



Federation
of Chiropractic
Licensing Boards

MEETING

FCLB Board of Directors

Tuesday, November 11, 2014

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:

- LeRoy Otto, D.C., President
- Farrel Grossman, D.C., Vice President
- Maggie Colucci, D.C., Treasurer
- Lawrence O'Connor, D.C., Immediate Past President

EXECUTIVE BOARD OF DIRECTORS:

- Carol Winkler, D.C., District I Director
- William Rademacher, D.C., District II Director
- Kirk Shilts, D.C., District III Director
- Dr. Annette Zaro, D.C., Acting District IV Director
- Michael Coon, D.C., Board Chair & District V Director

ADMINISTRATIVE FELLOW DIRECTOR:

- Larry Spicer, D.C., Administrative Fellow Director

ALTERNATE DIRECTORS:

- James Buchanan, D.C., District I Alternate Director
- Keita Vanterpool, D.C., District III Alternate Director

STAFF:

- Dr. Jon Schwartzbauer, Executive Director
- Bridget Seader, CIN-BAD/Program Administrator
- Vicki Young, Finance & Benefits Officer

MEETING DETAILS

- I. Call to order, roll call, announcements, consent agenda
Serving as chair, Dr. Coon called the meeting to order at 4:03 p.m. MDT, November 11, 2014.
Dr. Schwartzbauer noted board members, alternates and staff present as listed.

CONSENT AGENDA

M/S Grossman / Winkler to approve the motion in the consent agenda as written.

Dr. Shilts requested to add an item to the agenda at the end of the meeting (5 minutes) regarding board member disclosures and conflict of interest discussion. Dr. Coon granted five minutes for discussion.

Motion passed, no opposition

II. Consent Agenda Motion

1. Motion: To approve the board of directors meeting agenda for November 11, 2014, as presented.

MINUTES

III. Minutes

Minutes for the July 8, 2014 meeting were approved previously via e-ballot and posted on the FCLB public website. Those minutes are included for reference only. Since the September 9, 2014 meeting was cancelled, there were no minutes to approve.

Dr. Shilts asked Dr. Schwartzbauer to review the previous minutes and change his recommendations to replace references to first names with a more professional, full name or last name. Dr. Schwartzbauer will make the corrections.

LEGAL ISSUES

IV. Legal Issues

Dr. Coon reported that there were no legal issues.

GOVERNANCE

1. Financial Report

- 1.1 Finance Report
The report was provided.

2. FCLB Board of Directors

2.1 Resolution Submission

Dr. Schwartzbauer provided some background history, going back to the annual meeting in May where questions came up regarding this. Dr. Schwartzbauer said the Bylaws were clear that indeed a delegate can submit a resolution to the committee for consideration. If the board chose to go in the direction of having a sponsor, we would have to make some changes to the Bylaws, that creating a policy wouldn't be good enough. Deadline for submitting any changes to the Bylaws is February 8th.

2.2 FCLB Mid-Year Board Meeting

FCLB's Mid-Year Board Meeting is set to be held in conjunction with Parker Seminars. Arrival day will be Thursday, January 29 and depart Saturday evening or Sunday at your leisure. Meeting will be held at Mandalay Bay in Las Vegas.

2.3 Electronic Balloting

Dr. Schwartzbauer commented that our electronic balloting procedure is somewhat flawed in that it doesn't allow for actual discussion as our policy is written. Our policy says that electronic balloting should not be used if there is discussion/debate. He said we need to address that issue and consider amending the policy to allow for such discussion/debate even through electronic means. Dr. Schwartzbauer has researched some options. Ms. Webb recommends Item #1 because it's the easiest and gets the best response from our board members – basically if you have a concern, click "Reply to All" so everyone can see the discussion threads as it happens. This also allows for an appeal to remove the issue and can then be brought up at the next meeting. There were two other options: surveys and forums through our password-protected links but we felt like we wouldn't get as good of a response that way.

M/S Otto / Rademacher to alter our policy to allow for debate and strike "and appear not to require debate".

Motion passed, Dr. Shilts opposed

3. Personnel

3.1 Change in Retirement Plan Proposal

Dr. Schwartzbauer reported on the proposed Retirement Plan change. He stated that the employees would like to be able to contribute to their retirement funds and the SEP that we currently have does not allow by law for an employee to make contributions to the plan. The current rate that FCLB has decided to contribute to the employee's retirement account is 5% of their total salary. Ms. Young found a simple IRA which gives employees the option to contribute above and beyond what FCLB contributes.

The recommendation proposed would be the FCLB contributes 3%, with a 2% bonus to the employees that they can contribute on their own. The total cost to the FCLB does not change on this plan, it just allows the employees more freedom to contribute.

Under the current plan, money is contributed on an annual basis--FCLB holds the money until about May or June of each year, then one lump sum goes into each individual's SEP account. With this proposal, the money would be deducted pre-tax from employees paychecks, then submitted on a monthly basis to their designated agent.

M/S Otto / O'Connor to accept the option for a Simple IRA for the FCLB employees.
Motion passed, no opposition

4. FCLB Technology

4.1 Technology Update

Dr. Schwartzbauer referred the board to the written report.

5. Membership Participation Issues

5.1 No issues

6. Committees

6.1 Model Practice Act

Dr. Otto reported that Dr. Pennebaker will be reviewing the MPA and working with us in the near future.

6.2 Rework Chiropractic Practice Ownership section

Dr. Shilts said that of all the sections, this was identified by Mr. Atkinson to be the section that needed more work regarding language. Dr. Otto said that he and Drs. Schwartzbauer and Pennebaker will sit down on December 13th to identify those issues and look at the ownership section in depth. If they need to contact Mr. Atkinson at that time they will. Dr. Coon requested an update at the mid-year meeting.

6.3 CBAC

Refer to written report.

6.4 Practitioner Mobility: Passport Program

Dr. Colucci reported that the policy book is now complete and she would like to pull the book out of committee and bring to the executive director. She is suggesting a consultation with Mr. Atkinson, approximately 4 hours to review. Dr. Colucci is suggesting \$200 for the initial application and \$100/year for the renewal.

M/S Zaro / Otto to take the passport program off the table
Motion passed, no opposition

M/S (No motion required) / Otto to accept the Chiropractic Passport Program and allow it to go forward for attorney review.
Motion passed, no opposition

7. Annual Conference: 2015, 2016 and 2017

- 7.1 2015 Annual Conference
Dr. Coon reminded the board of the annual conference in New Orleans, Louisiana on May 3-10, 2015.
- 7.2 2016 Annual Conference
Dr. Coon reminded the board of the 2016 venue in Phoenix, Arizona on April 24 - May 1, 2016.
- 7.3 2017 Annual Conference
Requirements have been sent to hotels in Nashville, TN and Tampa, FL.

8. District Meetings

- 8.1 Statistics/Income/Expenses
Dr. Colucci referred the board to the written report.
- 8.2 2014 District Meeting Evaluations
Refer to the written report.
- 8.3 District Director Comments
District I & IV: Drs. Winkler and Zaro said it was a huge success. Dr. Zaro did a great job stepping in, and positive comments other than the hotel situation.

District II: Dr. Rademacher reported that it went well, good venue, delegates (despite his efforts to move to another venue) elected to go back to Fort Walton Beach. Very cost-effective other than the flights.

District III & V: Dr. Coon commented that they had a great meeting, well attended, had a good time. Dr. Shilts said it was nice to hang out with District 5 representatives.
- 8.4 Scholarship for District Meetings
Dr. Schwartzbauer mentioned that this was brought up at the District II meeting. They felt it might be a good opportunity to get more people to come to a first meeting. Dr. Otto suggested throwing this out for some of our sponsors? He would like to have the board think about this possibility and move on it in January. Possible way to get some representation from some of those states that we haven't seen for quite awhile.

9. PACE

- 9.1 PACE Status Update
Dr. Colucci referred the board to the written report. She also commented that Dr. McAllister was the former chair but she has now termed out, replaced by Dr. Shannon Gaertner-Ewing (ID).
- 9.2 Procedures for new applicant review and approval
Dr. Shilts proposed the board formalize a mechanism for allowing provider applications to respond to board member inquiries during the PACE application process. After a moderate discussion about PACE policies and procedures it was determined that no changes were to be made at this time.
- 9.3 Draft Motion to approve appointments to Review Team
Dr. Otto recommended the following people to serve on the PACE Review Team:
 - Dr. Richard Tollefson (MN)
 - Dr. Steve Willen (NC)
 - Dr. Donn Fahrenedorf (SD)
 - Dr. Mark Korchok (OH)
 - Dr. Scott Hansing (MT)
 - Dr. T.J. Spencer (MI)

M/S Zaro / Grossman to approve the PACE Review team recommendations.
Motion passed, no opposition

- 10: CIN-BAD
 - 10.1 No report
- 11. Certified Clinical Chiropractic Assistants
 - 11.1 CCCA Update
 - Dr. Schwartzbauer referred the board to the written report
 - 11.2 CCCA Promotions
 - Dr. Schwartzbauer mentioned that we got a great response from COCSA in regard to CCCA and other FCLB related programs. He mentioned they met Ms. Tiffany Stevens from Tennessee who was instrumental in creating their CA program. She is willing to work with us now moving forward to see how we can promote each other. He also talked with someone at the American Chiropractic magazine and we submitted another article for the Chiropractic Assistant magazine. They will be interviewing Dr. Otto. He will have a chance to talk about the CCCA program. Dr. Schwartzbauer also reported that we will be at the Parker Seminar to promote CCCA as well. We have purchased some roll-out banners for display as well as a tablecloth to make the booth look official. He also urged the board members that if they have CAs in their offices to get them involved in this program as well.

FCLB PROGRAMS AND SERVICES

- 12. Accreditation
 - Dr. Coon reported that there were no comments regarding accreditation.
- 13. Member Boards: Specific Issues
 - 13.1 Continuing Education Credits for FCLB attendees
 - Dr. Coon commented he has been in favor of this. He feels it is significant and would keep our alumni association coming back if they were getting credits. He felt it might be hard to get PACE approval, but there is a process to provide CE. This will be discussed again at the next meeting.
- 14. International Regulation: ICRC
 - 14.1 International Chiropractic Regulatory Collaboration
 - Dr. Otto said that he had a chance to meet with them in Miami and had a good conversation with representatives from Cypress. They are very interested in our funding but they are not ready to move on regulation. Dr. O'Connor commented that Cypress does have regulation now but no policies and no mechanism to protect the public.
 - 14.1.a FCLB Representative to Greece?
 - Dr. Shilts asked Dr. Otto if Dr. Lisa Richard (NS) had called him to discuss information from their last board meeting that he had sat in on (Dr. Otto said she had not called.) Dr. Shilts heard that they would like to have someone from the FCLB come to Greece and give a presentation on CIN-BAD. He felt international regulatory groups are interested in participating in CIN-BAD and would like to learn more about it and he felt it was a good opportunity for us to sell one of our services. Dr. Otto felt this was a long way to go to sell a small part of our product and he was not leaning towards going but it can be discussed further.
- 15. FARB
 - 15.1 FARB Leadership Conference
 - Dr. Schwartzbauer referred the board to the written report.
 - 15.2 FARB Regulatory Law Seminar
 - Dr. Schwartzbauer referred the board to the written report.

16. Examinations
 - 16.1 NBCE / Recent Meeting

Dr. Otto report that there were two take-aways from their recent meeting: we are anticipating that we will receive a few more dollars than we expected based on EBAS and the exam fees. They won't be raising fees on exams for the first time in a long time.
 - 16.2 CCEB Exams

Dr. Coon referred the board to the written report.
 - 16.3 IBCE (International)

Dr. O'Connor reported that the IBCE has been revamped. Most of the changes came about in Dublin. There was a lot of money being spent at these overseas meetings and the format has been changed - same players in regulation are also on testing. Members will branch out to different areas of the world but there is a short leash to produce something.
17. Other Regulatory Bodies
 - 17.1 CFCREAB

Dr. Coon referred the board to the written report.

Stakeholder Interaction

18. Recent Meetings
 - 18.1 Summit Round Table and Meeting

Dr. Grossman reported on the Summit meeting saying it was a very good meeting. Ray Bennett from CCE presented, answering tough questions. They are currently looking for their President and hopes to have a choice by January and installed by mid-February. He asked regulatory questions and about the Bylaws and how long a change would take. FCLB should be in a position to make recommendations to improve their procedures and Bylaws, and we will have that opportunity. Mr. Cuneo also talked to them, making a gallant effort regarding an 8-hour certification seminar and test. Dr. Grossman also commented that Donna Liewer serves on the CCE Presidential Search Committee.
 - 18.2 COCSA

Dr. Schwartzbauer said that we covered this in the CCCA section. He urged the board to consider sending a representative back in 2015 (add to the budget).
19. Upcoming Meetings
 - 19.1 General Report

No report

New Business

20. New Business

Dr. Shilts mentioned that at the meeting in January there was a question over the email about our meeting situation on Friday as we participate in the Friday Parker program. He requested a Friday agenda for the meeting. Dr. Schwartzbauer said we don't have the agenda set for that Friday yet, but we will start working on it this week. We have the booth for CCCA, FCLB and PACE on Thursday. Most of our people will be traveling in on Thursday.

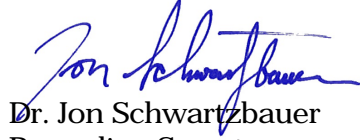
Dr. Shilts congratulated Drs. Zaro and Coon. He referred to the State of NH relating to a non-profit that you have board members that are married that serve. We don't have a limitation but felt we should be cognitive of the situation. He commented that it has been brought up in his district. Dr. Coon stated that personally and as chair at the time of the annual meeting, he spoke with District IV representatives as well as District V representatives, the President, Vice President and our attorney, who all felt there were no conflicts, no issues, and no violation of board policies.

No other business.

NEXT FCLB BOARD MEETING
January 30-31, 2015
Mandalay Bay
Las Vegas, NV

M/S Rademacher / Grossman to adjourn at 5:18 p.m. Passed, no opposition

Dr. Coon thanked everybody for participating and looking forward to seeing everyone in Vegas.



Dr. Jon Schwartzbauer
Recording Secretary

With appreciation for Bridget Seader for her assistance with the Minutes