



MEETING

FCLB Board of Directors

Tuesday, November 8, 2016

Via Telephone Conference Call

MINUTES

NOTE: Minutes are not totally chronological, as discussion and motions related to a specific agenda item are consolidated under that topic.

PRESENT:

OFFICERS:

Farrel Grossman, D.C., President
Maggie Colucci, D.C., Vice President
Kirk Shilts, D.C., Treasurer

EXECUTIVE BOARD OF DIRECTORS:

Carol Winkler, D.C., District I Director & Board Chair
William Rademacher, D.C., District II Director
Keita Vanterpool, D.C., District III Director
Ned Martello, D.C., District V Director

ADMINISTRATIVE FELLOW DIRECTOR:

Patricia Oliver, Administrative Fellow Director

ALTERNATE DIRECTORS:

Chris Waddell, D.C., District IV Alternate Director

STAFF:

Jon Schwartzbauer, D.C., Executive Director
Bridget Seader, CIN-BAD/Program Administrator

MEETING DETAILS

I. Call to order, roll call, announcements

Dr. Winkler called the meeting to order at 4:04 p.m. MDT, November 8, 2016. Dr. Schwartzbauer noted board members, alternates and staff present as listed. He also announced that Dr. Otto is not able to be on the call tonight. The Board also welcomed Dr. Waddell to his first meeting.

Integrity Check

Dr. Winkler called for an integrity check. No Board Member made a disclosure.

II. FCLB Master Calendar

The Master Calendar is available on-line at the BOD private section of our website.

CONSENT AGENDA

III. Consent Agenda Motions

- A. Standing Rules
- B. Board Meeting Agenda

C. Minutes

Minutes for the July 12, 2016 and September 22, 2016 meetings were approved previously via e-ballot and posted on the FCLB public website.

M/S Oliver / Martello to approve the consent agenda incorporating Standing Rules and the Board Meeting Agenda and Minutes of July 12, 2016 and September 22, 2016 as posted on the website. Motion Passed, no opposition

D . Board Policy Manual

1. Investment Policy

Dr. Grossman reported that he has investigated the possibility of incorporating some of the financial policies and practices used by the National Board but would prefer to wait until after the election, and then in January he can make some recommendations.

Dr. Schwartzbauer is meeting with the new auditors next week and he will invite the auditor to give a presentation at our January meeting regarding how they intend to execute the audit and ask questions about common financial investment strategies used by similar non-profit institutions.

(At 4:09 p.m. Dr. Colucci joined the meeting)

LEGAL ISSUES

IV. Legal Issues

1. None to Report

Dr. Schwartzbauer brought up the question of considering how many billable days to have legal counsel available during next year's conference. Dr. Schwartzbauer will put in a request with their firm for a Tuesday travel day, Board meeting on Wednesday, and to stay through Saturday or Sunday.

GOVERNANCE

1. Financial Report

1.1 Budgetary Issues as of 9/30/2016

- A. Status Report**
- B. Income & Expenses Report**
- C. Job Cost Reports**
- D. Board Designated Reserve Funds**

Dr. Shilts reported when looking at the budget we are on track for the projected budget from last year with a \$25,000 surplus. Our expenses are in line to be what was projected although we are still waiting for some of them. With that in mind we may be able to boost up our 12-month operating reserve above the 3%. He said the board will talk in January about how we want to dedicate any surplus funds (PACE, marketing for CCCA, Passport).

1.2 Conference Finances as of 9/30/2016

A. 2015/2016 Conference Comparison

B. Conference Report

Dr. Winkler referred the Board to pages 17 and 19 in the meeting materials.

2. FCLB Board of Directors

2.1 Mid-Year meeting, Greeley, CO

Dr. Schwartzbauer urged the Board to let Ms. Finn know if they are planning on staying Saturday night in Greeley.

2.2 Topics for *Dynamic Chiropractor* "Regulatory Corner"

Dr. Colucci reported that Don Petersen is interested in running an article on the Passport program in his periodical; and engage the profession to put temporary licensure in place. Dr. Colucci asked the board to come up with ideas for articles that would be published every other month. Dr. Colucci suggested we discuss this again at the January meeting.

3. Personnel Issues

3.1 Nothing to report

4. Membership Issues

4.1 Nothing to report

FCLB PROGRAMS AND SERVICES

5. FCLB Technology

5.1 Status Report

Dr. Schwartzbauer updated the board, stating that in January of 2016 the board approved a budget item to update our software system. It is currently operating under software called Impak and they are going to stop supporting it.

Dr. Schwartzbauer stated that we are not spending the money that was budgeted to upgrade the primary platform in 2016 and hope to have a modified proposal in January of 2017 for your consideration.

6. Committees

6.1 Model Practice Act Task Force

A. Update

B. Agency Supervision / Temporary Licensure

Dr. Shilts reported that the Model Practice Act Committee has a proposal to add a couple of topics to our Model Practice Act. Of the two items, one is a legislative declaration related to the North Carolina Supreme Court decision and the second is regarding temporary chiropractic licensure.

Dr. Shilts commented on suggested modifications on page 20, second paragraph, saying it should read (strike "understood that regulation of...." and it is further declared that the intent of this legislation is to regulate the chiropractic profession and will result in displacing competition.....everything else remains the same. He also said that was the recommended verbiage by Dr. Rademacher and Attorney Atkinson.

M/S Shilts / Vanterpool to amend the FCLB Model Practice Act, Section 102 as further amended in the draft document dated 8/22/2016. Motion passed, no opposition.

M/S Shilts / Colucci **to amend the FCLB Model Practice Act, Section 304 as drafted and add a new statutory section 30(X) (to be numbered accordingly) and associated regulatory section as drafted on the draft dated 8/22/2016. Motion passed, no opposition.**

M/S Shilts / Oliver **to amend the FCLB Model Practice Act, Section 305 with deletion of material (items highlighted in blue) on draft of 8/22/2016. Motion passed, no opposition.**

6.2 Fundraising Committee

A. Update

B. Raffle tickets for cruise

Dr. Colucci thanked Dr. Rademacher and Dr. Vanterpool for their help with this committee. They have been finalizing the tickets with artwork and layout. She reported that Palmer has also agreed to donate two 12-hour CE's adding to the value of the cruise. Don Petersen is going to publish an article to include information about the Passport Program. Dr. Colucci also reported that she has gotten approval from the Parker president for a booth in 2017 at Parker Seminar in Las Vegas and is asking the board for approval for her to attend.

Dr. Schwartzbauer and Dr. Colucci had also discussed the raffle should be drawn on Saturday morning, allowing more time to sell tickets and also commented the winner would not have to be present to win.

C. Thursday reception decision

Dr. Grossman commented that this reception will be paid for by NBCE and handled the same as last year. Dr. Colucci stated that she has made calls to one of the music colleges in the area and approached some students requesting the possibility of a three-piece orchestra for background music for the evening.

6.3 Vision Statement - Ad-Hoc Committee

A. Update

Dr. Vanterpool reported they had a final consensus to the list of values. The top five were:

- 1) Public protection
- 2) Lessening the burdens of government
- 3) Inter and Intra professional cooperation
- 4) Advocate for uniform licensing
- 5) Promotes service

Dr. Grossman asked her to send those out so everyone can look those over and then we can do an email ballot and subsequent drafting of actual vision statements.

6.4 Resolutions & Bylaws Committee

A. 2017 Proposed Bylaws Changes

Dr. Shilts has proposed a change to the Bylaws regarding the process of electing nominating committee members (page 24). He commented that this still may change based on what counsel may recommend.

Dr. Schwartzbauer also said there will be a couple of resolutions coming forward regarding pediatrics and opioids.

6.5 CCCA Committee

A. Appointment of Members

Dr. Schwartzbauer reported that we have Dr. Shilts set as the chair for the CCCA Committee. Dr. Shilts has been looking at filling the committee of three and recommended to Dr. Grossman the names of Dr. Michael Fedorczyk (MD) and Mr. Paul Andrews (MA), two individuals that he feels would be a good fit. Mr. Andrews is a public member on the Massachusetts Massage Therapy board and currently serves as chair.

M/S Grossman / Shilts to approve Dr. Fedorczyk and Mr. Andrews to fill the two seats on the CCCA Committee to begin immediately. Motion passed, no opposition.

B. Parker Seminars

Dr. Schwartzbauer said that we are looking to bring the CCCA exam in February to the Parker Seminar. We have been working with Kathy Mills Chang and will have an opportunity to review this at the upcoming COCSA meeting.

7. New Programs

7.1 Specialty Boards

A. Update

Dr. Otto did not submit a report.

8. Annual Conferences: 2017, 2018, 2019 and 2020

8.1 2017: Orlando, FL, May 3-7, 2017

8.2 2018: Dallas, TX, May 2-6, 2018

8.3 2019: Mission Bay, CA, May 1-5, 2019

8.4 2020: Denver, CO; Chicago, IL; Albuquerque, NM

9. District Meetings

9.1 2016 District Meetings

A. Evaluations

Dr. Winkler stated that the evaluations are in and she felt like things went well. Someone suggested a 9:00 a.m. start on Saturday morning.

9.2 Group Activity during District Meetings / 90 days prior

Dr. Winkler commented that Ms. Finn and planning people need to know what potential group activities the District Directors would like to have during our district meetings. Activity decisions must be sent to the executive offices 90 days prior to the meeting in order for staff to organize for the activity.

9.3 2017 and 2018 City (and back up) selected for each District Meeting, as well as 2017 meeting dates

Dr. Schwartzbauer reported that the dates for 2017 and 2018 District Meetings are set but there is one correction: for District II, the clubhouse was not available on October 12-15 so it is now reserved for October 5-8, 2017 in Fort Walton Beach.

10. PACE

10.1 PACE Program Status

A. Providers / States

Dr. Colucci reported that since July there are two new applicants, six renewals, eight new states in-process and three states to follow-up with since District meetings.

B. District Directors to contact state associations to introduce them to PACE

Dr. Colucci suggested Drs. Schwartzbauer and Winkler engage the state associations

while they are at the COCSA meeting, letting them know we will be there and able to answer questions about how state associations can become PACE providers. She also encouraged the directors to look at states in their region to see if there is anyone they need to reach out to.

10.2 PACE Review Team Membership

Dr. Colucci reported that Dr. Laurel Cowie has been involved with PACE, completing her first term on the Review Team. She has been a great asset and is being recommended by Dr. Grossman for a second term pending approval by the board.

M/S Oliver / Shilts to approve Dr. Laurel Cowie to continue in her PACE Review Team position for a second term. *Motion passed, no opposition.*

11. Certified Clinical Chiropractic Assistants

11.1 CCCA Handbook - proposed revision

Dr. Schwartzbauer proposed a revision to the handbook to now include "Incomplete applications where a payment that has been made may be deleted after six months. Candidates will be notified at least 30 days prior to deletion." This is an Administrative adaptation so no motion is necessary.

12. Chiropractic Passport Program

12.1 Passport Policy Book - draft update

Dr. Shilts reported that everyone has a copy of the recommended changes marked in yellow.

M/S Shilts / Rademacher to amend the Passport Policy Manual as drafted dated 8/16/2016. *Motion passed, no opposition.*

13. CIN-BAD

13.1 No Report

REGULATORY ISSUES

14. Accreditation

14.1 CCE-USA Update None to Report

15. Member Boards: Specific Issues

15.1 State Requested Power Polls

Dr. Winkler referred the Board to Page 50 in the meeting materials.

16. Examinations

16.1 NBCE Exams (US)

Dr. Grossman reported that NBCE understands how important it is to have the board administrators at our annual conference. The more information we can get to them in advance, the better off we are as they provide credible expertise to our conference. We were able to negotiate for four \$2,500 board administrator scholarships from the NBCE to begin in May for the upcoming annual conference. He said we'll have \$10,000 coming in through the Donna Liewer Scholarship Fund plus the scholarship the FCLB already funds each year. The Board thanked the NBCE and Dr. Grossman

Dr. Grossman also reported that testing was up this year, back to the highest level from previous years.

16.2 IBCE (International)

No report

17. Other Regulatory Bodies

17.1 ICRC

No report

STAKEHOLDER INTERACTION

18. Requests from Other Organizations

18.1 International Chiropractic Association of California

Dr. Schwartzbauer mentioned that Dr. Hugh Lubkin from California is involved with California's ICA. He has asked if FCLB will send a representative to serve on a panel and give a ten-minute presentation. Dr. Schwartzbauer said that is the same weekend as ACC/RAC. Dr. Schwartzbauer said that it is still good exposure for us but felt they may be competing with one of the largest chiropractic events. Dr. Lubkin said they would be willing to provide a hotel room for whoever we would send and maybe a booth to display materials. The board felt it was a good opportunity but the timing conflicts with our existing travel schedule.

Dr. Schwartzbauer mentioned we could reconsider sending a representative if they changed their date.

19. Professional Associations

19.1 None to date

20. Recent Meetings

20.1 FCA

Dr. Colucci thanked the board for allowing her to attend the FCA meeting. She reached out to every vendor, asking for their participation with PACE and CCCA and felt the connections were incredible. Dr. Grossman felt it is important that the FCLB is represented at this popular chiropractic exposition each year.

21. Upcoming Meetings

21.1 Dates / Locations / Budgeted Attendance

Dr. Schwartzbauer reported that he and Dr. Winkler will be at the COCSA meeting and Dr. Grossman will be at the Summit.

Dr. Grossman asked for consideration for him to travel to Greeley and do a full financial examination, looking at everything that pertains to the business of the FCLB. He would then get together in January with Dr. Shilts and the Investment Committee and hopefully offer definitive proposals regarding a new long-term investment policy.

He would like to come to Greeley in December. Dr. Grossman requested appropriation of three days for him to make this trip. He feels he can collect information he wants in one day. He wants to speak with the auditors, make investment reports, discuss the nature of our organization, and discuss how much we have to invest.

M/S Grossman / Rademacher to approve Dr. Grossman's travel to come to Greeley for three days. Motion passed, no opposition.

NEW BUSINESS

- 22. New Business**
No new business.

ADJOURN

M/S Oliver / Martello to adjourn the meeting. *Motion passed, no opposition.*

Meeting was adjourned at 5:53 p.m.

NEXT FCLB BOARD MEETING
January 6 - 7, 2017
Greeley, CO



Dr. Jon Schwartzbauer
Recording Secretary

With appreciation for Bridget Seader for her assistance with the Minutes