

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
Lowcountry Room
Thursday, November 11, 2024

Board Members Present:

Gene A. Garris, D.C., Board Chair
Martia Creighton Thigpen, D.C., Vice Chair
Michael L. Coon, D.C.
Patricia Garcia, Public Member
Mark W. Thayer, D.C.
Tammy Costello-Hales, D.C.
Iva Battrell-Hughes, D.C.
Lucian Henry, D.C.
Thomas Stetson, D.C.

Staff Present:

Mack Williams, Board Executive
Hardwick Stuart, Office of Advice Counsel
Jonathan Owens, Program Coordinator
Erin Baldwin, Office of Disciplinary Counsel
April Howe, Office of Investigation & Enforcement

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. Garris, Board Chair, called the meeting to order at 9:06 a.m. The meeting was held in the Lowcountry 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. Henry made a motion to amend the agenda and remove 10(c) from “2025 Officer Elections”. The motion was seconded and approved by Dr. Coon.

Approval or Disapproval of Absent Members

Motion: All Board members were present.

Approval of the Minutes

Motion: In open session, Dr. Costello-Hales made a motion to approve the August 1, 2024 meeting minutes —no corrections noted. The motion was seconded and approved Dr. Battrell-Hughes.

New Business:

Administrator Report:

Office of Investigations and Enforcement Reports (OIE/IRC)

Ms. Howe presented the statistical report to the Board. The Board accepted the report as information.

Ms. Howe presented the IRC report to the Board. Ms. Howe presented Case # 2024-11 for dismissal.

Motion: In open session, Dr. Thayer made a motion to accept the IRC recommendations for Case # 2024-11 for dismissal. The motion was seconded and approved Dr. Costello-Hales.

Mr. Bond presented one (1) Formal Complaint, Case # 2023-2 to the Board.

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 Executive, presented the financial report. The Board accepted the finance report as information.

Disciplinary Hearings

Case #2019-52, #2021-36: Ms. Baldwin presented the Memorandum of Agreement. The Respondent made a personal appearance and was not represented by counsel.

The Board closed the hearing.

Motion: In closed session, Ms. Baldwin presented the MOA and made a motion to add the entire Memorandum of Agreement as evidence. The motion was seconded and approved by Dr. Coon.

Motion: In closed session, Dr. Coon made a motion to go into executive session to get legal advice in regards to Case #'s 2019-52 and # 2021-36. The motion was seconded and approved by Dr. Battrell-Hughes.

(10:07 am – 11:30 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 by Dr. Costello-Hales.

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

Motion: In closed session, Dr. Coon made a motion to approve the license with the following conditions. The licensee must take and pass the SPEC exam, a one-thousand (1000) dollar civil penalty for each of the three (3) violations which equals three-thousand (3000) dollars which must be paid within ninety (90) days of receipt of the order, have workplace supervision of a SC licensed chiropractor for a period of twenty-four months, and other requirements known to the Respondent and the Board. Failure to do so will result in the administrative suspension of the license. The motion was seconded and approved by Dr. Stetson.

Board Chair Remarks:

Renewal-CE Extension Request:

Nicole Goldin, D.C.: Dr. Goldin made a personal appearance and was not represented by counsel. The purpose of the hearing was to request for an extension to complete the in-person continuing education requirement.

Motion: In open session, Dr. Thayer made a motion to approve the license renewal and CE waiver. The motion was seconded and approved by Mrs. Garcia.

Matthew Ashkettle, D.C.: Dr. Ashkettle made a personal appearance and was not represented by counsel. The purpose of the hearing was to request for an extension to complete the in-person continuing education requirement.

Motion: In open session, Dr. Coon made a motion to go into executive session to get legal advice in regards to Dr. Ashkettle's request. The motion was seconded and approved by Dr. Battrell-Hughes.

(11:47 am – 11:58 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 by Dr. Battrell-Hughes.

Motion: In open session, Dr. Thayer made a motion to approve hardship and grant the CE extension. The continuing education hours must be completed within ninety (90) days of receipt of the order, and submit a renewal application with late fee. The motion was seconded and approved by Dr. Battrell-Hughes.

Renewal Application Hearings

Archer Irby, D.C.: Dr. Irby made a personal appearance and was represented by counsel, Lauren Gresh, Esq. The purpose of the hearing was to determine if Dr. Irby's license shall be renewed.

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

Motion: In closed session, Dr. Battrell-Hughes made a motion to go into executive session to get legal advice in regards to Dr. Irby's renewal application. The motion was seconded and approved by Dr. Thayer.

(12:29 pm – 1:57 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 by Dr. Costello-Hales.

Motion: In closed session, Dr. Thayer made a motion to deny the license renewal application due to not providing sufficient evidence in accordance with the Administrative Procedures Act. The motion was seconded and approved by Dr. Battrell-Hughes.

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

Gwendolyn Gardner, D.C.: Dr. Gardner made a personal appearance and was not represented by counsel. The purpose of the hearing was to determine if Dr. Gardner's license shall be renewed.

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

Motion: In closed session, Dr. Battrell-Hughes made a motion to go into executive session to get legal advice in regards to Dr. Gardner's renewal application. The motion was seconded and approved by Dr. Costello-Hales.

(2:13 pm – 2:34 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 by Dr. Henry.

Motion: In closed session, Dr. Costello-Hales made a motion to grant the license renewal. The motion was seconded and approved by Dr. Battrell-Hughes.

Heather Lambert, D.C.: Dr. Lambert made a personal appearance and was not represented by counsel. The purpose of the hearing was to determine if Dr. Lambert's license shall be renewed.

Motion: In open session, Dr. Coon made a motion to go into executive session to get legal advice in regards to Dr. Lambert's renewal application. The motion was seconded and approved by Dr. Henry.

(2:54 pm – 3:07 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 by Dr. Coon.

Motion: In open session, Dr. Battrell-Hughes made a motion to grant the license renewal with conditions of one (1) year of probation and must complete twelve (12) hours of continuing education in billing and coding. The motion was seconded and approved by Dr. Costello-Hales.

Mark Romano, D.C.: Dr. Lambert made a personal appearance and was not represented by counsel. The purpose of the hearing was to determine if Dr. Lambert's license shall be renewed.

Motion: In open session, Dr. Coon made a motion to go into executive session to get legal advice in regards to Dr. Romano's renewal application. The motion was seconded and approved by Dr. Battrell-Hughes.

(3:18 pm – 3:33 pm) -- 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 by Dr. Coon.

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

2025 FCLB-NBCE Annual Meeting (Approve Members to Attend)

Motion: In open session, Dr. Coon made a motion to approve Dr. Garris as the delegate and Dr. Thigpen as the alternate delegate for the NBCE Annual Convention and to attend the FCLB Convention along with Mr. Williams. The motion was seconded and approved by Dr. Battrell-Hughes.

The Board deferred the remaining items on the agenda for the next Board meeting on February 6, 2025.

Motion: In open session, Dr. Battrell-Hughes made a motion to adjourn the meeting. The motion was seconded and approved by Dr. Costello-Hales.

Adjournment

There being no other Board business, Dr. Garris adjourned the meeting at 3:38pm.

Administrator

Date

