

SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING & REGULATION
South Carolina Board of Chiropractic Examiners Board Meeting
Synergy Business Park, Kingstree Building
110 Centerview Drive, Room 108
Columbia SC 29210

Thursday, May 24, 2018

Board Members Present:

John R. McGinnis, D.C., Chairman
Beth R. Ehlich, D.C., Vice Chair
Jeanne McDaniel-Green, D.C.
Richard D. Heavner, D.C.
Douglas B. Hughes, Jr., D.C.
Anthony H. Kyles, D.C.
Ralph D. Roles, D.C.
Patricia Weaver, Public Member

Staff Present:

Mary League, 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, Room 108 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. McGinnis, Chairman, called the meeting to order at 9:00 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. Roles made a motion to approve the agenda. The motion was seconded and approved.

Approval of the Minutes

Motion: In open session, Dr. Roles made a motion to approve the February 8, 2018 meeting minutes —no corrections noted. The motion was seconded and approved.

New Business:

Administrator Report:

Office of Investigations and Enforcement Reports (OIE/IRC): Mr. Pate presented the IRC report to the Board. Case # 2017-27 and Case # 2018-11 are recommended for dismissals.

Motion: In open session, Dr. Roles made a motion to accept the IRC recommendations for Case # 2017-27 and Case # 2018-11. The motion was seconded and approved.

Mr. Pate presented one (1) Formal Complaint, Case # 2017-29, for approval.

Motion: In open session, Dr. Roles made a motion to accept the Formal Complaint. The motion was seconded and approved.

Mr. Pate presented two (2) Letters of Caution, Case # 2017-28 and Case # 2017-31.

Motion: In open session, Dr. Roles made a motion to accept the Letters of Caution. The motion was seconded and approved.

Mr. Pate, Office of Investigations and Enforcement (OIE) presented the statistical report to the board. For the first quarter starting January 1, 2018 and ending March 31, 2018, there were ten (10) cases received, and three (3) cases were closed. There are twelve (12) active cases as of May 24, 2018.

The Board accepted the statistical report as information.

Office of Disciplinary Counsel: Ms. Flannery, Office of Disciplinary Counsel presented the ODC report to the Board. There are a total of fifteen (15) open cases, two (2) pending action, one (1) is pending scheduling, eight (8) are pending CAs or MOAs, four (4) pending Final Order hearings, one (1) pending OIE case, and two (2) have been closed since January 1, 2018.

The Board accepted the ODC report as information.

Financial Report: Mr. Williams, Board Administrator presented the financial report.

Chairman's Remarks:

Disciplinary Hearings

Case #2014-29: Ms. Flannery, Office of Disciplinary Counsel presented a Final Order hearing to the Board. The Respondent did not make a personal appearance and was not represented by legal counsel.

Motion: In open session, Dr. Roles made a motion to accept the recommendation of the Hearing Officer. The motion was seconded and approved.

Case #2017-7: Ms. Flannery, Office of Disciplinary Counsel presented a Memorandum of Agreement to the Board. The Respondent did make a personal appearance and was not represented by legal counsel.

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

(9:44 a.m – 9:53 a.m) -- No votes were taken in executive session.

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

Motion: In open session, Dr. Roles made a motion to accept the Memorandum of Agreement and Stipulations. The motion was seconded and approved.

Case #2017-16: Ms. Flannery, Office of Disciplinary Counsel presented a Memorandum of Agreement to the Board. The Respondent did make a personal appearance and was not represented by legal counsel.

Motion: In open session, Dr. Roles made a motion to accept the Memorandum of Agreement and Stipulations. The motion was seconded and approved.

Case #2016-26: Ms. Flannery, Office of Disciplinary Counsel presented a Memorandum of Agreement to the Board. The Respondent did make a personal appearance and was not represented by legal counsel.

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

(10:15 a.m – 10:20 a.m) -- 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. Roles made a motion to accept the Memorandum of Agreement and Stipulations. The motion was seconded and approved.

Initial Applications

Timothy Goulart D.C.: The purpose of this hearing was to determine if Dr. Goulart should be granted a Chiropractic license. Dr. Goulart did make a personal appearance and was not represented by legal counsel.

Motion: In open session, Dr. Roles made a motion that Dr. Goulart be granted a license. The motion was seconded and approved.

Kevin Kenny D.C.: The purpose of this hearing was to determine if Dr. Kenny should be granted a Chiropractic license. Dr. Kenny did make a personal appearance and was not represented by counsel.

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

(10:45 a.m – 11:02 a.m) -- No votes were taken in executive session.

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

Motion: In open session, Dr. Roles made a motion that Dr. Kenny be granted a license upon successfully passing the SPEC exam and submitting an application by reinstatement. The motion was seconded and approved.

Mark Sloan D.C.: The purpose of this hearing was to determine if Dr. Sloan should be granted a Chiropractic license. Dr. Sloan did not make a personal appearance and was not represented by counsel.

Motion: In open session, Dr. Green made a motion to defer the application. The motion was seconded and approved. It was determined that the application has exceeded the one (1) year term limit and shall be closed.

Other Business

CE Committee Report: Dr. Ehlich provided feedback in approving courses for CE Broker. The Board discussed new measures that need to be taken for course approval.

Motion: In open session, Dr. Roles made a motion to direct CE Broker to accept CE credit for administering Part IV twice in a licensing period. The motion was seconded and approved.

Rules and Regulations Exam: The Board discussed the Rules and Regulations exam.

Motion: In open session, Dr. Roles made a motion to allow a member to teach the Rules and Regulations exam up to two (2) years from being released from the Board. The motion was seconded and approved.

Motion: In open session, the Board made a motion to appoint Dr. Ehlich and Dr. Green as members of the Inactive Credential committee. The motion was seconded and approved.

Motion: In open session, Dr. Ehlich mad a motion to move into executive session. The motion was seconded and approved.

(11:28 a.m – 11:34 a.m) -- No votes were taken in executive session.

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

Jurisprudence Exam: The Board discussed changes being made to the Jurisprudence exam.

FCLB / NBCE 2018 Conference Update: The Board discussed the attendees for the meeting.

Motion: In open session, Dr. Roles made a motion to accept Dr. Ehlich and Dr. Hughes as the delegates and Dr. Heavner as the alternate. The motion was seconded and approved

NBCE Part IV Exam: The Board discussed the attendees for the exam.

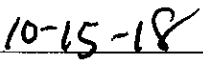
Motion: In open session, the Board made a motion to accept Dr. Roles and Dr. Kyles for the NBCE Part IV Fall Exam and Dr. Hughes as an alternate. The motion was seconded and approved.

ADJOURNMENT

There being no other Board business, Dr. McGinnis adjourned the meeting at 12:06 p.m.



Administrator



Date