

BOARD OF CHIROPRACTIC EXAMINERS

MINUTES

DATE: October 20, 2022

TIME: 9:00 AM CST

LOCATION: Poplar Conference Room
665 Mainstream Dr, 1st Floor
Nashville TN 37243

MEMBERS PRESENT: Curtis Damien, D.C., President
Cole Hosenfeld, D.C., Vice-President
Jason Hulme, D.C., Secretary
Dale Blackwelder, D.C., Board Member
Kara Birdwell, D.C., Board Member
Rob Ailey, Citizen Member

STAFF PRESENT: Noranda French, Board Director
Mary V. Bennett, Board Manager
Sabrina Craig-Boyd, Board Administrator 2
Kevin Griffin, Associate General Counsel
Dorsey Luther, OIV Coordinator
Alicia Grice, Division of Health Licensure & Regulation

GUESTS PRESENT: Tiffany Stevens, TN Chiropractic Association
Dr. Michael Barron, TN Medical Foundation

Call to Order

A roll call of board members was initiated, by Sabrina Craig-Boyd, Board Administrator. With a quorum present, the meeting started at 9:05 am, CST. The board was introduced to the newest member Mr. Rob Ailey, Citizen Member.

Board Meeting Minutes July 21, 2022

Dr. Hosenfeld made a motion, to accept the July 21, 2022, board meeting minutes with grammatical correction. Dr. Hulme seconded the motion. The motion carried.

Office of Investigations

Dorsey Luther was present for the Office of Investigations to present the board with the Board Statistical Complaint Report.

License Type: 1108 - Chiropractic Physician

Complaint Activity	Dec 2021	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
New Complaints Opened		2	3	1	3	1	2	5	2	3	1			23
Total Closed Complaints		0	9	26	11	0	0	0	0	27	0			73
62 - Closed - Insufficient		0	1	3	1	0	0	0	0	5	0			10
7 - Closed BIV,EMS,HCF,AW		0	2	8	4	0	0	0	0	13	0			27
9 - Complaint Closed		0	5	14	2	0	0	0	0	7	0			28
93 - Closed - Ltr of Concern		0	1	0	0	0	0	0	0	1	0			2
94 - Closed - Warning Ltr		0	0	1	4	0	0	0	0	1	0			6
Currently Open Complaints	68	70	64	39	31	32	34	39	41	17	18			

License Type: 1122 - Chiropractic Therapy Assistant

Complaint Activity	Dec 2021	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
New Complaints Opened		0	0	0	0	0	0	0	0	0	0			0
Total Closed Complaints		0	0	23	8	0	0	0	0	6	0			37
62 - Closed - Insufficient		0	0	0	0	0	0	0	0	1	0			1
7 - Closed BIV,EMS,HCF,AW		0	0	1	0	0	0	0	0	1	0			2
9 - Complaint Closed		0	0	22	8	0	0	0	0	4	0			34
Currently Open Complaints	37	37	37	14	6	6	6	6	6	0	0			

License Type: 1145 - Chiropractic X-Ray Technologist

Complaint Activity	Dec 2021	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
New Complaints Opened		0	0	0	0	0	0	0	0	0	0			0
Total Closed Complaints		0	0	1	0	0	0	0	0	2	0			3
7 - Closed BIV,EMS,HCF,AW		0	0	1	0	0	0	0	0	2	0			3
Currently Open Complaints	3	3	3	2	2	2	2	2	2	0	0			

Office of Health Licensure and Regulation (Fiscal Report)

Alicia Grice was present for the Office of Health Licensure and Regulation to present the board with the Year End Fiscal Report.

Tennessee Board of Chiropractors				
Actual Revenue and Expenditures				
for Fiscal Year ending June 30, 2022				
Acct Code	Description	FY2022	FY2021	FY2020
701	Salaries & Wages	\$ 78,691.33	\$ 72,398.33	\$ 67,725.17
702	Employee Benefits	\$ 33,499.51	\$ 30,214.20	\$ 21,508.07
Payroll Expenditures (701-702)		\$ 112,190.84	\$ 102,612.53	\$ 89,233.24
703	Travel	\$ 4,763.24	\$ 185.18	\$ 6,349.79
704	Printing & Duplicating	\$ -	\$ -	\$ -
705	Utilities & Fuel	\$ -	\$ -	\$ -
706	Communications	\$ 3,087.28	\$ 1,331.99	\$ 3,909.20
707	Maintenance & Repairs	\$ -	\$ -	\$ -
708	Prof. Svc. & Dues	\$ 6,008.52	\$ 8,653.51	\$ 5,496.68
709	Supplies & Materials	\$ -	\$ 73.75	\$ 656.80
710	Rentals & Insurance	\$ -	\$ -	\$ -
711	Motor Vehicle Ops.	\$ -	\$ -	\$ -
712	Awards & Indemnities	\$ -	\$ -	\$ -
713	Grants & Subsidies	\$ -	\$ -	\$ -
714	Unclassified	\$ -	\$ -	\$ -
715	Stores for Resale	\$ -	\$ -	\$ -
716	Equipment	\$ -	\$ -	\$ -
717	Land	\$ -	\$ -	\$ -
718	Buildings	\$ -	\$ -	\$ -
721	Training of State Employees	\$ -	\$ -	\$ 295.00
722	Computer Related Items	\$ 290.36	\$ 331.24	\$ -
725	State Prof. Svcs.	\$ 4,216.66	\$ 8,560.49	\$ 6,924.89
Total Other Expenditures (703-725)		\$ 18,366.06	\$ 19,136.16	\$ 23,632.36
Total Direct Expenditures		\$ 130,556.90	\$ 121,748.69	\$ 112,865.60
Allocated Expenditures				
	Administration	\$ 18,411.51	\$ 17,129.38	\$ 15,282.86
	Investigations	\$ 36,447.85	\$ 53,598.17	\$ 74,642.56
	Legal	\$ 19,545.26	\$ 48,578.17	\$ 53,824.54
	Cash Office	\$ 453.09	\$ 510.92	\$ 504.12
Total Allocated Expenditures		\$ 74,857.70	\$ 119,816.65	\$ 144,254.08
Total Expenditures		\$ 205,414.60	\$ 241,565.34	\$ 257,119.68
Board Fee Revenue		\$ 303,396.44	\$ 272,048.01	\$ 263,500.64
Current Year Net		\$ 97,981.84	\$ 30,482.67	\$ 6,380.96
Technology Improvements				
	LARS Improvements	\$ 5,154.47	\$ 4,361.98	\$ 646.66
	Visual Investigator	\$ 104.26	\$ 378.90	\$ 14,971.16
Total Technology Improvements		\$ 5,258.74	\$ 4,740.89	\$ 15,617.83
Cumulative Carryover		\$ 646,162.98	\$ 553,439.89	\$ 527,698.11

Board of Chiropractors	
Analysis of Operating Expenditures and Carryover Balance	
FY2019 Operating Expenditures	\$ 242,770.11
FY2020 Operating Expenditures	\$ 257,119.68
FY2021 Operating Expenditures	\$ 241,565.34
3 Year Average of the Annual Operating Expenditures	\$ 247,151.71
2 Times 3 Year Average of the Annual Operating Expenditures	\$ 494,303.42
2021 Cumulative Carryover Balance	\$ 553,439.89
FY2020 Operating Expenditures	\$ 257,119.68
FY2021 Operating Expenditures	\$ 241,565.34
FY2022 Operating Expenditures	\$ 205,414.60
3 Year Average of the Annual Operating Expenditures	\$ 234,699.88
2 Times 3 Year Average of the Annual Operating Expenditures	\$ 469,399.75
2022 Cumulative Carryover Balance	\$ 646,162.98
Cumulative carryover exceeds two times the three-year average of operating expenditures.	

Office of General Counsel

Associate General Counsel, Kevin Griffin presented the board with the Office of General Counsel Report.

CONFLICT OF INTEREST

If you have a personal or financial interest in the outcome of any issue or matter before this board which may suggest a bias on your part, you are asked to state that interest on the record so that a determination can be made as to whether there exists a need for recusal. You are reminded that it is the duty of this board to protect the health, safety and welfare of the citizens of Tennessee and that the administration of this solemn responsibility is dependent upon avoiding even the appearance of impropriety.

LITIGATION MATTERS: The Office of General Counsel currently has seven (20) open disciplinary cases on seven (15) chiropractic physicians, one (1) chiropractic therapy assistant, and two (2) chiropractic x-ray technologist, pertaining to the Board of Chiropractic Examiners.

APPEALS There are no pending appeals from Board action.

CIVIL SUITS None.

RULES: The Office of General Counsel has two rule changes in process, regarding the CTA/CTX rules and the DC rules. The CTA/CXT rule packet is currently under review by the Attorney General's Office and is pending approval by Gov Ops. The DC Telehealth rule packet is currently in process.

Mr. Griffin provided the with the Summary of Currently Monitored Providers. No discussion on this topic.

Office of General Counsel: Summary of Currently Monitored Providers

October 2022 Disciplinary Report for Board of Chiropractic Examiners

Summary: This report provides the total number of licensees currently being monitored for discipline.

The total number of Chiropractors being monitored for discipline is 16.

The total number on reprimand is 9 with terms. \$40,095.617 fines and fees

The total number on probation is 2 with terms. \$0.00 fines and fees

The total number on suspension is 3. \$11,049.33 fines and fees

The total number that has had their license revoked or surrendered is 2. \$6,334.75 fines and fees

Mr. Griffin presented the board with a Petition to Lift Probationary Status for Jonathan Sweeny DC2312. Dr. Hulme made motion to lift probationary status. Dr. Blackwelder seconded the motion. The motion carried.

Applicant Interviews

Leigh Choate, CXT Applicant-request board to accept late application. Dr. Hosenfeld made a motion, to accept late application. Dr. Hulme seconded the motion. The motion carried.

Olivia Jett, CTA Applicant-request board to accept late application. Dr. Hulme made a motion, to accept late application. Dr. Hosenfeld seconded the motion. The motion carried.

Jessica Russell, CTA Applicant-request board to accept late application. Dr. Hosenfeld made a motion, to accept late application. Dr. Hulme seconded the motion. The motion carried.

Petra Sneed, CTA Applicant- request board to accept late application. Dr. Hulme made a motion to accept late application. Dr. Hosenfeld seconded the motion. The motion carried.

James Reichert, DC Applicant-Dr. Reichert has appeared before this board in 2021 and 2022. He was previously ordered by the board to be evaluated by the TN Medical Foundation for Fit to Practice. Dr. Reichert has fulfilled the stipulations set by the board and has been approved for licensure. Dr. Hosenfeld made a motion, to grant licensure to Dr. Reichert. Dr. Blackwelder seconded the motion. The motion carried.

Ratification List

Dr. Hosenfeld made a motion, to approve the ratification lists as presented, seconded by Dr. Blackwelder. The motion carried.

Board of Chiropractic Examiners

Ratification List

July 8, 2022-October 6, 2022

Newly Licensed Chiropractic Physicians

Bates, Logan
Bauchou, Jacob
Bauer, Eydi
Baumgarn, Brock
Bloch, Kyle
Crain, Jordan
DesJardins, Evann
Donahue, Madison
Fee, John
Finkbeiner, Jennifer
Florek, Karolyn
Frigaard, Jon
Garofolo, Matthew
Gray, Erin
Hendrickson, Wesley
Hernandez, Leon
Hewitt, Ryan
Jernigan, Artreya
Kelly, Daniel
Kent, Casey
Kim, Jennifer
Long, Brett
Malone, Jeffrey
Manzo, Victor Jr
Marquez, Sierra
Matteson, Brandon
McArthur, Meagan
Mikles, Cecelia
Miller, Jason
Penna, James
Smith, Jeffrey
Teeter, Leo
Weselak, Timothy

Reinstated Chiropractic Physicians

Jenkins, Brandon
Porceddu, Paul

New Temp/Extern

Burlison, Steven

Acupuncture

Closed Applications

Elmore, Daniel
Morris, Brian
Post, Alexander

Newly Licensed CTA

Amaro, Kristen
Atkins, Kerri

Newly Licensed CXT

Alvarez, Rosa
Barr, Kimberly

Bellinger, Pariss
Berry, Lori
Brown, Jayme
Cherry, Rachael
Dukes, Alexandria
Edens, Alie
Hodges, Laquitta
Johnson, Brittany
Kelley, McKenzie
Miller, Madison
Mux, Keondria
Parent, Denise
Reed, Alicia
Rickman, Krista
Rivera, Elizabeth
Sissom, McKenzie
Sosna, Scott
Temple, Breanna
Terry, Lorrie
Walker, Nichola
Webb, Lashanda
Weinblatt, Courtney
Yates, Hannah

Rawlins, Grace

No Closed Apps for CTA or CXT

Sabrina Craig-Boyd presented the board with the Administrative Report as follows;

**BOARD OF CHIROPRACTIC EXAMINERS
ADMINISTRATOR REPORT
October 20, 2022**

This is an administrative report from Sabrina Craig-Boyd, Board Administrator. The information contained in this report will keep the Board aware of all essential activities pertaining to licensure for Chiropractic Examiners.

STATISTICAL DATA

As of October 6, 2022, the Board of Chiropractic Examiners has **1466** active Chiropractic Physicians, **402** Chiropractic Therapy Assistants, and **121** Chiropractic X-Ray Technologists.

LICENSURE STATUS TOTALS FROM THE MONTHS OF
July 8, 2022 through October 6, 2022

CHIROPRACTIC PHYSICIAN	
Total applications received – 210	

New licenses issued – 33	Renewal Total – 163
Reinstatements – 2	Online Renewals – 113
Temp Licenses/Externships- 1	Paper Renewals – 50
Licenses Retired – 8	69% Using Online System
Failed to Renew/Expired Licensees – 6	
New Acupuncturist- 0	
CHIROPRACTIC THERAPY ASSISTANT	
Total applications received – 71	
New licenses issued – 25	Renewal Total – 26
Reinstatements – 0	Online Renewals – 19
Licenses Retired – 9	Paper Renewals – 5
Failed to Renew/Expired Licensees – 3	73% Using Online System
CHIROPRACTIC X-RAY TECHNOLOGIST	
Total applications received – 14	
New licenses issued – 3	Renewal Total – 12
Reinstatements – 0	Online Renewals – 11
Licenses Retired – 4	Paper Renewals – 1
Failed to Renew/Expired Licensees – 2	92% Using Online System

Audit Update

Of the initial 113 DC's found Non-Compliant, 31 licensees did not respond.
Of the initial 61 CTA's found Non-Compliant, 33 licensees did not respond.
Of the initial 13 CXT's found Non-Compliant, 6 licensees did not respond.

Upcoming Board Meeting Dates

January 19, 2023
April 20, 2023
July 20, 2023
October 19, 2023

INTERNET

The Board's internet website is an excellent location to find valuable board information for licensees and applicants. Please visit the site at <https://www.tn.gov/health/health-program->

[areas/health-professional-boards/chiro-board.html](https://www.health.tn.gov/areas/health-professional-boards/chiro-board.html) . Should you have any suggestions or comments, please feel free to contact the Board at 615.741.3807 or unit2hrb.health@tn.gov.

Agreed Citations

The Board was presented with a list of names of licensee who were found to be non-compliant for the 2020-2021 CE Audit period. The names are listed below. Dr. Hosenfeld made motion, to accept the list of names issued agreed citations. Dr. Blackwelder seconded the motion. The motion carried.

- 1.Jessica Allen
- 2.David Corbitt
- 3.Adam Dahlberg
- 4.Jason Garrett
- 5.Amber Greer
- 6.Phillip Hillman
- 7.Amanda Jordan
- 8.Ryan Nichols
- 9.Walter Rogers
- 10.Micah Smith
- 11.Jessica Taylor

Chiropractic Therapy Assistants

- 1.Emilie Craven
- 2.Rachel Lewelling
- 3.Candice Long
- 4.Tyra Mise
- 5.Jennifer Russell

Chiropractic X-Ray Technicians

- 1.Mackenzie Potter

Correspondence

Joe Fawcett-Appeal of Board previous decision regarding agreed citation for 2020-2021 audit period. Dr. Blackwelder made motion, to uphold the boards original decision made at the July 2022 board meeting. Dr. Hulme seconded the motion. The motion carried.

Zachary Uhler-Appeal of Board previous decision regarding agreed citation for 2020-2021 audit period. Dr. Hulme made motion, to uphold the boards original decision made at the July 2022

board meeting. Dr. Blackwelder seconded the motion. Dr. Damien and Mr. Ailey opposed the motion. The motion carried.

Joel Twist-Request to complete 2022 CEU online. Dr. Hulme made motion, to deny his request to complete all 2020 CEU's online. Dr. Hosenfeld seconded the motion. The motion carried.

Hope Gibson-Request for extension to complete CTA Intern hours. Dr. Birdwell made motion, to grant extension until August 16, 2023. Dr. Blackwelder seconded the motion. The motion carried. Dr. Birdwell made motion, to amend first motion. Dr. Hulme seconded the motion to amend. The motion carried. Dr. Birdwell made final motion, to grant extension until August 16, 2023 to complete intern hours and submit application and that no further extensions will be granted. Dr. Hulme seconded the motion. The motion carried.

Caralyn Murphy-Request for extension to complete CTA Intern hours. Dr. Hosenfeld made motion, to grant an extension until February 1, 2023 to complete inter hours and submit application and that no further extension will be granted. Dr. Hulme seconded the motion. The motion carried.

Teresa Porter- Request for extension to complete new licensee course. Dr. Hulme made motion, to grant an extension until December 31, 2022 to complete new licensee course and that no further extensions will be given for this course. Dr. Birdwell seconded the motion. The motion carried.

Putrus-Schnell, Amy- Request for extension to complete 2022 CEU hours. Dr. Hosenfeld made motion, to deny request. Dr. Hulme seconded the motion.

Putrus-Schnell, Anthony- Request for extension to complete 2022 CEU hours. Dr. Hosenfeld made motion to deny request. Dr. Hulme seconded the motion.

Vickie Wyotach- Request for extension to complete CTA Intern hours. Mr. Ailey made motion, to approve extension request until February 1, 2023 to complete hours and submit application and that no further extensions will be granted. Dr. Hosenfeld seconded the motion. The motion carried.

Jackie Lazarin-Request for extension to complete CTA Intern hours. Dr. Blackwelder made motion, to grant extension until October 6, 2023 to complete intern hours and submit application and that no further extensions will be granted. Dr. Hulme seconded the motion. The motion carried.

Joel Nelson-Request for extension to complete new licensee course. Dr. Birdwell made motion, to grant an extension until June 30, 2023. Dr. Hosenfeld seconded the motion. The motion carried.

Michael Royston-Request new licensee course taken in 2008 for current CTA license to apply to CXT new licensee course requirement. Dr. Hosenfeld made motion, to accept course. Dr. Hulme seconded the motion. The motion carried.

Old and New Business

Laser Treatment for shrinkage of fat cells- The Board received correspondence regarding whether or not red laser for fat loss is included in the scope of practice for Chiropractors. Dr. Hosenfeld made motion, for Board Attorney to respond to stating that laser would fall within the scope of practice as a chiropractic physician as long as it serves a therapeutic treatment of physical ailment, as per the chiropractic scope of practice. Dr. Hulme seconded the motion. The motion carried.

Representative Elections- Dr. Hosenfeld nominated Dr. Hulme for NBCE and Dr. Damien for FCLB. Dr. Blackwelder seconded the motion. The motion carried.

With no further business to discuss, Dr. Blackwelder made motion, to adjourn at 12:15pm. Dr. Hulme seconded the motion. The motion carried.

THESE MINUTES WERE RATIFIED AT THE JANUARY 19, 2023 BOARD MEETING.