

SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING & REGULATION
South Carolina Board of Chiropractic Examiners Board Meeting
Synergy Business Park, Kingtree Building
110 Centerview Drive
Columbia SC 29210
Room 105
Thursday, May 19, 2022

Board Members Present:

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

Board Members Not Present:

Beth R. Ehlich, 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, Kingtree 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. Coon, Board Chair, called the meeting to order at 9:05 a.m. The meeting was held in Room 105 located at the Synergy Business Park, Kingtree 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. Thayer made a motion to approve the February 3, 2022 meeting minutes —no corrections noted. The motion was seconded and approved.

Approval or Disapproval of Absent Members

Motion: In open session, Dr. Hughes made a motion to approve Dr. Ehlich's absence. 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 #'s 2021-38, 2021-39, 2021-40, 2021-43, 2021-46, and 2022-1 is recommended for dismissal.

Motion: In open session, Dr. Hughes made a motion to accept the IRC recommendations for Case #'s 2021-38, 2021-39, 2021-40, 2021-43, 2021-46, and 2022-1 for dismissal. The motion was seconded and approved.

Mr. Sanders presented two (2) Letter of Caution, Case #'s 2021-44 and 2021-47.

Motion: In open session, Dr. Costello-Hales made a motion to accept the IRC recommendations for Case # 2021-44 and 2021-47. The motion was seconded and approved.

Mr. Sanders, 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. Coon and Dr. Kyles updated the board on their attendance to the 2022 FCLB / NBCE Annual Meeting.

Disciplinary Hearings:

Case# 2019-28: Ms. Baldwin, Office of Disciplinary Counsel presented a Memorandum of Agreement to the Board. The Respondent did make a personal appearance and was represented by, Jon Ozmint, Esq.

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

Executive Session: (10:26 am – 11:30 am) -- 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. Thayer made a motion of public reprimand: suspend the license for two years: a five year probationary period after the two year suspension, pay a \$2000 civil penalty and \$200 investigative cost: take and pass all portions of EBAS and SPEC examinations: maintain current CE requirement and pass the ethics and jurisprudence exam, and all requirements must be completed within two years. The motion was seconded and approved.

Case# 2021-35: Ms. Baldwin, Office of Disciplinary Counsel presented a Memorandum of Agreement to the Board. The Respondent did not make a personal appearance and was not represented by counsel.

Motion: In open session, Ms. Baldwin made a motion to make the hearing a closed session to protect personal health information. The motion was seconded and approved.

In open session, the Board decided to defer the hearing until the Respondent is able to appear before the Board.

Initial Application

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

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

Executive Session: (11:57 am – 12:01 am) -- No votes were taken in executive session.

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

Motion: In open session, Dr. Costello-Hales made a motion to grant the chiropractic license. The motion was seconded and approved.

Kimerly Walzer, DC: The purpose of this hearing was to determine if Dr. Walzer should be granted a Chiropractic license. Dr. Walzer did not make a personal appearance.

In open session, the Board deferred the hearing until the applicant can make an appearance before the Board.

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

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

Executive Session: (12:14 am – 12:17 am) -- 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. Thayer made a motion to deny the chiropractic license due to the revocation of the Kansas chiropractic license. The motion was seconded and approved.

Marie Ouellette, DC: The purpose of this hearing was to determine if Dr. Ouellette should be granted a Chiropractic license. Dr. Ouellette made a personal appearance and was represented by counsel, Adam Young, Esq.

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

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

Executive Session: (12:42 am – 1:09 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 grant the chiropractic license upon passing the SPEC exam, submit bi-annual reports from a licensed therapist, and complete ten (10) hours of continuing education including two (2) hours of risk management. The motion was seconded and approved.

Other Business

Rules and Regulations Presentation

The Board discussed the updates to the Rules and Regulations presentation.

Appoint Expert Reviewers

Ms. Baldwin explained the role of expert reviewers.

Appoint Hearing Officers

The Board discussed the process of appointing hearing officers.

Appoint Members to CE Committee

The Board appointed Mrs. Garcia and Dr. Thigpen to the CE Committee.

Appoint Members to the Jurisprudence / Rules and Regulations Committee

The Board appointed Mrs. Garcia and Dr. Costello-Hales to the Jurisprudence / Rules and Regulations Committee.

2022 Part IV Spring Exam Update

Dr. Thayer and Dr. Thigpen updated the Board on their attendance to the Part IV Spring Exam.

Discuss 2022-2024 Renewals

Mr. Williams discussed the changes of the online renewal questions with the Board. The Board decided to not put a "hard stop" to the online renewal.

Adjournment

There being no other Board business, Dr. Coon adjourned the meeting at 1:45 am.



Administrator

8-4-2022

Date