

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
Midlands Room
Thursday, November 16, 2023

Board Members Present:

Michael L. Coon, D.C, Board Chair
Antony H. Kyles, D.C., Vice Chair
Beth R. Ehlich, D.C.
Mark W. Thayer, D.C.
Gene A. Garris, D.C.
Tammy Costello-Hales, D.C.
Martia Creighton Thigpen, D.C.
Iva Battrell-Hughes, D.C.

Board Members Not Present:

Patricia Garcia, Public Member

Staff Present:

Hardwick Stuart, Office of Advice Counsel
Mack Williams, Board Administrator
Jonathan Owens, Program Coordinator

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 9:03 a.m. The meeting was held in the Midlands Room 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. Costello-Hales made a motion to approve the Agenda. The motion was seconded and approved.

Approval or Disapproval of Absent Members

Motion: In open session, Dr. Ehlich made a motion to approve Ms. Garcia's absence. The motion was seconded and approved.

Approval of the Minutes

Motion: In open session, Dr. Ehlich made a motion to approve the August 3, 2023 and September 15, 2023 meeting minutes —no corrections noted. The motion was seconded and approved.

New Business:

Administrator Report:

Office of Investigations and Enforcement Reports (OIE/IRC)

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

Mr. Bond presented the IRC report to the Board. Mr. Bond presented one (1) Formal Complaint, Case # 2022-27 and one (1) Letter of Caution, Case # 2023-3 to the Board for approval.

Motion: In open session, Dr. Battrell-Hughes made a motion to accept the IRC recommendations for Case #'s 2022-27 and, 2023-3. 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:

Mr. Williams discussed the 2023 FCLB District III & V Annual Meeting with the Board.

Presentation- James R. Anilot, Director of Healthcare Compliance Services

Mr. Anilot presented the monitoring services to the Board.

Request Reconsideration of Board Order

Justin Tretera, DC: The purpose of this hearing was to determine if Dr. Tretera should be granted reconsideration of prior Board Order. Dr. Tretera made a personal appearance and was not represented by counsel.

Mr. Stuart requested that the hearing be a closed session to protect personal health information.

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

No votes were taken in executive session. (10:40am-11:20am)

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

Motion: In closed session, Dr. Thigpen made a motion to deny reconsideration of prior Board order. The motion was seconded and approved.

Request Approval of Permitted Machine – SC Reg 25-5(g) – Confidential Trade Secret

Lynndy Thauberger, DC: The purpose of this hearing was to determine if Dr. Thauberger should be granted approval of a permitted machine. Dr. Thauberger made a personal appearance and was not represented by counsel.

Mr. Stuart requested that the hearing be a closed session to protect trade secret information.

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

No votes were taken in executive session. (11:57am-12:04pm)

Motion: In closed session, Dr. Thigpen 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 deny approval of the permitted machine due to lack of information, but will reconsider when the Board can see the device or when a patent is obtained. The motion was seconded and approved.

2024 Officer Elections

Motion: In open session, Dr. Ehlich made a motion to nominate Dr. Kyles as Chair for the next term. The motion was seconded and approved.

Motion: In open session, Dr. Ehlich made a motion to nominate Dr. Garris as Vice Chair for the next term. The motion was seconded and approved.

Appoint Delegates and Members to Attend 2024 FCLB/NBCE Annual Meeting

Motion: In open session, Dr. Ehlich made a motion for Dr. Kyles, Dr. Garris, Dr. Coon, Dr. Costello-Hales, Mr. Williams, and Ms. Brown to attend the Annual Meeting. The motion was seconded and approved.

2024 Board Meeting Dates

The Board approved the 2024 Board meeting dates.

Appoint Hearing Officers

Motion: In open session, Dr. Coon made a motion to defer the appointment of hearing officers to the next Board meeting. The motion was seconded and approved.

Other Business:

2023 District III & V Conference Update

Dr. Coon discussed the 2023 FCLB District III & V Annual Meeting with the Board.

Adjournment

There being no other Board business, Dr. Kyles adjourned the meeting at 12:30pm.



Administrator

2-1-2024
Date