



# NORTH DAKOTA BOARD OF CHIROPRACTIC EXAMINERS

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## **Minutes of the Board Meeting of the North Dakota Board of Chiropractic Examiners held October 10, 2025 at 9:00 AM CST in Bismarck, ND at the Capitol – Fort Totten Room.**

**Call to Order:** Dr. Sheri Ten Broek called the meeting to order at 9:00 AM CST.

**Roll Call:** Those present included Dr. Ten Broek, Dr. Yohe, Ms. Mellum, Dr. Rokke, Dr. Askew, and Dr. Erickson. Absent: Ms. Botz. Executive Director Lisa Blanchard and Assistant Attorney General Mr. Austin Lafferty were present. Public: Maggie Seamands was present through her presentation. Other members of the public were also in attendance.

### **Pledge of Allegiance.**

**Reading of the Mission Statement:** Dr. Ten Broek

### **Additions to the Agenda:**

The Executive Director requested that NBCE May 2026 Part IV testing and an update on the Boards Review Taskforce be added. A motion was made by Dr. Erickson, second by Dr. Yohe, to amend and approve the agenda. A roll call vote was taken with Ten Broek, Yohe, Mellum, Rokke, Askew, and Erickson voting in the affirmative. Botz absent. Motion passes (6-0-1).

### **Approvals:**

A motion was made by Dr. Yohe, second by Dr. Askew, to approve the minutes from the July 23, 2025 Board Meeting. A roll call vote was taken with Ten Broek, Yohe, Mellum, Rokke, Askew, and Erickson voting in the affirmative. Botz absent. Motion passes (6-0-1).

A motion was made by Dr. Rokke, second by Ms. Mellum, to approve the Executive Director 2025 3<sup>rd</sup> Quarter Report. A roll call vote was taken with Ten Broek, Yohe, Mellum, Rokke, Askew, and Erickson voting in the affirmative. Botz absent. Motion passes (6-0-1).

A motion was made by Dr. Erickson, second by Dr. Yohe, to approve the 2025 3<sup>rd</sup> Quarter Financial Reports. A roll call vote was taken with Ten Broek, Yohe, Mellum, Rokke, Askew, and Erickson voting in the affirmative. Botz absent. Motion passes (6-0-1).

A motion was made by Ms. Mellum, second by Dr. Rokke, to approve the 2025 3<sup>rd</sup> Quarter Approval of Checks Written. A roll call vote was taken with Ten Broek, Yohe, Mellum, Rokke, Askew, and Erickson voting in the affirmative. Botz absent. Motion passes (6-0-1).

### **Licenses:**

A motion was made by Ms. Mellum, second by Dr. Askew, to ratify the 2025 3<sup>rd</sup> Quarter chiropractic and certified chiropractic clinical assistant licenses issued. A roll call vote was taken with Ten Broek, Yohe, Mellum, Rokke, Askew, and Erickson voting in the affirmative. Botz absent. Motion passes (6-0-1).

**Reports:**

Dr. Ten Broek, Dr. Askew, and Executive Director Blanchard provided verbal reports for their attendance at the FCLB District Meeting in Omaha, NE from September 25-28, 2025. Information only.

**9:30 AM Presentation by the ND Professional Health Program (PHP).**

Maggie Seamands, PHP Executive Director, presented information regarding the PHP to the Board. This includes the process, who it serves, how it serves, services offered, costs to participants, voluntary participation and board ordered participation. Participation in the PHP would require a law change. Additionally, there would be a cost to the Board based upon usage. The exact dollar amounts would be negotiated in a contract with the PHP after the Board is authorized to participate. No decision was reached, but the Board indicated that legal counsel and ED Blanchard may start drafting the proposed legislation for consideration. Information only. *Ms. Seamands exited the meeting at approximately 10:20 AM CST.*

*AAG Grant Ellenson arrived at 10:15 AM CST.*

**Litigation:**

Dr. Daniel Pozarnsky (#2022-07). The Board's Civil Litigation Attorney, AAG Grant Ellenson, introduced himself and briefly updated the Board on the status of the case. The formal complaint is almost finished. There was no action required of the Board. Update only.

*AAG Grant Ellenson exited at 10:42 AM CST.*

Dr. Mason Custer (#2025-01), (#2025-02), (#2025-03), & (2025-07). Mr. Lafferty indicated that he and his office were focused on Case #2025-05 and he would proceed with these when that has been served. Even though Dr. Custer did not renew his license, these complaints occurred while licensed and therefore the Board will proceed with the litigation. There was no action required of the Board. Update only.

**Cases:**

Dr. Timothy Corrigan (#2023-06). The order of suspension was sent to the ND address on file. It was returned to the AG's office as undeliverable, but included a forwarding address in Idaho. It was resent to that address and signed for. Dr. Corrigan did not renew his ND license by the September 1<sup>st</sup> deadline. No action is required of the Board, unless Dr. Corrigan inquires about reinstating his ND license. At that time, the order would still be in effect, and he would need to complete the terms. This case will be removed from the active case list. There was no action required of the Board. Update only.

Dr. Victoria Lau (#2024-02). Dr. Lau received her suspension notice. She has also had communication with Mr. Lafferty. She converted her license to the Inactive status during the renewal period. No action is required of the Board, unless Dr. Lau submits an application for Reactivation of the Inactive License. At that time, the order would still be in effect, and she would need to complete the terms. There was no action required of the Board. Update only.

Dr. Matthew Christenson (#2025-04). The Conditional Dismissal agreement was signed and all of the terms were successfully met. A motion was made by Dr. Yohe, second by Ms. Mellum, to dismiss this case. A roll call vote was taken with Ten Broek, Yohe, Mellum, Rokke, Askew, and Erickson voting in the affirmative. Botz absent. Motion passes (6-0-1).

Dr. Mason Custer (#2025-05). Official service of the suspension notice has been unsuccessful with attempts made in Stark and Burleigh counties. Mr. Lafferty indicated that the Board's next option would be Service by Publication. The Board had previously voted to allow the AG's office to proceed as needed with service, so no action was required by the Board. The notice of publication will be completed in Stark County. Update only.

**New Complaints:** None

**Applications:** None

**Board Business:**

Hyperbaric Oxygen Therapy. The Board requested this be added to this agenda at their July meeting. A brief discussion was held on the process to request an Attorney General's opinion. A motion was made by Dr. Yohe, second by Dr. Rokke, to request a formal Attorney General's opinion on whether Hyperbaric Oxygen Therapy is included within the scope of practice for chiropractic. A roll call vote was taken with Ten Broek, Yohe, Mellum, Rokke, Askew, and Erickson voting in the affirmative. Botz absent. Motion passes (6-0-1).

Criminal History Record Check Internal Board Training and Policy Review. Based upon the training the Executive Director completed in July, the Board must complete internal training and a review of their CHRI policy annually vs. biannually. As the January agendas are longer and the term of any new board members starting on September 1<sup>st</sup>, the President and Executive Director determined the fall board meeting would be the best time to include. The Board reviewed the policy, which was updated to include the annual vs. biannual requirements. A discussion on CJIS and the privacy of the records was also completed. A motion was made by Dr. Askew, second by Ms. Mellum, to approve the updated policy. A roll call vote was taken with Ten Broek, Yohe, Mellum, Rokke, Askew, and Erickson voting in the affirmative. Botz absent. Motion passes (6-0-1).

2023/2024 Audit & Future Planning. Brady Martz has completed the 2023/2024 Audit. It was distributed to the Board for their review. A brief discussion of the deficiencies was held. These deficiencies occur each audit and they are not unique to our Board. The Board is comfortable with our level of review and oversight. A motion was made by Ms. Mellum, second by Dr. Yohe, to accept and approve the 2023/2024 Audit as completed by Brady Martz. A roll call vote was taken with Ten Broek, Yohe, Mellum, Rokke, Askew, and Erickson voting in the affirmative. Botz absent. Motion passes (6-0-1). *Future Planning.* A separate discussion was held on future planning for the audits or switching to the annual financial reporting process with the State Auditor's office. No decision was reached, but the Board was leaning towards continuing with the biannual audits conducted by Brady Martz (CPA firm). This will be included on the January 2026 agenda for final decision.

*The Board recessed for lunch from 11:30 AM – 12:30 PM.*

**Manuals**

- Policy Manual. There were no substantive changes proposed by the Executive Director for approval. From the July meeting, the ED brought information regarding Public Comment at Regular meetings from other occupational licensing boards. She also drafted a proposed policy for the Board's review and consideration. A discussion was held about NDCC 44-04-20.1 and that occupational boards are not included, so if the Board were to adopt a policy, we have flexibility. Not all Board members support the policy, but also understand why they should move in this direction. A motion was made

by Dr. Erickson, second by Dr. Yohe, to adopt the drafted Public Comment at Regular Meetings policy as presented with the following amendments: The public comment period will only occur at the two in-person regular board meetings starting in January 2026; the total duration for the comment period will be 15 minutes per meeting; and each individual will be limited to 5 minutes for their comments. A roll call vote was taken with Ten Broek, Yohe, Mellum, Askew, and Erickson voting in the affirmative. Rokke voting No. Botz absent. Motion passes (5-1-1).

- Procedure & Operations Manual. No changes proposed.

Administrative Rules. The Board continued their review of Title 17 (Administrative Rules). The Executive Director distributed a draft of the proposed changes that were discussed at the July meeting. This is a working draft and the Board has not approved. The Board held a robust discussion regarding their fees as requested. The Executive Director provided the Board with financial information back to 2010 for their reference. This also included information on their Reserve accounts, including the goals, balances, and how much would be needed to fully fund. It also included the annual transfer information to reserves from their inception. Only one year was less than the net income of the Board. All remaining years the transfers were equal to or more than the net income of the Board. Last, further discussion was held regarding the potential costs of the PHP. As with the original discussion, at this time, the Board is not considering a change to the current fees. Prior to final approval of any proposed rules, the Board will review again. The Board then started their review with the Needle Acupuncture and Dry Needling sections of the rules (where they left off at the previous discussion). They were able to complete that discussion along with a review of Article 17-03. The Executive Director provided samples of language from other jurisdictions for the Board to review including documentation requirements and prepayment plans. She also provided her previous research on continuing education requirements of other jurisdictions. A discussion was held on the reduction of the total number of continuing education hours which would lower costs for each licensee. Currently, it is estimated that one online hour of education costs \$20.00. If the Board were to reduce the total number of hours needed to 16, that should provide \$80.00 savings per licensee on an annual basis. The final discussion was held regarding the makeup of a Peer Review committee (PRC). The Board has previously indicated that at times, they would like more flexibility on the quantity of individuals required for a PRC. ED Blanchard and Mr. Lafferty will research others and whether there is a definition of committee that would not allow the number to be amended. No formal action was taken at this meeting. Further review and considerations will be held at the next regular meeting.

NBCE May 2026 Part IV Testing. This is scheduled for May 15-17, 2026. A motion was made by Dr. Yohe, second by Dr. Askew, to allow the Executive Director to work with the board members when the nomination form is distributed. She will contact Dr. Yohe and Dr. Askew first. If one or both are unable, she may then ask the others. A roll call vote was taken with Ten Broek, Yohe, Mellum, Rokke, Askew, and Erickson voting in the affirmative. Botz absent. Motion passes (6-0-1).

Boards Review Taskforce Update. This committee met for the first time on October 3<sup>rd</sup>. The ED and Mr. Lafferty provided the board with an update from the first meeting. They will continue to monitor this committee and report to the Board. Information only.

#### **Per Diem.**

A motion was made by Dr. Erickson, second by Ms. Mellum, to pay per diem and appropriate expenses for the meeting. A roll call vote was taken with Ten Broek, Yohe, Mellum, Rokke, Askew, and Erickson voting in the affirmative. Botz absent. Motion passes (6-0-1).

**Adjourn:** A motion was made by Dr. Askew, second by Dr. Rokke, to adjourn the meeting. Motion passed. The meeting ended at approximately 3:37 PM CST.

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

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Christa Mellum, Secretary

Date

*These minutes were approved at the January 16, 2026 board meeting.  
This page will be updated when the signature has been completed.*