# Open Session Meeting Minutes IOWA BOARD OF CHIROPRACTIC

January 8, 2014 Lucas State Office Building, 4<sup>th</sup> Floor Conference Room #424 Des Moines, Iowa

#### Call to Order:

The meeting was called to order by John Calisesi, Chair at 9:05a.m.

#### **Roll Call:**

Members Present:

Jason Wall, DC

John Calisesi, DC

Aaron Martin, DC

Julie Mueller, Public Member

David Gehling, DC

Nancy Kahle, DC

Members Absent:

Joellen Jenson, Public Member

**Staff Present:** 

Pierce Wilson, Board Executive

Barb Huey, Bureau Chief

Laura Cathelyn, AAG

Meghan Gavin, AAG

Barb Christiansen, Administrative Assistant

**Guests Present:** 

Harry Hargett, DC

### **Hearings:**

Hearings scheduled for today have been canceled. Discussion will occur in closed session.

Three Settlement Agreements will be discussed in closed session.

### **Approval of Minutes:**

A motion was made by Kahle to approve the meeting minutes of September 9, 2013 and October 9, 2013. A second was received from Wall. All ayes, opposed none, motion carried.

### **Reports:**

Chairperson: Dr. Calisesi, D.C. discussed two letters he received. One was from the national association and federation regarding membership and the second was from the national examination committee. He noted that the department pays the annual FCLB membership and this entitles someone to attend the annual meeting. Then the national Part 4 exam committee will meet May 16, 17, and 18<sup>th.</sup> Each state board can send two D.C.s. Dr. Calisesi, D.C. is interested in attending the test committee. Continuing education is offered for participation in these committee meetings.

Board Executive: Pierce asked members for names of Chiropractors who might be interested in peer review. Board members can let Pierce know and he will follow up with the individuals. As a peer reviewer they could be called as an expert witness at hearings following their completing the case review if needed. There will be a contract executed and the reviewer will be paid \$50 per day for service for a maximum of \$250 dollars per review. It was suggested that Dr. Powell, ex-board member would make an excellent peer reviewer if he was interested. Staff will contact him to see if he would be interested.

Bureau Chief: Barb noted the implementation of the Amanda computer system has now begun.

AAG: Meghan reported the 2014 Legislative session begins next week. At this point she did not foresee any issues involving the profession during this session.

Continuing Education Committee: Dr. Gehling, D.C. discussed the new continuing education form. Pierce will review the form as well as the board. AAG will review for legality issues and make sure the language is in layman terms. It will then be posted to the Board's internet site.

#### **Old Business:**

Review of Cost Analysis – Update: Barb Huey discussed the documents that were provided to the members regarding the board assessment of expenses vs. revenues received. While the report showed slightly less revenues than expenses such were currently covered by other boards within the bureau as it has been in past years for bureau boards. In the future the board will continue to monitor revenues and expenses to determine if board action related to fees needs to occur. The Board makes the final determination to raise fees.

#### **Applications/Unlicensed Individual Cases:**

Discussion of applications or actions of unlicensed individuals:

Erik Malanta: Asking for licensure but did check yes to one of the questions. Individual provided a personal narrative to the board regarding discipline in Illinois in 2004. Board agreed to license this individual.

Case #13-022 – Open session discussion since complaint is against an unlicensed individual not covered by confidentiality law - Complaint of an unlicensed individual claiming to be a chiropractor who is working on animals. Individual is a graduate of Palmer but is not licensed in Iowa. Board agreed to close case with a Cease & Desist letter. Members asked the board to send a copy of the Cease & Desist to the Veterinarian Board.

Calisesi moved that the board go into closed session at 9:59 a.m. to discuss materials related to applications that are required or authorized by law to be kept confidential as allowed under Iowa Codes Section 21.5(1) a & d. A second was received from Gehling. Roll call taken

Gehling – Aye

Calisesi – Aye

Mueller – Aye

Martin – Aye

Wall - Aye

Kahle – Aye

Motion carried.

#### Closed Session:

The board returned to open session at 10:38a.m.

A motion was made by Calisesi to go into closed session to discuss whether to initiate licensee disciplinary investigations or proceedings as allowed under Iowa Code section 21.5(1) d and to discuss records that are required to be kept confidential as allowed under Iowa Code section 21.5(1) a & f. A second was received from Wall. Roll call taken

Gehling – Aye

Calisesi – Aye

Mueller – Aye

Martin – Aye

Wall - Aye

Kahle – Aye

Motion carried.

The board returned to Open Session at 11:42 a.m.

A motion was made by Martin to approve the October 9, 2013 closed session meeting minutes as discussed and amended in closed session. A second was received from Wall. All ayes, opposed none, motion carried.

A motion was made by Martin to approve the closed session meeting minutes from September 9, 2013. A second was received from Wall. All ayes, opposed none, motion carried.

A motion was made by Mueller to close cases #13-017 and #13-019. A second was received from Wall. All ayes, opposed none, motion carried.

A motion was made by Gehling to accept the Application of Reinstatement for Hargett. A second was received from Wall. All ayes, opposed none, motion carried.

A motion was made by Mueller to approve the Settlement Agreements for case #12-010, #12-025 and #09-021. A second was received from Martin. All ayes, opposed none, motion carried.

## **Future Board Meetings:**

April 9, 2014 July 9, 2014 October 8, 2014.

## **Adjournment:**

A motion was made by Wall to adjourn the meeting at 11:49 a.m. A second was received from Kahle. All ayes, opposed none, motion carried.