

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 108
Thursday, November 3, 2022

Board Members Present:

Michael L. Coon, D.C, Board Chair
Antony H. Kyles, D.C., Vice Chair
Beth R. Ehlich, D.C.
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.

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. Coon, Board Chair, called the meeting to order at 9:07 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. Hughes made a motion to approve the Agenda. The motion was seconded and approved.

Approval of the Minutes

Motion: In open session, Dr. Kyles made a motion to approve the August 4, 2022 meeting minutes —no corrections noted. The motion was seconded and approved.

Approval or Disapproval of Absent Members

All Board Members are present.

Patrick Jarvis – Fee Overview

Mr. Jarvis discussed the financial status, fee analysis, and budget with the Board.

New Business:

Administrator Report:

Office of Investigations and Enforcement Reports (OIE/IRC)

Mr. Sanders presented the statistical report to the Board. The Board accepted the report as information.

Mr. Sanders presented the IRC report to the Board. Mr. Sanders presented three (3) Case #'s 2021-34, 2021-45, and 2022-13 and were recommended for dismissal.

Motion: In open session, Dr. Hughes made a motion to accept the IRC recommendations for Case #'s 2021-34, 2021-45, and 2022-13 for dismissal. The motion was seconded and approved.

Mr. Sanders presented one (1) Formal Complaints, Case # 2022-12 to the Board.

Motion: In open session, Dr. Ehlich made a motion to accept the IRC recommendations for Case # 2022-12. The motion was seconded and approved.

Mr. Sanders presented one (1) Letters of Caution, Case # 2022-11 to the Board.

Motion: In open session, Dr. Thayer made a motion to accept the IRC recommendations for Case # 2022-11. The motion was seconded and approved.

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:

Disciplinary Hearings:

Case #2021-08: Ms. Baldwin presented the Motion for Reconsideration. Dr. Kerszko made a personal appearance and was represented by Douglas MacKelcan Esq.

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

(10:17 am – 11:08 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. Costello-Hales made a motion to affirm the Board's Order and to add a clarification under conclusion of law, paragraph two, and why the Board believes the conduct was unprofessional. The motion was seconded and approved.

Case #2021-35: Ms. Baldwin, Office of Disciplinary Counsel presented a Memorandum of Agreement and Stipulations. Dr. Barton did not make 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.

(11:30 am – 11:53 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 that Dr. Barton's license be suspended for two (2) years, take and pass all parts of the EBAS exam, and a civil penalty of ten-thousand (\$10,000.00) dollars. The motion was seconded and approved.

Request Reinstatement of Licensure

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

Motion: In open session, Dr. Costello-Hales made a motion to go into closed session to protect personal health information. The motion was seconded and approved.

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

(12:01 pm – 12:12 pm) -- No votes were taken in executive session.

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

Motion: In closed session, Dr. Ehlich made a motion to grant license renewal to Dr. Hunter upon completing thirty-six (36) hours of continuing education, twelve (12) months RPP participation and compliance, and twelve (12) month probation of license. The motion was seconded and approved.

Bradley Weaver, DC: The purpose of this closed hearing was to determine if Dr. Weaver should be granted reinstatement of license. Dr. Weaver made a personal appearance and was not represented by counsel.

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

(12:30 pm – 12:41 pm) -- No votes were taken in executive session.

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

Motion: In closed session, Dr. Ehlich made a motion that for Dr. Weaver eligible to submit a new application for licensure, take and pass the SPEC exam, and continue in RPP participation and compliance. Upon receiving licensure, Dr. Weaver must practice under the supervision of another chiropractor for a period of one (1) year. The motion was seconded and approved.

Application Hearings

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

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

(1:11 pm – 1:16 pm) -- 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. Thayer made a motion to grant license renewal. The motion was seconded and approved.

Robert Corcetti, DC: The purpose of this hearing was to determine if Dr. Corcetti should be granted a chiropractic license. Dr. Corcetti made a personal appearance and was represented by Steven T. Moon Esq.

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

(1:26 pm – 1:28 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. Thigpen 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 and was not represented by counsel.

Motion: In open session, Dr. Ehlich made a motion to until the applicant is able to appear. The motion was seconded and approved.

Petition for CE Waiver / Extension During Medical Disability / Hardship

The Board approved a thirty (30) day extension for Dr. Scott to complete the CE requirement for license renewal.

Renewal Applications Involving Failure to Comply w/ CE Requirements or Yes Answers to Disciplinary Questions

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

(1:57 pm – 2:24 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. Hughes made a motion to form an executive committee to work with the Executive Director on issues of license renewal and grant them the power to act in place of the Board. The committee is the Chair, Vice Chair, and Advice Counsel. The motion was seconded and approved.

Regulatory Review

Motion: In open session, Dr. Thigpen made a motion to adopt the regulatory reviews from 2017 and review those as the same regulations for 2022. The motion was seconded and approved.

Motion: In open session, the Board made a motion to appoint Dr. Ehlich as Chair and Dr. Thigpen as Co-Chair of the Rules and Regulations Committee of the Chiropractic Board. The motion was seconded and approved.

Appoint Delegates and Member to Attend 2023 FCLB / NBCE Annual Meeting

Dr. Coon and Dr. Kyles are the delegates for the 2023 FCLB / NBCE Annual Meeting.

2023 Board Meeting Dates

Motion: In open session, Dr. Ehlich made a motion to accept the 2023 Board meeting dates. The motion was seconded and approved.

Other Business

FCLB District III & V Annual Meeting Update

There were no updates for the FCLB District III & V Annual Meeting.

Adjournment

There being no other Board business, Dr. Coon adjourned the meeting at 2:41 pm.


Administrator

2-2-2023
Date