

**SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING & REGULATION**  
**South Carolina Board of Chiropractic Examiners Board Meeting**  
**Synergy Business Park, Kingstree Building**  
**110 Centerview Drive, Room 108**  
**Columbia SC 29210**

**Thursday, August 8, 2019**

**Board Members Present:**

John R. McGinnis, D.C., Chairman  
Richard D. Heavner, D.C., Vice Chair  
Beth R. Ehlich, D.C.  
Anthony H. Kyles, D.C.  
Mark W. Thayer, D.C.  
Gene A. Garris, D.C.  
Patricia Garcia, Public Member

**Board Members Absent:**

Douglas B. Hughes, Jr., D.C.

**Staff Present:**

Robert Elam, Office of Advice Counsel  
Mack Williams, Board Administrator  
Jonathan Owens, Board Assistant

Public notice of this meeting was properly posted at the South Carolina Board of Chiropractic Examiners, Synergy Business Park, Kingstree Building 110 Centerview Drive, Room 108 Columbia, SC 29210 and is provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act.

**Call to Order**

Dr. McGinnis, Chairman, called the meeting to order at 9:00 a.m. The meeting was held in Room 108, located at the Synergy Business Park, Kingstree Building at 110 Centerview Drive, in Columbia, South Carolina 29210.

**Approval of the Agenda**

**Motion:** In open session, Dr. Ehlich made a motion to approve the agenda. The motion was seconded and approved.

**Approval of the Minutes**

**Motion:** In open session, Dr. Ehlich made a motion to approve the May 23, 2019 meeting minutes —no corrections noted. The motion was seconded and approved.

**Approval of the Absent Board Members**

**Motion:** In open session, Dr. McGinnis approved Dr. Hughes absence.

**New Business:**

**Administrator Report:**

**Office of Investigations and Enforcement Reports (OIE/IRC):** Mr. Faglie presented the IRC report to the Board. Case # 2018-25, 2018-41, 2018-44, 2018-45, 2019-8, 2019-9, 2019-10, 2019-11, 2019-12, and 2019-13 are recommended for dismissal.

**Motion:** In open session, Dr. Heavner made a motion to accept the IRC recommendations for Case #'s 2018-25, 2018-41, 2018-44, 2018-45, 2019-8, 2019-9, 2019-10, and 2019-11, 2019-12 and 2019-13. The motion was seconded and approved.

Mr. Sanders presented to the Board one (1) letter of caution for approval, Case # 2018-40.

**Motion:** In open session, Dr. Ehlich made a motion to accept the IRC recommendations for Case # 2018-40. The motion was seconded and approved.

Mr. Faglie, Office of Investigations and Enforcement (OIE) presented the statistical report to the board. For the second quarter ending June 30, 2019, OIE received fifteen (15) cases. For the same period ending June 30, 2019, sixteen (16) cases were closed. There are twenty-seven (27) active cases as of August 8, 2019.

The Board accepted the statistical report as information.

**Office of Disciplinary Counsel:** Ms. Baldwin, Office of Disciplinary Counsel presented the ODC report to the Board. There are a total of eleven (11) open cases, seven (7) pending action, zero (0) pending FO hearing, one (1) are pending CAs or MOAs, zero (0) pending Board action, zero (0) pending Final Order hearings, four (4) pending OIE case, zero (0) pending appeal, and three (3) have been closed as of August 8, 2019.

The Board accepted the ODC report as information.

**Chiropractic Supervision:** Ms. Baldwin and the Board discussed the standards of chiropractic supervision.

**Financial Report:** Mr. Williams, Board Administrator presented the financial report.

**Disciplinary Hearings**

**Case #2014-32:** Ms. Baldwin, Office of Disciplinary Counsel presented a Memorandum of Agreement with Stipulations to the Board. The Respondent did make a personal appearance and was not represented by counsel.

**Motion:** In open session, Dr. Thayer made a motion to close the hearing to protect personal health information.. The motion was seconded and approved.

**Motion:** In closed session, Dr. Ehlich made a motion to go into executive session. The motion was seconded and approved.

(9:49 a.m – 9:56 a.m) -- No votes were taken in executive session.

**Motion:** In closed session, Dr. Heavner made a motion to come out of executive session. The motion was seconded and approved.

**Motion:** In closed session, Dr. Ehlich made a motion for the licensee to be removed from the Board order. The motion was seconded and approved.

### **Initial Applications**

**Timothy Bodzioch D.C.:** The purpose of this hearing was to determine if Dr. Bodzioch should be granted a Chiropractic license. Dr. Bodzioch did not make a personal appearance and was not represented by counsel.

**Motion:** In open session, Dr. Ehlich made a motion to close the current application and Dr. Bodzioch would have to reapply for licensure. The motion was seconded and approved.

**Chris Kowalik D.C.:** The purpose of this hearing was to determine if Dr. Kowalik should be granted a Chiropractic license. Dr. Kowalik made a personal appearance and was not represented by counsel.

**Motion:** In open session, Dr. Ehlich made a motion to grant the license. The motion was seconded and approved.

**Kymberly Williams Ballew D.C.:** The purpose of this hearing was to determine if Dr. Ballew should be granted a Chiropractic license. Dr. Ballew made a personal appearance and was not represented by counsel.

**Motion:** In open session, Dr. Heavner made a motion to amend the agenda to recognize Dr. Ballew as Dr. Williams. The motion was seconded and approved.

**Motion:** In open session, Dr. Heavner made a motion to go into executive session. The motion was seconded and approved.

(10:24 a.m – 10:44 a.m) -- No votes were taken in executive session.

**Motion:** In open session, Dr. Heavner made a motion to come out of executive session. The motion was seconded and approved.

**Motion:** In open session, Dr. Ehlich made a motion to grant the reinstatement of licensure upon completion of the Rules and Regulations exam. The motion was seconded and approved.

**Eion Gregory D.C.:** The purpose of this hearing was to determine if Dr. Gregory should be granted a Chiropractic license. Dr. Gregory made a personal appearance and was not represented by counsel.

**Motion:** In open session, Dr. Ehlich made a motion to go into executive session. The motion was seconded and approved.

(10:56 a.m – 11:02 a.m) -- No votes were taken in executive session.

**Motion:** In open session, Ms. Garcia made a motion to come out of executive session. The motion was seconded and approved.

**Motion:** In open session, Dr. Thayer made a motion to grant the license. The motion was seconded and approved.

**Molly Smyser D.C.:** The purpose of this hearing was to determine if Dr. Smyser should be granted a Chiropractic license. Dr. Smyser made a personal appearance and was not represented by counsel.

**Motion:** In open session, Dr. Thayer made a motion to grant the license. The motion was seconded and approved.

**Other Business**

**Review Proposed Regulations**

**Motion:** In open session, Dr. Ehlich made a motion to accept the proposed regulation changes with the additional wording for continuing education credit for Board members who administer and participate in the National Board or FCLB. The motion was seconded and approved.

**Rules and Regulations /Jurisprudence Exam Update:** The Board discussed the outsourcing the Jurisprudence and the Rules and Regulations exam through the NBCE.

**Motion:** In open session, the Board made a motion to move forward with the proposal for the NBCE to administer the Jurisprudence exam. The motion was seconded and approved.

**ADJOURNMENT**

**Motion:** In open session, Dr. Heavner made a motion to adjourn the meeting. The motion was seconded and approved.

There being no other Board business, Dr. McGinnis adjourned the meeting at 11:47 a.m.

Mack Dille  
Administrator

11-15-19  
Date