

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, May 16, 2024

Board Members Present:

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

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. Kyles, 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

All members are present.

Approval of the Minutes

Motion: In open session, Dr. Ehlich made a motion to approve the February 1, 2024 meeting minutes —no corrections noted. The motion was seconded and approved.

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 two (2) Cases, # 2023-11 and 2023-18 for dismissal.

Motion: In open session, Dr. Battrell-Hughes made a motion to accept the IRC recommendations for Case # 2023-11 and # 2023-18. 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:

The Board discussed the FCLB/NBCE Annual Meeting. Dr. Garris discussed the changes to the Part IV exam with the Board.

Application Hearing

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

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

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

(09:44 am – 10:12 am)—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. Costello-Hales made a motion to deny the license due to the suspension / retirement status of his NC license. The motion was seconded and approved.

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

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

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

(10:35 am – 10:39 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 the license with the condition of thirty-six (36) hours of continuing education be completed by September 30, 2024. The motion was seconded and approved.

Request Lodging Approval:

Motion: In open session, Dr. Thayer made a motion to approve travel to include lodging expenses for members presenting the Rules and Regulations presentation. The motion was seconded and approved.

Ethics & Jurisprudence PowerPoint (Review):

Dr. Ehlich updated the Board on the Ethics & Jurisprudence PowerPoint.

Rules & Regulations PowerPoint (Review):

Dr. Ehlich updated the Board on the Rules & Regulations PowerPoint.

Request #1-CE Waiver During Period of Temporary Medical Disability

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

(10:45 am – 10:56 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. Battrell-Hughes made a motion to deny Dr. Yurko’s request to complete the remainder of the continuing education hours online. Dr. Yurko must provide documentation from a medical doctor that she is unable to travel. The motion was seconded and approved.

Request #2-CE Waiver During Period of Temporary Medical Disability

Motion: In open session, Dr. Ehlich made a motion to grant the CE request for Dr. Wapner to complete the remaining hours online. The motion was seconded and approved.

Continued Business:

Appoint Hearing Officers

Mr. Williams discussed the hearing officers list with the Board.

Discussion Items:

2024 Renewals

Mr. Williams reminded the Board of the license renewals. Mr. Williams discussed the out of state CE requirement on the online renewal and CE exemption with the Board.

District Elections

Mr. Williams updated the Board on the district elections.

Intramuscular Therapy, Scope of Practice Question, and Tele-Health (Executive Session)

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

(11:35 am – 1:21 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 approve the Intramuscular Therapy position statement and to be placed on the Board’s website. The motion was seconded and approved.

NBCE Exam

Dr. Garris updated the Board on the NBCE Part IV exam.

Appoint Members to Attend the 2024 District III & V Annual Meeting

Motion: In open session, Dr. Coon made a motion for all Board members to attend the 2024 District III & V Annual Meeting. The motion was seconded and approved.

Legislative Update

Mr. Hardwick discussed the legislative update with the Board.

Adjournment

There being no other Board business, Dr. Ehlich made a motion to adjourn the meeting at 1:31pm.