

**SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING & REGULATION**  
**South Carolina Board of Chiropractic Examiners Board Meeting**  
**Synergy Business Park, Kingstree Building**  
**110 Centerview Drive, Room 202-02**  
**Columbia SC 29210**

**Thursday, November 14, 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.  
Douglas B. Hughes, Jr., D.C.  
Mark W. Thayer, D.C.  
Gene A. Garris, D.C.  
Patricia Garcia, Public Member

**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 8:00 a.m. The meeting was held in Room 202-02, 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. Heavner 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 August 8, 2019 meeting minutes —no corrections noted. The motion was seconded and approved.

**New Business:**

**Administrator Report:**

**Office of Investigations and Enforcement Reports (OIE/IRC):** Mr. Sanders presented the IRC report to the Board. Case # 2018-3, 2018-49, 2018-52, 2018-54, 2019-4, 2019-5, 2019-7, and 2019-22 are recommended for dismissal.

**Motion:** In open session, Dr. Ehlich made a motion to accept the IRC recommendations for Case #'s 2018-3, 2018-49, 2018-52, 2018-54, 2019-4, 2019-5, 2019-7, 2019-22. The motion was seconded and approved.

Mr. Sanders presented to the Board one (9) letter of caution for approval, Case # 2016-11, 2018-51, 2018-53, 2019-2, 2019-3, 2019-14, 2019-15, 2019-18, and 2019-35.

**Motion:** In open session, the Board made a motion to accept the IRC recommendations for Case # 2016-11, 2018-51, 2018-53, 2019-2, 2019-3, 2019-14, 2019-15, 2019-18, and 2019-35. The motion was seconded and approved.

Mr. Sanders, Office of Investigations and Enforcement (OIE) presented the statistical report to the board. For the third quarter ending September 30, 2019, OIE received eleven (11) cases. For the same period ending September 30, 2019, thirteen (13) cases were closed. There are twenty-four (24) active cases as of November 14, 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, zero (0) pending action, zero (0) pending scheduling for hearing, two (2) are pending CAs or MOAs, one (1) pending Board action, four (4) pending Final Order hearings, four (4) pending OIE cases, zero (0) pending appeal, and four (4) have been closed as of November 14, 2019.

The Board accepted the ODC report as information.

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

The Board accepted the finance report as information.

### **Disciplinary Hearings**

**Case #2017-10:** 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 represented by Chip Emge, Esq.

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

(8:50 am – 9:05 am) -- No votes were taken in executive session.

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

**Motion:** In open session, Dr. Coon made a motion for the licensee to complete and pass the SPEC exam within one year from the date of the Board order. The motion was seconded and approved.

**Case #2018-26:** Ms. Baldwin, Office of Disciplinary Counsel presented the Memorandum of Agreement with Stipulations to the Board. The Respondent did make a personal appearance and was not represented by counsel.

Dr. McGinnis recused himself from the disciplinary hearing.

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

(9:20 am – 9:25 am) -- No votes were taken in executive session.

**Motion:** In open session, Dr. Hughes 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 complete twelve (12) hours of boundary issues and the classes he completed will meet that requirement. The 12 CE's completed will not count toward the continuing education hours for the renewal. The motion was seconded and approved.

Dr. McGinnis rejoined the proceedings.

**Case #2017-03:** 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 represented by counsel, Brown Parkinson, Esq.

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

(9:55am – 10:18 am) -- No votes were taken in executive session.

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

**Motion:** In open session, Dr. Ehlich made a motion that the licensee complete ten (10) hours of physiotherapy within six (6) months. The motion was seconded and approved.

**Case #2018-23:** Ms. Baldwin, Office of Disciplinary Counsel presented a Consent Agreement to the Board. The Respondent did not make a personal appearance and was not represented by counsel.

**Motion:** In open session, Dr. Coon made a motion to accept the Consent Agreement. The motion was seconded and approved.

### **Initial Applications**

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

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

(10:30am – 10:48 am) -- No votes were taken in executive session.

**Motion:** In open session, Dr. Thayer 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 licensure upon payment of a five-thousand (\$5000.00) fine. The respondent will be on probation for the current renewal cycle until the end of the next renewal cycle. The respondent completed Part IV, which will count for the fifteen (15) hours that are deficient.. The motion was seconded and approved.

**Daniel Robinson D.C.:** The purpose of this hearing was to determine if Dr. Robinson should be granted a Chiropractic license. Dr. Robinson 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.

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

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

(11:12 am – 11:22 am) -- 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. Heavner made a motion to grant the license. The motion was seconded and approved.

### **Other Business**

#### **Waiver / Extension of CE Requirements Due to Hardship**

**Motion:** In open session, Dr. Heavner made a motion to approve the continuing education waiver request for Dr. Dreher. The motion was seconded and approved.

#### **Chiropractic Initial Application**

**Motion:** In open session, Dr. Heavner made a motion to accept the changes to the Initial License Application. The motion was seconded and approved.

#### **Jurisprudence Exam Update**

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

#### **Military Spouse Temporary License**

The Board selected Dr. Coon and Dr. Garris as a committee to review the Military Spouse Temporary license.

#### **Frequently Asked Question: Intramuscular Therapy**

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

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

**Motion:** In open session, Dr. Thayer made a motion to adopt the Frequently Asked Question as presented. The motion was seconded and approved.

#### **District III & V Meeting Update**

Dr. Ehlich and Dr. Garris updated the Board on the District III and V Meetings.

**Appoint Delegates 2020 NBCE / FCLB Annual Meeting**

**Motion:** In open session, Dr. Coon made a motion to send two (2) members to attend the FCLB and NBCE Annual Meeting. The motion was seconded and approved.

**Legislative Update**

The Board discussed the proposed regulations being presented to the legislature.

**Approval of IRC Committee Member**

**Motion:** In open session, Dr. Coon made a motion to approve Dr. Garcia, Dr. Green, Dr. Hulteen and Dr. Mruz as the new IRC members. The motion was seconded and approved.

**Election of Board Officers**

**Motion:** In open session, Dr. Hughes made a motion to nominate Dr. Ehlich as Board Chair. The motion was seconded and approved.

**Motion:** In open session, Dr. Kyles made a motion to nominate Dr. Coon as Vice Chair. The motion was seconded and approved.

**2020 Board Meeting Dates**

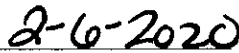
**Motion:** In open session, the Board approved the 2020 meeting dates. The motion was seconded and approved.

**ADJOURNMENT**

**Motion:** In open session, Dr. Hughes 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 12:41 pm.

  
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Administrator

  
\_\_\_\_\_  
Date