

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, November 15, 2018

Board Members Present:

John R. McGinnis, D.C., Chairman
Beth R. Ehlich, D.C., Vice Chair
Richard D. Heavner, D.C.
Douglas B. Hughes, Jr., D.C.
Anthony H. Kyles, D.C.
Ralph D. Roles, D.C.
Mark W. Thayer, D.C.
Gene A. Garris, D.C.
Patricia Weaver, Public Member

Staff Present:

Stacy Hewson, 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 August 9, 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. Sanders presented the IRC report to the Board. Case # 2016-4, Case # 2017-32, Case # 2018-14, and Case # 2018-43 are recommended for dismissals.

Motion: In open session, Dr. Roles made a motion to accept the IRC recommendations for Case # 2016-4, Case # 2017-32, and Case # 2018-14, and Case # 2018-43. The motion was seconded and approved.

Mr. Sanders presented one (1) Cease and Desist, Case # 2018-17, for approval.

Motion: In open session, Dr. Heavner made a motion to accept the Cease and Desist. The motion was seconded and approved.

Mr. Sanders presented two (2) Formal Complaints, Case # 2018-23 and Case # 2018-26.

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

Mr. Sanders presented eight (8) Letters of Caution, Case # 2018-15, Case # 2018-27, Case # 2018-28, case # 2018-29, Case # 2018-30, Case # 2018-31, Case # 2018-32, and Case # 2018-33.

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

Mr. Sanders, Office of Investigations and Enforcement (OIE) presented the statistical report to the board. For the third quarter ending September 30, 2018, there were seventeen (17) cases received, and three (3) cases were closed. There are seventeen (17) active cases as of November 15, 2018.

The Board accepted the statistical report as information.

Office of Disciplinary Counsel: Ms. Baldwin, Office of Disciplinary Counsel presented the ODC report to the Board. There are a total of fourteen (14) open cases, five (5) pending action, zero (0) pending hearing, six (6) are pending CAs or MOAs, one (1) pending Final Order hearings, one (1) pending OIE case, and six (6) have been closed as of November 15, 2018..

The Board accepted the ODC report as information.

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

Disciplinary Hearings

Case #2016-12: Ms. Flannery, Office of Disciplinary Counsel presented a Memorandum of Agreement with Stipulations to the Board. The Respondent did make a personal appearance and was represented by legal counsel.

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

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

(9:38 a.m -- 10:05 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. Heavner made a motion to accept the Memorandum of Agreement for Case # 2016-12. The motion was seconded and approved.

Initial Applications

Jean-Marc Schonemann D.C.: The purpose of this hearing was to determine if Dr. Schonemann should be granted a Chiropractic license. Dr. Schonemann made a personal appearance and was not represented by legal counsel.

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

Roland Kale, Jr. D.C.: The purpose of this hearing was to determine if Dr. Kale should be granted a Chiropractic license. Dr. Kale made a personal appearance and was not represented by counsel.

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

(10:38 a.m – 10:45 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. Ehlich made a motion that Dr. Kale be granted a license upon successful completion of the SPEC exam. The motion was seconded and approved.

Monica Hemmen-Duckworth D.C.: The purpose of this hearing was to determine if Dr. Hemmen-Duckworth should be granted a Chiropractic license. Dr. Hemmen-Duckworth made 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.

(10:55 a.m – 11:01 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 approve the application for license upon receipt of Dr. Hemmen-Duckworth's NC license verification. If license lapsed in December 2014, then successful completion of the SPEC exam is needed for licensure approval. If the license lapsed in December 2015, then 36 CE hours must be needed for licensure approval. The motion was seconded and approved.

Kayla Cooper D.C.: The purpose of this hearing was to determine if Dr. Cooper should be granted a Chiropractic license. Dr. Cooper made 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.

(11:09 a.m – 11:16 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 grant licensure upon completion of thirty-six (36) hours of Board approved continuing education courses for the 2016-2018 cycle. The motion was seconded and approved.

Other Business

Rules and Regulations / Jurisprudence Exam Update: The Board discussed changes to the Rules and Regulations and Jurisprudence exams.

Motion: In open session, Dr. Roles made a motion to accept 75 as a passing score for the exams. The motion was seconded and approved.

Inactive Status Committee Update: The Board discussed establishing an inactive status for licensees.

CE Waiver / Extension Requests: The Board discussed Dr. Fulle's CE waiver / extension request.

Motion: In open session, Dr. Roles made a motion to allow Dr. Fulle to attain the remainder of his CE requirements until May 31, 2019. The motion was seconded and approved

CE Review Committee: The Board discussed adding a member to the committee. Dr. Garris was added to the CE Review Committee.

FCLB 2018 District III & V Meeting Update: Dr. Ehlich and Dr. Hughes updated the Board on the District III and V meeting.


Election of Board Officers: In open session, the Board re-elected Dr. McGinnis as Chairman and elected Dr. Heavner as Vice Chair.

2019 Board Meeting Dates: The Board approved the 2019 Board meeting dates.

ADJOURNMENT

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

There being no other Board business, Dr. McGinnis adjourned the meeting at 12:22 p.m.


Administrator

2-7-19
Date