

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 23, 2019

Board Members Present:

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

Staff Present:

Robert Elam, 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 9:04 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. Garris made a motion to approve the February 7, 2019 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 #'s 2018-5, 2018-18, 2018-19, 2018-21, 2018-24, 2018-38, 2018-39, and 2019-6 are recommended for dismissal.

Motion: In open session, Dr. Thayer made a motion to accept the IRC recommendations for Case #'s 2018-5, 2018-18, 2018-19, 2018-21, 2018-24, 2018-38, 2018-39, and 2019-6. The motion was seconded and approved.

Mr. Sanders presented to the Board three (3) letters of caution for approval, Case #'s 2018-22, 2018-36, and 2018-37.

Motion: In open session, Dr. Heavner made a motion to accept the IRC recommendations for Case #'s 2018-22, 2018-36, and 2018-37. The motion was seconded and approved.

Mr. Sanders, Office of Investigations and Enforcement (OIE) presented the statistical report to the board. For the first quarter ending March 31, 2019, OIE received fourteen (14) cases. For the same period ending March 31, 2019, four (4) cases were closed. There are thirty-four (34) active cases as of May 23, 2019.

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 twelve (12) open cases, seven (7) pending action, zero (0) pending hearing, one (1) are pending CAs or MOAs, zero (0) pending Board action, zero (0) pending Final Order hearings, four (4) pending OIE case, and three (3) have been closed as of May 9, 2019.

The Board accepted the ODC report as information.

Chiropractic Supervision: Ms. Baldwin and the Board discussed the standards of chiropractic supervision.

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

Disciplinary Hearings

Case #2016-20: Ms. Baldwin, Office of Disciplinary Counsel presented a Memorandum of Agreement with Stipulations to the Board. The Respondent did make a personal appearance and was not represented by counsel.

Motion: In open session, Dr. Heavner made a motion to close the hearing to protect personal health information. 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.

(10:04 a.m – 10:15 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 for Case # 2016-20. The motion was seconded and approved.

Initial Applications

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

(10:48 a.m – 10:57 a.m) -- No votes were taken in executive session.

Motion: In open session, the Board 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 deny the application for licensure. The motion was seconded and approved.

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

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

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

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

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

(11:19 a.m – 11:30 a.m) -- No votes were taken in executive session.

Motion: In open session, Dr. Heavner 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 the licensure be granted upon receipt of CE's from the last Wisconsin renewal period. The motion was seconded and approved.

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

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

Other Business

Review Proposed Regulations: The Board and Ms. Beeson discussed the process of updating the regulations.

Rules and Regulations /Jurisprudence Exam Update: The Board discussed the outsourcing the Jurisprudence and the Rules and Regulations exam through the NBCE.

CE Committee Update: Dr. Ehlich provided feedback regarding the CE approval process through CE Broker.

Inactive Status Committee Update: The Board discussed the inactive status process.

Delegation of Authority to Board Chair to Issue Cease and Assist: The Board discussed delegating authority the Board chair regarding Cease & Desist Orders. .

Motion: In open session, Dr. Roles made a motion to accept the delegation of authority to the Board Chair. The motion was seconded and approved.

2019 NBCE / FCLB Annual Meeting Update: Dr. Heavner and Dr. Kyles provided feedback regarding the NBCE / FCLB Annual Meeting.

2019 NBCE Part IV Spring Exam Update: Dr. Hughes and Dr. Thayer will be attending the Fall Exam.

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 12:23 p.m.

Mack Willy
Administrator

8-8-19
Date