Meeting Minutes
BOARD OF CHIROPRACTIC
October 12, 2011 at 9:30 am
Conference Room 526
Lucas State Office Building
Des Moines, IA 50319

Call to Order:
Meeting called to order by Michael Powell, DC, Chairperson, at 9:00 am.

Members Present:
Michael Powell, DC, John Calisesi, DC, Bradley Brown, DC, Nancy Kahle, DC, Sharon Tate and Julie Mueller.

Members Absent:
David Gehling, D.C.

Staff Present:
Pierce Wilson, Board Executive, Meghan Gavin, AAG, Barb Huey, Bureau Chief, Karla Hoover, Licensure Specialist

Dr. Powell, D.C. turned the meeting over to Judge Margaret LaMarshe, Assistant Law Judge. Judge LaMarshe reviewed with the Board hearing process. Judge LaMarshe discussed with Meghan Gavin the efforts the state has made to serve the licensee since he was incarcerated. Judge LaMarshe indicated that it appeared that all means available to the state including sending certified return receipt required notices to both the licensee and warden at the facility the licensee was staying had been tried and still no response was received. She felt the Board could move forward with a hearing if they so desired given the state's efforts to notify the licensee. The Board agreed that they did want to proceed with the hearing.

Meghan Gavin provided an overview of the case and entered into evidence the state's evidence. Meghan then gave closing remarks.

Meghan Gavin and the court reporter left the room for closed Board deliberations at 9:46 a.m..

The Board returned to open session to hold the Haines hearing at 10:00 a.m. Judge LaMarshe asked the licensee if he wanted an open or closed hearing and he chose a closed hearing. The hearing was closed to the public however the state did not object to having the wife of the licensee in attendance.

The Board went into closed session according to 21.5 for deliberations.

The Board returned to open session at 11:57 a.m. Dr. Calisesi, D.C. motioned and Sharon Tate seconded to direct Judge LaMarshe to draft an Order as discussed in closed session regarding the Haines case. Motion carried unanimously.

Dr. Calisesi, D.C. motioned and Sharon Tate seconded to move into closed session in accordance to 21.5. Motion carried unanimously.

The Board returned to open session. Dr. Calisesi, D.C. motioned and Sharon Tate seconded to direct Judge LaMarshe to draft an Order as discussed in closed session regarding the Dvorak case. Motion carried unanimously.

Public Present:
Denise Hoffman, Iowa Chiropractic Society
Sara Scott – Iowa Veterinarian Board

Review Agenda:
No corrections or additions.

Approval of Minutes:
Motion made to approve minutes with corrections. MSC: Calisesi/Kahle

Election of Officers:
Dr. Brown, D.C. was nominated to the position of Secretary for 2011-2012.
MSC: Calisesi/Kahle

Public Report:
No Reports

Reports:
Barb Huey, Bureau Chief, reported that same day travel reimbursement for meals is not longer reimbursable.

Committee Reports:
Rules Committee: No Report
Licensure Committee: No Report
Continuing Education Committee: No Report

New Business:
The Board considered administrative rules changes to section 45.2(11) relating to deferred judgments and sentences. There was a public hearing held but no comments were received. Motion was made to adopt the rule change. MSC: Brown/Calisesi.

Dr. Powell, D.C. summarized information he had collected regarding chiropractic care to animals. Sara Scott, AAG, provided information to the Board regarding current regulations of animal manipulations. Sara also noted that the Board of Veterinary Medicine was drafting new administrative rules regarding the area of animal care including some language involving "chiropractic" animal care. The Board questioned the use of the term "chiropractic" when

referencing animal manipulations and not human manipulations. The Board discussed the need for anyone providing such adjustments needed specialized training. Nationally there are states that see a place for licensees from both chiropractic and veterinary medicine working together providing both direct care and consultation as was appropriate in those states.

Pierce suggested the Board send a letter to the Board of Veterinary Medicine indicating the Chiropractic's interest in the Board of Veterinary Medicine's draft rule making related to animal manipulations. The Board agreed that they wanted to send a letter. Dr. Powell, D.C., agreed to send a letter.

Old Business
The Board discussed two requests from the Iowa Chiropractic Society (ICS). The first request was to change the rules to include ICS for approved training of the chiropractic assistant training course. The Board approved a motion to notice such a rule change. MSC: Brown/Tate

Dr. Powell, D.C. suggested the Board table action on the ICS's request to the use of webinar's for CEU credit until a later meeting to allow for additional board analysis of the issue.

In accordance with Iowa Code 21.5, the Board will go into closed session to discuss records and disciplinary issues which are required to be kept confidential.
Motion to move into closed session at 2:09 p.m. MSC: Calisesi/Kahle

Closed Session

Returned to Open Session at 3:17 p.m.

Motion made to close the following cases: 10-017, 11-001, 11-003, 11-008, 11-009, 11-015.
MSC: Brown/Calisesi, Julie Mueller recused herself and left the room for case number 11-001.

Motion made to adjourn meeting at 3:20 p.m. MSC: Kahle/Tate

Future Board Meetings
January 11, 2012