

MINUTES
CHIROPRACTIC PHYSICIANS BOARD MEETING
JULY 20, 2023 | 9:00 A.M.
Room 475, 4th FLOOR
160 E 300 S SALT LAKE CITY UT
Hybrid Meeting- In Person and Electronic

Electronic attendance was available.

CONVENED: 9:02 A.M.

ADJOURNED: 10:26 A.M.

DOPL STAFF PRESENT:

Bureau Manager: Lisa Martin

Board Secretary: Maree Christensen

Compliance Specialist: Bernice Palama

Licensing Specialist: Tina Marshall

COMMITTEE MEMBERS PRESENT:

Chair: Kristina Stitcher, DC

Jon Stucky, DC

Larry Vance, DC

Dan Monson, DC

Sharon Daurelle, Public Member

COMMITTEE MEMBERS NOT PRESENT:

GUESTS ATTENDED ELECTRONICALLY:

Rey Alonso

Dr. Jeff Metler - Utah Chiropractic Physicians Association (UCPA)

Note: Others may have attended, but were not identified.

ADMINISTRATIVE BUSINESS:

CALL MEETING TO ORDER

Dr. Stitcher called the meeting to order at 9:02 A.M.

APPROVE MAY 04, 2023, MEETING MINUTES (Audio 00:01:53)

Dr. Stucky made a motion to approve the minutes, as written.

Dr. Vance seconded the motion.

The Board motion passed unanimously.

APPROVE JUNE 01, 2023, MEETING MINUTES (Audio 00:02:21)

Dr. Monson made a motion to approve the minutes, as written.

Dr. Stucky seconded the motion.

The Board motion passed unanimously.

APPOINTMENTS:

COMPLIANCE REPORT—BERNICE PALAMA (Audio 00:02:38)

Ms. Palama presented the compliance report.

Kent Pollock, pending court date rescheduled to February 21 & 22, 2024.

Troy Graf reported no new sales.

Eric McEntire, Supervisor report received. Therapist approved Mr. Harrison Gray Otis, PhD. LCMHC received MOU. Therapy report submitted for 3 sessions. The polygraph is scheduled for 8/3/2023. Therapist requested a physical copy of the report – not received. Received 6 hours of continuing education. Informed consent received. Continuing education related to informed consent completed, requesting Ethics and Boundaries Assessment Services (EBAS) extension, Board to review. Therapist recused himself from providing therapy to Dr. McEntire.

TROY GRAF, PROBATIONARY INTERVIEW (Audio 00:07:45)

Dr. Stitcher conducted the interview asking Dr. Graf for an update.

Dr. Graf stated his practice was going well.

Dr. Stitcher asked for a continuing education update.

Dr. Graf stated he has surpassed all the required continuing education hours.

Dr. Sticher asked what his improved practices were.

Dr. Graf stated his improvements have been his communication skills and personal growth.

Dr. Sticher asked what his accomplishments were.

Dr. Graf stated his accomplishments were seeing his patients happy.

Dr. Stitcher found Dr. Graf in compliance with the stipulation and order.

An appointment was made for Troy Graf for the November 16, 2023 meeting.

ERIC MCENTIRE, PROBATIONARY INTERVIEW (Audio 00:12:13)

Dr. Stitcher conducted the interview asking Dr. McEntire for an update.

Dr. McEntire stated he would need to request an extension for EBAS testing due to financial issues, and extra time to locate a new therapist.

Dr. Stitcher asked how patient care was going.

Dr. McEntire stated that it was going well.

Dr. Stitcher asked how communication with the supervisor was going.

Dr. McEntire stated that it was going well.

Dr. Stitcher asked for an update on the informed consent form.

Dr. McEntire stated he had taken the continuing education class and had researched, and asked colleagues to assist him in drafting the informed consent form for the Board to approve.

Dr. Stitcher asked how many hours per week he was working.

Dr. McEntire stated he works roughly 18 hours per week.

Ms. Duarelle asked why the therapist rescued himself.

Dr. McEntire stated there was a conflict of interest.

Ms. Duarelle asked how long he had seen him for.

Dr. McEntire stated he had begun therapy visits since the first week of June for a total of four sessions.

Dr. Stitcher stated she was concerned with the resolve of setting up appointments.

Dr. McEntire stated physical copies of the report were too difficult to get hold of.

Dr. Stitcher stated there were five motions that the Board made to complete before this appointment. Dr. Stitcher expressed concerns about time delays and excuses in completing the requirements made at the last Board meeting.

Dr. McEntire stated he had been experiencing financial difficulties in scheduling the EBAS testing.

Dr. Stitcher stated the license requirements are the individual's responsibility.

Dr. Monson asked if he had found a new therapist.

Dr. McEntire stated he had not, however he would obtain one in one week's time.

Ms. Palama reminded Dr. McEntire to respond to compliance emails and to be in communication regarding all Board requirements.

Dr. Stitcher stated for Dr. McEntire to plan more effectively with Board requirements, probation requirements are to be of the upmost importance, excuses will not be tolerated. Dr. Stitcher stated for Dr. McEntire to prioritize each, and every requirement made by the Board, a probationer must be found in compliance otherwise the license is possibly found to be under suspension or in the worst-case scenario, even revoked.

Dr. McEntire stated he will schedule the polygraph and complete the required EBAS testing within a week's time frame.

Dr. Monson made a motion to extend the required EBAS test completion date to July 28, 2023.

Dr. Vance seconded the motion.

The Board motion passed unanimously.

Dr. Vance made a motion to approve the completed six hours of continuing education.

Dr. Stucky seconded the motion.

The Board motion passed unanimously.

Dr. Stucky made a motion to approve the drafted informed consent form.

Dr. Monson seconded the motion.

The Board motion passed unanimously.

Dr. Stitcher found Dr. McEntire in non-compliance with his stipulation and order.

An in-person appointment was made for Eric McEntire with Supervisor in attendance via hybrid option for the November 16, 2023, meeting.

DISCUSSION ITEMS:

NBCE PART IV REVIEW (Audio 00:55:25)

Dr. Stitcher asked the Board who was interested in attending the conference November 10-12, funded by National Board of Chiropractic Examiners (NBCE).

Dr. Monson stated he was planning on attending.

Dr. Stucky stated he was also interested in attending.

Dr. Stitcher reminded interested parties to be in contact with Ms. Christensen for state travel authorization.

FCLB CONFERENCE (Audio 00:59:04)

Dr. Stitcher stated the topic is a continuation from the previous Board meeting with recommendations from Federation of Chiropractic Licensing Boards (FCLB) for improvements into state licensing Boards.

Ms. Martin stated she had investigated the Division's and Board's current laws and rules in relation to each of the FCLB's recommendations and found that the Board could amend language to the Utah Admin Code and Practice Act in relation to continuing education accreditation organizations. Ms. Martin stated the recommendation for Board to have regulatory authority in the scope of practice over non-licensed individuals is already in place due to this being defined in the laws and rules, as unprofessional conduct, usually in the form of a fine.

Ms. Martin stated the next FCLB Conference will be held in South Dakota, October 6-7, and the registration deadline is September 25.

58-73-602 ADVISORY PEER COMMITTEE (Audio 01:08:09)

Ms. Martin discussed with the Board who the Committee members for the Advisory Peer & Quality Control were and explained the Committee's role in assisting the Board.

Dr. Stitcher stated she was fully in favor of having the Committee to start meeting regularly to discuss the FCLB recommendations, temporary licensure, continuing education, and supervisor requirements for temporary licenses.

INJECTIONS R156-73-501(12) (Audio 01:13:27)

Ms. Martin discussed with the Board as found in Utah Admin Code R156-73-501(12) under unprofessional conduct regarding injections through the skin, limited to subcutaneous or intramuscular administration by chiropractors.

Dr. Stitcher stated Dr. Metler was invited to clarify this topic with the Board and provide feedback as to if there was a need for adjustment to the Utah Admin Code to add to a different subsection or the requirement to add to the Practice Act along with further explanation and education.

Dr. Metler, from the Utah Chiropractic Physicians Association (UCPA) stated the UCPA's most common question asked among chiropractors is regarding injections and keeping in line with the scope of practice. Dr. Metler stated he always gives the same answer: get as close as you can, however, stay out of the joint capsule.

Dr. Stucky recommended amending the Practice Act by defining the scope of practice, injections.

Dr. Metler stated the UCPA would like to be kept informed and provide feedback with drafted language.

Dr. Stitcher recommended the Chiropractic Quality Control Advisory Committee provide feedback.

ADJOURNED: Meeting adjourned at 10:26 A.M.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

NEXT SCHEDULED MEETING: Thursday November 16, 2023.

2024 Board Meeting Scheduled:

January 25, April 25, July 25, October 24

(ss) _____
Chairperson

Date

(ss) _____
Bureau Manager

Date

