

SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING & REGULATION
South Carolina Board of Chiropractic Examiners Board Meeting
Synergy Business Park, Kingstree Building
110 Centerview Drive
Columbia SC 29210
Room 105
Thursday, November 18, 2021

Board Members Present:

Beth R. Ehlich, D.C, Board Chair
Michael L. Coon, D.C, Vice Chair
Antony H. Kyles, D.C.
Douglas B. Hughes, Jr., D.C.
Mark W. Thayer, D.C.
Gene A. Garris, D.C.
Patricia Garcia, Public Member
Tammy Costello-Hales, D.C.
Martia Creighton Thigpen, D.C.

Staff Present:

Hardwick Stuart, 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, 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. Ehlich, Board Chair, called the meeting to order at 9:03 a.m. The meeting was held in Room 105 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. Hughes made a motion to approve the Agenda. The motion was seconded and approved.

Approval of the Minutes

Motion: In open session, Dr. Hughes made a motion to approve the August 5, 2021 meeting minutes —no corrections noted. The motion was seconded and approved.

Approval or Disapproval of Absent Members

All Board members were present for the meeting.

New Members Training:

Christa Bell, Erin Baldwin, and Hardwick Stuart presented the new Board members training.

New Business:

Administrator Report:

Office of Investigations and Enforcement Reports (OIE/IRC)

Mr. Pate presented the IRC report to the Board. Case #'s 2021-11, 2021-16, 2021-17, 2021-20, 2021-25, 2021-31, and 2021-32 are recommended for dismissal.

Motion: In open session, Dr. Hughes made a motion to accept the IRC recommendations for Case #'s 2021-11, 2021-16, 2021-17, 2021-20, 2021-25, 2021-31, and 2021-32 for dismissal. The motion was seconded and approved.

Mr. Pate presented two (2) Formal Complaints, Case #'s 2021-21 and 2021-35 to the Board.

Motion: In open session, Dr. Thayer made a motion to accept the IRC recommendations for Case # 2021-21 and 2021-35. The motion was seconded and approved.

Mr. Pate presented three (3) Letters of Caution, Case #'s 2020-42, 2021-2, and 2021-3.

Motion: In open session, Dr. Hughes made a motion to accept the IRC recommendations for Case #'s 2020-42, 2021-2, and 2021-3. The motion was seconded and approved.

Mr. Pate, Office of Investigation and Enforcement (OIE) presented the statistical report to the Board. 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. The Board accepted the report as information.

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

The Board accepted the finance report as information.

Board Chair Remarks:

Dr. Ehlich recognized past Board members, Dr. McGinnis and Dr. Heavner for their past service. Dr. Ehlich also recognized the new Board members, Dr. Creighton Thigpen and Dr. Costello-Hales.

Disciplinary Hearings:

Case# 2021-18: Ms. Baldwin, Office of Disciplinary Counsel presented a Stipulation of Facts to the Board. The Respondent made a personal appearance and was represented by Douglas MacKelcan III, Esq.

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

(11:23 am – 12:03 pm) -- No votes were taken in executive session.

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

Motion: In open session, Dr. Kyles made a motion that the Respondent violated South Carolina Code 40-9-90 (7) and is guilty of engaging in unprofessional conduct. The Respondent must pay a one-thousand dollar (\$1000.00) civil penalty and take, complete, and pass the EBAS examination within six (6) months of the order. The motion was seconded and approved.

Case# 2018-1: Ms. Baldwin, Office of Disciplinary Counsel presented a Motion of Reconsideration to the Board. The Respondent made a personal appearance and was represented by Lauren Gresh, Esq.

Ms. Baldwin and the Ms. Gresh requested that the hearing be a closed session to protect personal health information. The request was approved and seconded.

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

(12:53 pm – 1:14 pm) -- No votes were taken in executive session.

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

Motion: In closed session, Dr. Thayer made a motion to accept the prior Order, with the addition of immediate administrative suspension upon violation of any of the conditions of the prior order, beginning with the receipt of the order. The motion was seconded and approved.

Case# 2016-12: Ms. Baldwin, Office of Disciplinary Counsel presented a Motion of Reconsideration to the Board. The Respondent made a personal appearance and was represented by Lauren Gresh, Esq.

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

(1:22 pm – 1:42 pm) -- No votes were taken in executive session.

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

Motion: In open session, Dr. Garris made a motion to deny a change from public to private reprimand. The motion was seconded and approved.

Initial Application

Delvin Gomez, DC: The purpose of this hearing was to determine if Dr. Gomez should be granted a Chiropractic license. Dr. Gomez made a personal appearance and was not represented by counsel.

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

(2:06 pm – 2:11 pm) -- No votes were taken in executive session.

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

Motion: In open session, Dr. Coon made a motion to deny the chiropractic license. The motion was seconded and approved.

Other Business

Rules and Regulations & Jurisprudence Exam Update

Mrs. Garcia discussed the updates regarding the Jurisprudence exam and the Rules and Regulations exam.

Appoint Expert Reviewers

Ms. Baldwin discussed appointing expert reviewers with the Board.

2021 NBCE Part IV Fall Exam Update

Dr. Garris updated and provided feedback to the Board on the NBCE Part IV Fall Exam.

2021 District III and V Meeting

Dr. Garris and Dr. Coon updated and provided feedback to the Board on the District III and V meeting.

2022 Board Meeting Dates

The Board approved the 2022 Board meeting dates.

Interpretation of R25-3 (A), (G), and (H)

The Board discussed the regulations regarding an out of state and endorsement application.

2022 Officer Elections

Motion: In open session, Dr. Garris made a motion to nominate Dr. Kyles for Vice Chair.

Motion: In open session, Dr. Hughes made a motion to nominate Dr. Coon for Chair. The motion was seconded and approved.

Appoint Delegates to 2022 FCLB / NBCE Annual Meeting

Motion: In open session, Dr. Hughes made a motion to appoint Dr. Kyles and Dr. Coon to attend the annual meeting as both the delegate for FCLB and alternate, then a delegate for the NBCE and then an alternate. The motion was seconded and approved.

Adjournment

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

There being no other Board business, Dr. Ehlich adjourned the meeting at 2:36pm.


Administrator

2-3-2022
Date