



REGULAR MEETING

FCLB Board of Directors

Tuesday, November 11, 2008

Via telephone conference call ■ 6:30 p.m. MST

MINUTES - Approved 1/29/09

PRESENT:

OFFICERS:

Oliver "Bud" Smith, Jr., D.C., President
Daniel Saint-Germain, D.C., Vice President (joined meeting in process)
N. Edwin Weathersby, D.C., Immediate Past President (unable to attend)
Lawrence O'Connor, D.C., Treasurer

EXECUTIVE BOARD OF DIRECTORS:

Ron Tripp, D.C., Executive Board Chair & District IV Director
Carol Davis, D.C., District I Director (unable to attend)
Gary Pennebaker, D.C. District II Director
Ali Jafari, D.C., District III Director (joined meeting in process)
Farrel Grossman, D.C., District V Director
Joe Baker, Jr., Executive Fellow Director

STAFF:

Donna M. Liewer, Executive Director
Joan Carl, Finance & Benefits Manager

I. CALL TO ORDER / ROLL CALL / ANNOUNCEMENTS

The chair called the meeting to order at 6:35 p.m. Donna Liewer noted board members and staff present as listed. Drs. Saint-Germain and Jafari joined the meeting after the official roll call.

The chair reminded members of the necessary protocols to ensure an effective telephone meeting and requested that discussions remain pertinent to the topic under review.

The chair encouraged members review the TO DO list included in the board packet, following the minutes of the September 9th board meeting.

By consensus the board amended the agenda to add the following items:

3E Treasurer's Report/Miscellaneous Financial Issues: to entertain a motion to submit the 501(c)(3) application to the IRS;

4C Executive Session: FCLB Centralized Database Report

13B New Business to receive a report from Dr. Jafari on the D'Youville presentation by Dr. Marc Gamerman.

II. CONSENT AGENDA

By consensus the board approved the consent agenda as written.

CONSENT AGENDA MOTIONS:

1. **A. To approve the FCLB Board of Directors meeting agenda as amended.**
 - B. To vary from the agenda at the discretion of the chair and president, with latitude afforded the recording secretary in presenting final minutes that are coherent.**
2. **To approve the minutes of the September 9, 2008, board meeting as printed.**

III. REGULAR BOARD BUSINESS

3. General Finance Report

A. Treasurer's Report

Dr. O'Connor referred to the written reports in the board packet. There were no questions.

B. General Financial Report

Dr. O'Connor directed members to the current financial status, reserve funds, and income and expense reports. He noted the itemized legal expenses, and that FCLB is still planning to use monies set aside in the technology fund as of this report. The board noted that the accounting coding is in process of changing to streamlined standard budget categories with detailed job costing. Dr. O'Connor thanked the entire board and staff for continuing to keep a tight reign on spending. There were no questions.

C. 2008 District Regional Meetings - Financial Report

Dr. O'Connor referred members to the written report. There were no questions. Donna Liewer reported that staff has received bids from the Marriott and the Hyatt for the 2009 District III & V regional meeting in Buffalo.

D. 2009 Hollywood Conference

1. Dr. O'Connor reported that Dr. Otto agreed to serve as the 2009 Conference Support Committee chair, with support from the FCLB board and staff.
2. Discussion followed concerning rising meeting expenses and the need to increase conference registration fees. The board reviewed the history of registration fees, noting the last increase for on-time registration fees was from \$375 to \$395 in 2002. Consideration was given to attendees who do not qualify for agency reimbursement and necessarily pay out of pocket. Member boards voted in 2008 to bundle one on-time registration fee with the dues payment effective January 1, 2009.

M/S Saint-Germain / Grossman

to increase the annual conference on-time registration fee to \$450 and to increase conference late registration fee to \$550 effective January 1, 2009.

Passed, no opposition

- 3 Donna Liewer reported that many options for the 2009 conference's Friday night event have been reviewed by staff and the Medieval Times appears to be the best fit. It will play on the Hollywood fantasy theme, is in a financial range that is affordable for both the FCLB and guests, and discounted tickets are available for children. There was discussion about the possibility of identifying a venue more unique to Hollywood.

By consensus, and pending review of any other viable other options to be presented at the January 2009 board meeting, the board agreed to select the Medieval Times as the site for the 2009 Conference Friday Night Event, at an estimated cost per person of \$60 to include bus transportation.

4. **By consensus, the board agreed to continue the same conference travel schedule as in the past – with board and staff arriving on Monday.** The board of directors meeting will begin Tuesday morning, and continue in to Wednesday morning as necessary.

E. Miscellaneous Financial Issues

Donna Liewer informed the board the 501(c)(3) application has been reviewed by attorney, Dale Atkinson, and is ready to be forwarded to the IRS.

M/S Saint-Germain / Smith **to approve submission of the 501(c)(3) application to the IRS.** *Passed, no opposition*

Dr. Smith thanked Donna Liewer, Joan Carl, and the forward thinking of the board, particularly Dr. O'Connor, for their work on this project.

4. Executive Session

M/S Grossman/Saint-Germain **to go into executive session to discuss contractual issues at 7:17 p.m.**

Passed, no opposition

M/S Saint-Germain / O'Connor **to come out of executive session at 7:50 p.m.**

Passed, no opposition

There were no actions to be ratified from executive session.

5. Board of Directors - Mid-Year Board Meeting

The chair reviewed the printed report. It was noted that Mr. Cain's board development presentation will start Thursday morning and probably continue through Friday morning. The board meeting should be able to start by Friday at 11:00 a.m.

6. 2008 District Meetings

A. Report on District Meetings

District I & IV - Dr. Tripp reported the meeting was successful. He commented that the attendees each gave a brief report from their board on the first day following the bylaws presentation by Dr. Morin. Discussion of the members' reports took place the 2nd day. This format was well received.

District II - Dr. Pennebaker reported his meeting also went well and all material was covered. He will be discussing dates and times for the 2009 meeting with Donna Liewer.

District III & V - Dr. Grossman reported the location was beautiful with good attendance. The attendees chose to run the first meeting day slightly longer to enable a shorter day on day two. The tutorial by Donna Liewer was great, enabling him to facilitate a smooth meeting.

B. 2008 Regional Meeting Evaluations

Board members were provided with the evaluations.

C. 2009 District Meetings

The chair noted location, arrival and departure information for the three regional meetings..

7. Proposed Bylaws Revisions

Donna Liewer reported the proposed language will be addressed by attorney, Dale Atkinson, at the January 2009 board meeting. Those in attendance at the District meetings were provided with in-depth exploration of the conceptual choices, and afforded the opportunity to register their opinions in a survey which was also opened to the rest of the members following the regional meetings. Drs. Kirk Shilts and Paul Morin were commended for their generous contributions to this project.

Discussion focused on the concept of adding a public member to the FCLB board of directors (to be defined as a current public member on one of the member chiropractic regulatory boards.) Dr. Smith described this potential position as providing input from a specific constituency, similar to that provided by the current board administrator position on the FCLB board.

8. FCLB President's Appointments to WFC Task Force on International Regulatory and Disciplinary Issues

Dr. Saint-Germain agreed to represent FCLB on this task force. Dr. Smith requested the board submit suggested names to him or Donna Liewer for consideration for the second appointment.

9. Certified Chiropractic Therapy Assistants Update

Dr. Smith is continuing dialogue with ACC executive director, David O'Bryon, to bring any interested insurance carriers up to date on the current efforts to standardize a training curriculum.

10. Joint Response to DOT Exam Regulations

The draft regulations from the Federal Motor Carrier Safety Administration's National Registry of Certified Medical Examiners are expected to be published in late November or early December. Discussion focused on whether FCLB should participate in a coordinated statement, depending on the recommendations in the actual proposed regulations.

M/S Grossman / Pennebaker **to authorize the FCLB board to decide whether to sign an intraprofessional statement on behalf of the Federation, commenting on the NCRME regulations when published.** *Passed, no opposition*

11. Meetings & Travel

A. NBCE Fall Meeting

Dr. Smith encouraged the board to review the PowerPoint presentation that he and Dr. Saint-Germain presented at this recent meeting in Tucson. Dr. Smith thanked Donna Liewer and staff for their quality of work. He reported that NBCE showed appreciation for what FCLB contributes to their board meetings.

B. Chiropractic Leadership Summit IV

The board discussed whether the mission of the Summit is more association or regulatory in nature. The requested 501(c)(3) IRS designation would prohibit FCLB from holding membership in a lobbying organization.

Dr. Smith suggested FCLB decline to attend the January 14th Summit meeting as the timing is too close to the FCLB mid-year meeting.

Further discussion was tabled till the January FCLB mid-year board meeting.

M/S O'Connor / Saint-Germain **to decline to officially join the Chiropractic Leadership Summit but to continue to have someone from the FCLB attend where logistically and financially feasible to present the public protection viewpoint.**
Passed, no opposition

C. FARB Forum and Board of Directors Meeting

Donna Liewer noted the FARB Forum will be in Tampa one week before the FCLB mid-year meeting January 23-25, 2009. Traditionally FCLB has sent two representatives to the meeting. Mr. Baker volunteered to be an FCLB representative as he will be at the meeting representing the Florida board.

M/S Jafari / Grossman **to authorize the President to approve travel for up to two people to attend the January 2009 FARB Forum.**
Passed, no opposition

Dr. Saint-Germain reported that NBCE will joining FARB in 2009.

D. Travel Authorization Procedure

The chair requested that further discussion be devoted to the process of approving travel at the January 2009 midyear board meeting.

12. ACBA Update

Mr. Baker reported that ACBA President, Beth Carter, is encouraging regulatory boards to participate in the FCLB online PowerPolls. There were no questions.

13. New Business

A. Mandatory Consent / Informed Consent

The board discussed whether there should be an FCLB ad-hoc committee explore these topics. Concern was expressed over the complex implications of the term "mandatory." Further discussion was tabled till the January 2009 mid-year meeting.

A PowerPoll about this issue is in process and results will be available at the January 2009 mid-year meeting.

B. D'Youville College Presentation by Dr. Gamerman

Dr. Jafari reported Dr. Marc Gamerman gave great a presentation to the students explaining the roles of the FCLB, NBCE, and CCE.

The board thanked Dr. Jafari for making the necessary arrangements.

IV. OTHER

Dr. Jafari asked about an upcoming Canadian television interview about chiropractic, and whether there should be any FCLB involvement. Dr. Saint-Germain explained that the CFCREAB and other appropriate Canadian authorities are handing the information.

V. ADJOURN

By consensus, the meeting was adjourned at 8:39 p.m. MST

Next scheduled meetings: Full Board: **Midyear Board Meeting: Greeley, Colorado**
Arrive Wednesday at leisure 1/28/09
Depart on flights leaving no earlier than 7 PM
Saturday 1/31/09 or anytime 2/1/09.

Please provide final travel itinerary no later than
December 15, 2008, to FCLB meeting planner
Julie Finn


Donna M. Liewer
Recording Secretary