



STATE OF MICHIGAN
DEPARTMENT OF COMMUNITY HEALTH
LANSING

JENNIFER M. GRANHOLM
GOVERNOR

JANET OLSZEWSKI
DIRECTOR

MICHIGAN BOARD OF CHIROPRACTIC NOVEMBER 18, 2010 MEETING

APPROVED MINUTES

In accordance with the Open Meetings Act, 1976 PA 267, as amended, the Michigan Board of Chiropractic met in regular session on November 18, 2010, at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 4, Lansing, Michigan.

CALL TO ORDER

Solomon Cogan, D.C., Chairperson called the meeting to order at 10:07 a.m.

ROLL CALL

Members Present: Solomon Cogan, D.C., Chairperson
Jeffrey Eisman, D.C.
Charles Fellows, Public Member
Philip Knight, D.C.
Corey Rodnick, D.C.
Mark Stuart, Public Member
Kathleen Thompson, Public Member
Julann Vittone, Public Member

Members Absent: Patricia Odette, D.C., Vice-Chairperson

Staff Present: Laurie VanBeelen, Board Secretary, Health Regulatory Division
Rae Ramsdell, Director, Health Regulatory Division
Amy Allen, Policy Administration Manager, Health Regulatory Division
Danielle Burk, Policy Analyst, Health Regulatory Division
Tom Scallen, Assistant Attorney General
Susan Bushong, HPRP Contract Administrator, Health Regulatory Div.
Stacie Noel, Program Review Section, Licensing Division (left 10:53 a.m.)
Linda Garza, Program Review Section, Licensing Division (left 10:53 a.m.)

Others Present: Dean Bender, D.C.
Denise Rassel, D.C.
Robert Moore, D.C.

APPROVAL OF MINUTES

MOTION by Rodnick, seconded by Stuart, to approve the minutes of the July 8, 2010 meeting as presented.

MOTION PREVAILED

APPROVAL OF AMENDED AGENDA

MOTION by Rodnick, seconded by Vittone, to approve the amended agenda with the following additions:

Under NEW BUSINESS, CE Requirements re: Insurance Billing will be added as item B and the remainder of the items will be re-lettered; HEALTH PROFESSIONAL RECOVERY COMMITTEE UPDATE will be moved to item 9 and the remainder of the items will be re-numbered.

MOTION PREVAILED

REGULATORY CONSIDERATIONS

Robert Joseph Moore, D.C. – Petition for Reconsideration

MOTION by Knight, seconded by Fellows, to deny the Petition for Reconsideration in the matter of Robert Joseph Moore, D.C.

Discussion was held.

A roll call vote followed: Yeas: Eisman, Fellows, Knight, Rodnick, Stuart, Thompson, Vittone, Cogan

MOTION PREVAILED

Mark William Linkert, D.C. – Proposal for Decision

MOTION by Rodnick, seconded by Knight, to accept the Proposal for Decision in the matter of Mark William Linkert, D.C.

Discussion was held.

A roll call vote followed: Yeas: Eisman, Fellows, Knight, Rodnick, Stuart, Thompson, Vittone, Cogan

MOTION PREVAILED

MOTION by Knight, seconded by Eisman, to place Petitioner on probation for one (1) year in the matter of Mark William Linkert, D.C.

Discussion was held.

AMENDED MOTION by Knight, seconded by Eisman, to place Petitioner on probation for one (1) year in the matter of Mark William Liknkert, D.C. Petitioner must submit to an HPRP evaluation within 90 days and comply with any recommendations by the HPRP. Petitioner is also ordered to comply with the Public Health Code.

Additional discussion was held.

A roll call vote followed: Yeas: Eisman, Fellows, Knight, Rodnick, Stuart, Thompson, Vittone, Cogan

MOTION PREVAILED

COMMITTEE REPORTS

CONTINUING EDUCATION REVIEW

Knight directed the Board to the list of continuing education courses submitted for the Board's approval.

MOTION by Rodnick, seconded by Eisman, to accept the CE programs as presented.

MOTION PREVAILED

See Addendum #1 attached hereto.

RULES COMMITTEE

Cogan asked the Department for an update on the progress of the administrative rules. Allen advised that following legislative review, the State Office of Administrative Hearings and Rules (SOAHR) requested that technical changes be made. She reported that the Department made the requested changes and is awaiting approval to schedule the public hearing which will be in early 2011. Allen further advised that it is anticipated that the rules will be filed with the Secretary of State by next summer.

CHAIRPERSON'S REPORT

Cogan complimented the Board and Department on the work they have done over the last year and thanked everyone for their efforts. He commented that in his 6 years of service on the Board, 2010 has been the most productive. Cogan commented that Fellows, in his service as a public member, contributed a great deal of time and energy to the Board over the last year.

Fellows also complimented the Department staff for their work over the past year.

Cogan reviewed the procedure by which communication from licensees and others with regard to disciplinary matters should be addressed and indicated that individuals should not have direct communication with Board members on disciplinary cases, but rather should contact the Department.

OLD BUSINESS

None

NEW BUSINESS

DISCUSSION OF CE AND DISTANCE LEARNING

Cogan indicated that the Department received communication from Dr. Powers at Bridgeport University regarding the college's distance learning program. Discussion of the language pertaining to distance learning in the new rule set was discussed amongst the Board and Department staff. Allen reminded the Board that the information that Powers is referring to was previously reviewed and discussed at length by the Board and staff. For the benefit of the new members, Rodnick advised that the Board spent a significant amount of time researching and discussing this topic. It was the Board's decision not to re-visit this issue.

CE REQUIREMENTS re: INSURANCE BILLING

Cogan advised that he spoke with a licensee who requested that insurance billing be added to the administrative rules as a requirement. It was discussed by the Board and Department staff that this topic is not within the Board's purview to address in rules.

DISCUSSION OF "GREAT START COLLABORATIVE"

Fellows provided the Board with written information pertaining to the "Great Start Collaborative" which he stated promotes a safe and healthy start in life for every child in Michigan and encourages children to succeed in school and in life. He invited everyone to a conference being held November 30 at the MSU Kellogg Center promoting this Collaborative.

DEPARTMENT UPDATE

Ramsdell advised that with the new administration, the Department of Community Health will have a new director, as is typical with each new administration. She stated that it is not yet known if the appointments and reappointments process will change. Ramsdell advised all members that they are asked to continue to serve until replaced by the Governor.

HEALTH PROFESSIONAL RECOVERY COMMITTEE PRESENTATION

Dr. Dean Bender, DC, introduced himself and provided a brief background of the creation and history of the Health Professional Recovery Program (HPRP). He stressed the importance of recognizing the potential harm to the public by a licensee who fails to comply with an HPRP monitoring agreement and is allowed to continue to re-enter the program.

Bender also highlighted the differences between regulatory and non-regulatory monitoring agreements and commented that it is important to share with fellow colleagues the opportunity for a licensee to enter into an HPRP non-regulatory monitoring agreement without the fear of discipline by the Board.

Bender commented that due to term limits, he will be unable to serve on the Committee after December and that he has contacted the Michigan Association of Chiropractors regarding a replacement. Allen advised the Board that if anyone knows of an individual who would consider serving on the Committee to advise the Department.

Knight thanked Bender for his service.

PUBLIC COMMENT

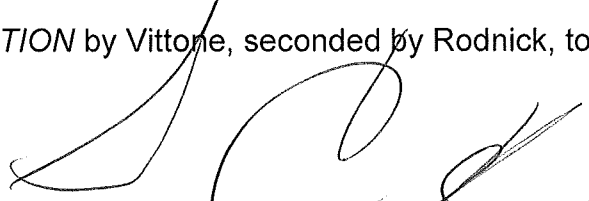
Dr. Denise Russell, DC, thanked the Board for their work and the time taken from each of their practices and jobs.

ANNOUNCEMENTS


The next regularly scheduled meeting will be held January 13, 2011 at 10:00 a.m. at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 3, Lansing, Michigan.

ADJOURNMENT

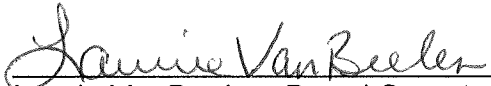
MOTION by Vittone, seconded by Rodnick, to adjourn the meeting at 11:20 a.m.



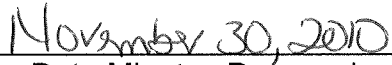
Solomon Cogan, D.C., Chairperson



Date Minutes Approved



Laurie VanBeelen, Board Secretary



Date Minutes Prepared

CHIROPRACTIC CONTINUING EDUCATION REVIEW NOVEMBER 18, 2010

APPROVED PROGRAMS

THE PETTIBON INSTITUTE – MUA-Manipulation Under Anesthesia to be held various dates in 2010 for 36 hours with 3 hours in practice management and 20 hours in adjusting techniques.

RECOMMENDATION: 36 HRS WITH 3 HRS PRACTICE MGT & 20 HOURS ADJUSTING TECHNIQUES

MICHIGAN ASSOCIATION OF CHIROPRACTORS – Fall 2010 Convention to be held October 1-3, 2010 in Dearborn MI for 69 hours with 37 hours in practice management.

RECOMMENDATION: 69 HRS WITH 37 HRS IN ADJUSTING TECHNIQUES

GEORGIA CHIROPRACTIC ASSOCIATION – 98th Annual GCA Fall Conference & Trade Show to be held October 22-24, 2010 in Atlanta GA for 20 hours with 12 hours in adjusting techniques.

RECOMMENDATION: 20 HRS WITH 12 HRS IN ADJUSTING TECHNIQUES

SEMINARS IN CHIROPRACTIC RESEARCH – Chiropractic Research: The Year in Review to be held October 23-24, 2010 in Detroit MI for 15 hours with 6 hours in adjusting techniques.

RECOMMENDATION: 15 HRS WITH 6 HRS IN ADJUSTING TECHNIQUES

MICHIGAN ASSOCIATION OF CHIROPRACTORS – More Than Just a Bunch of Numbers: Making Sense of Blood Chemistry Results to be held November 6-7, 2010 in Novi MI for 12 hours.

RECOMMENDATION: 12 HOURS

HEALTHQUEST – Chiropractic Practices & Techniques for the 21st Century Chiropractor to be held October 1-2, 2010 in Farmington MI for 16 hours with 2 hours in adjusting techniques (including 1 hr of ethics and 1 hr of sexual boundaries).

RECOMMENDATION: 16 HRS WITH 2 HRS IN ADJUSTING TECHNIQUES INCLUDING 1 HR IN ETHICS & 1 HR IN SEXUAL BOUNDARIES

MAC – DISTRICT 6/BORGESS BRAIN & SPINE – Advanced Spine Imaging Techniques for the Chiropractic Practice to be held November 4, 2010 in Kalamazoo MI for 2 hours in adjusting techniques.

RECOMMENDATION: 2 HOURS

MICHIGAN ASSOCIATION OF CHIROPRACTORS – Chiropractic Nutrition held September 11, 2010 in Plymouth MI for 10 hours.

RECOMMENDATION: 10 HOURS

MICHIGAN ASSOCIATION OF CHIROPRACTORS – Clinical Purification & Detoxification/Pain Mgt/Ethics & Boundaries to be held November 12, 2010 in Plymouth MI for 6 hours.

RECOMMENDATION: 6 HOURS

MICHIGAN ASSOCIATION OF CHIROPRACTORS – New Physical Measures Allowed Under Scope to be held November 13, 2010 in Troy MI for 12 hours in adjusting techniques.

RECOMMENDATION: 12 HOURS IN ADJUSTING TECHNIQUES

MICHIGAN ASSOCIATION OF CHIROPRACTORS – Insurance to be held November 11, 2010 in Saginaw MI for 10 hours.

RECOMMENDATION: 10 HOURS

FETTERMAN EVENTS – Holistic Nutrition for Health to be held November 11, 2010 in Flint MI for 12 hours.

RECOMMENDATION: 12 HOURS

FETTERMAN EVENTS – Evidence Based Assessment & Evaluation Protocols for Rehabilitation to be held November 20-21, 2010 in Grand Rapids MI for 15 hours (with one hour of each – ethics, sexual boundaries & pain management).

RECOMMENDATION: 15 HOURS

OMNI CHIROPRACTIC SEMINARS – Gonstead Full Spine Adjusting Chiropractic Technique with Pain Management to be held March 19-20, 2011 in Romulus MI for 12 hours of adjusting techniques.

RECOMMENDATION: 12 HOURS IN ADJUSTING TECHNIQUES

MICHIGAN ASSOCIATION OF CHIROPRACTORS – Ethics & Professional Boundaries, a webinar to be held November 29, 2010 for 2 hours.

RECOMMENDATION: 2 HOURS

MICHIGAN ASSOCIATION OF CHIROPRACTORS – November 2010 Express Convention to be held November 20-21, 2010 in Mt. Pleasant MI for 30 hours with 18 hours in adjusting techniques.

RECOMMENDATION: 30 HOURS WITH 18 HOURS IN ADJUSTING TECHNIQUES

DENIED PROGRAMS

MICHIGAN ASSOCIATION OF CHIROPRACTORS – Applied Nutritional Strategies held October 9, 2010 in Plymouth MI for 10 hours.

RECOMMENDATION: DENIED – the curriculum vitae submitted for the presenter does not indicate advanced knowledge on the subject matter.