

SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING & REGULATION
South Carolina Board of Chiropractic Examiners Board Meeting
Synergy Business Park, Kingstree Building
110 Centerview Drive, Room 202-02
Columbia SC 29210

Thursday, November 9, 2017

Board Members Present:

John R. McGinnis, D.C., Chairman
Jeanne McDaniel-Green, D.C., Vice Chair
Beth R. Ehlich, 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:

Stacey Hewson, Office of Advice Counsel
Mack Williams, Board Administrator
Henry Tiller, 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 202-02 Columbia, SC 29210 and 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 8:05 a.m. The meeting was held in Room 202-02 located in the Synergy Business Park, Kingstree Building at 110 Centerview Drive, in Columbia, South Carolina 29210.

Approval of the Agenda

Motion: In open session, Dr. Heavner made a motion to approve the agenda. The motion was seconded and approved.

Approval of the Minutes

Motion: In open session, Dr. Green made a motion to approve the August 10, 2017 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, Office of Investigations and Enforcement (OIE) presented the statistical report to the board. As of August 10, 2017, there are seven (7) active cases and fifteen (15) closed for the year.

The Board accepted the statistical report as information.

Mr. Sanders presented the IRC report to the Board, there are three (3) cases for dismissal, two (2) formal complaints and three (3) letter of cautions.

Three (3) cases for dismissal:

Case #: 2017-20

Case #: 2017-21

Case #: 2017-26

Motion: In open session, Dr. Heavner made a motion to accept the IRC recommendations for three (3) dismissals. The motion was seconded and approved.

Two (2) formal complaints:

Case #: 2017-19

Case #: 2017-25

Motion: In open session, Dr. Green made a motion to accept the IRC recommendations for two (2) formal complaints. The motion was seconded and approved.

Three (3) letters of caution:

Case #: 2016-23

Case #: 2016-38

Case #: 2017-22

Motion: In open session, Dr. Roles made a motion to accept the IRC recommendations for three (3) letters of caution. The motion was seconded and approved.

Office of Disciplinary Counsel: Ms. Flannery, Office of Disciplinary Counsel presented the ODC report to the Board. There are a total of seventeen (17) cases, ten (10) pending action, one (1) is pending a hearing later this month, three (3) are being heard today and three (3) are pending CAs or MOAs.

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

Report on CE Broker: Mr. Dylan Sitterle presented a PowerPoint and answered questions regarding CE Broker.

Disciplinary Hearings

Case # 2014-19 and 2014-45: Ms. Flannery, Office of Disciplinary Counsel presented a consent agreement to the Board.

Motion: In open session, Dr. Roles made a motion to accept the terms of the consent agreement for case # 2014-19 and 2014-45. The motion was seconded and approved.

Case #2016-40: Ms. Flannery, Office of Disciplinary Counsel presented a memorandum of agreement to the Board. The Respondent did not make a personal appearance and was not represented by legal counsel.

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

[9:12 a.m.-9:42 a.m.- Board in Executive Session]

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

Motion: Dr. Heavner made a motion that the respondent be issued a public reprimand, serve 18 months suspended license followed by five years' probation, successfully complete the Ethics and Boundaries exam, and pay a \$2,000 fine. The motion was seconded and approved.

Initial Applications

Kevin Snell D.C.: The purpose of this hearing was to determine should Dr. Snell be granted a Chiropractic license. Dr. Snell made a personal appearance before the Board and was not represented by counsel.

Motion: Dr. Roles made a motion to executive session. The motion was seconded and approved.

[10:05 a.m.-10:24 a.m.- Board 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: Dr. Roles made a motion that Dr. Snell be granted a license contingent on him taking and passing EBAS and providing documentation to the Board. The motion was seconded and approved.

Richard Lohr D.C.: The purpose of this hearing was to determine should Dr. Lohr be granted a Chiropractic license. Dr. Lohr was to call in via teleconference.

Motion: Dr. Roles made a motion to table this discussion for the next meeting and have Dr. Lohr appear in person. The motion was seconded and approved.

Other Business

Review of the PACE Program: Dr. Grossman of the FCLB gave an overview of the PACE program and other programs being developed by the FCLB.

Continuing Education Audit Exemption Order:

Motion: Dr. Roles made a motion to rescind the audit exemption order. The motion was seconded and approved.

Motion: Dr. Ehlich made a motion to examine the language and questions in the online exam for license renewal and also look at the slide presentation to make both of those updated in terms of relevant material and improvements. The motion was seconded and approved.

Motion: Dr. Green made a motion to form a committee to review and update regulations consisting of Dr. Roles, Dr. Heavner and Dr. Kyles. Motion was seconded and approved.

Approval of 2018 Meeting Dates:

Motion: Dr. Roles made a motion to accept the 2018 meeting dates. The motion was seconded and approved.

Motion: Dr. Roles made a motion to nominate Dr. McGinnis as Board Chair. The motion was seconded and approved.

Motion: Dr. Hughes made a motion to nominate Dr. Ehlich as Board Vice-chair. The motion was seconded and approved.

ADJOURNMENT

There being no other Board business, Dr. McGinnis adjourned the meeting at 11:05 a.m.

Mocheville
Administrator

2-8-18
Date