petry as discussed in executive session. A roll call vote was taken with Froehling, Ten Broek, Mellum, Yohe, Rokke, and Askew voting in the affirmative. Botz absent. Motion passes (6-0-1).

#### ***Cases:***

Dr. Corrigan (#2023-06). Initial discussion was held on whether any discussions required executive session. A motion was made by Dr. Rokke, second by Dr. Askew, to move to Executive Session for the discussion of this case. The legal authorities for the Executive Session are: N.D.C.C. 44-04-19.2(1) A governing body may hold an executive session to consider or discuss closed or confidential records;

N.D.C.C. 43-06-14.1(7): All data and information, including patient records acquired by the board or the peer review committee, in the exercise of its duties and functions, are confidential and closed to the public. All board and peer review committee meetings wherein patient testimony or records are taken or reviewed are confidential and closed to the public; and N.D.C.C. 44-04-19.1(2): Attorney Consultation. The Executive Session began at 12:19 PM CST. Attending the Executive Session were Dr. Froehling, Dr. Ten Broek, Ms. Mellum, Dr. Yohe, Dr. Rokke, Dr. Askew, Ms. Hicks, and Ms. Blanchard. The Executive Session was recorded as required by law. The Executive Session ended at 12:51 PM CST and the meeting was reopened.

Upon return to the open meeting, a motion was made by Dr. Ten Broek, second by Dr. Askew, to instruct Ms. Hicks to proceed with requesting further information from Dr. Corrigan as discussed in executive session. A roll call vote was taken with Froehling, Ten Broek, Mellum, Yohe, Rokke, and Askew voting in the affirmative. Botz absent. Motion passes (6-0-1).

**Board Business:**

Labor Commissioner Questionnaire for Legislative Study (SB2249). The Executive Director briefly updated on the progress she has made on the questionnaire and indicated that the board may wish to delegate to one board member the review and approval authority. A motion was made by Dr. Yohe, second by Dr. Rokke, to delegate to Vice President Dr. Ten Broek the authority to discuss, review, and approve the board’s response as drafted by the Executive Director. A roll call vote was taken with Froehling, Ten Broek, Mellum, Yohe, Rokke, and Askew voting in the affirmative. Botz absent. Motion passes (6-0-1).

Per Diem. A motion was made by Dr. Ten Broek, second by Dr. Yohe, to pay a full per diem payment (\$250) for this meeting. A roll call vote was taken with Froehling, Ten Broek, Mellum, Yohe, Rokke, and Askew voting in the affirmative. Botz absent. Motion passes (6-0-1).

**Adjourn:** The meeting ended at approximately 12:54 PM CST as adjourned by the President.

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

**Signature:** Christa Mellum  
Christa Mellum (Jan 22, 2024 10:02 CST)

**Email:** ndsbce.mellum@gmail.com

01/22/2024

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Christa Mellum, Secretary

Date