

IDAHO BOARD OF CHIROPRACTIC PHYSICIANS
Division of Occupational and Professional Licenses
P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 6/3/2022

BOARD MEMBERS PRESENT: Craig J Manning, D.C. - Chair
Cathy Hart
William Higgins, D.C.
Shannon Gaertner-Ewing, D.C.

BOARD MEMBERS ABSENT: Lynn A Hansen, D.C.

DIVISION STAFF: Kent Absec, Licensing Program Manager
John Price, Investigative Unit Manager
Nicholas Krema, General Counsel
Cesley Metcalfe, Board Support Supervisor
Christian Runnalls, Board Support Specialist
Emily Rough, Board Support Specialist

OTHERS PRESENT: John Parker, Applicant
Aaron Shoemaker, Applicant

The meeting was called to order at 8:05 AM MDT by Craig J Manning, D.C.

PUBLIC COMMENT

Aaron Shoemaker presented testimony regarding his application for licensure.

John Parker presented testimony regarding his application for licensure.

APPLICATION APPROVAL PROCESS

The Board discussed its current application approval process and whether there are any additional application approvals that can be delegated to Division staff. Dr. Gaertner-Ewing stated that delegating more responsibilities will create additional liability for staff. The Board requested licensing reports at future quarterly meetings.

[COMPLAINT MEMORANDUM](#)

Mr. Price gave the investigative report, which is linked above.

EXECUTIVE SESSION

Dr. Gaertner-Ewing made a motion that the Board enter executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to discuss documents relating to the fitness of a licensee to retain a license or registration. It was seconded by Ms. Hart. The vote was: Dr. Manning, aye; Dr. Gaertner-Ewing, aye; Dr. Higgins, aye; and Ms. Hart, aye. Motion carried.

Dr. Gaertner-Ewing made a motion to leave executive session. It was seconded by Ms. Hart. Motion carried. No decisions were made in executive session.

DISCIPLINE

Dr. Gaertner-Ewing made a motion to approve the Findings of Fact, Conclusions of Law, and Final Order in case number CHI-2022-2 and allow the Board chair to sign on behalf of the Board. It was seconded by Ms. Hart. Motion carried.

EXECUTIVE SESSION

Dr. Gaertner-Ewing made a motion that the enter executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to consider documents relating to the fitness of an applicant to be granted a license or registration. It was seconded by Dr. Higgins. The vote was: Dr. Manning, aye; Dr. Gaertner-Ewing, aye; Dr. Higgins, aye; and Ms. Hart, aye. Motion carried.

Dr. Gaertner-Ewing made a motion to leave executive session. t was seconded by Dr. Higgins. Motion carried. No decisions were made in executive session.

APPLICATIONS

Dr. Gaertner-Ewing made a motion to deny applications DCA-2233 and DCA-2257 under Idaho Codes §§ 54-708(1) and 54-712(6). It was seconded by Dr. Higgins. Motion carried.

Dr. Gaertner-Ewing made a motion to deny application DCA-2264 under Idaho Codes §§ 54-708(1), 54-712(6), and 54-710(1). It was seconded by Ms. Hart. Motion carried.

LAWS AND RULES

Mr. Absec presented a legislative update. He informed the Board that the following bills passed the 2022 Legislative Session: House Bill 612 allows expungement of

continuing education or late renewal disciplinary action older than seven years, upon request of the licensee; Senate Bill 1368 prevents boards from denying licensure to applicants based on vague terms such as good moral character or moral turpitude and requires that criminal offenses must be deemed relevant to the profession; Idaho Code § 67-9410 allows an applicant to present details of prior criminal convictions for Board consideration prior to submitting an application for licensure; and House Bill 629 established the Office of Administrative Hearings.

DIVISION UPDATES

Mr. Absec informed the Board that the Division will be moving to its permanent building on June 15th. In-person meetings should resume in September.

Mr. Absec stated that the Division is still discussing whether honorariums will be paid to Board members when attending conferences.

FINANCIAL REPORT

Mr. Absec gave the financial report, which indicated that the Board had a cash balance of \$84,029.09 as of March 23, 2022.

EXECUTIVE SESSION

Dr. Gaertner-Ewing made a motion that the enter executive session under Idaho Code § 74-206(1)(f) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to discuss updates on pending litigation with legal counsel. It was seconded by Dr. Higgins. The vote was: Dr. Manning, aye; Dr. Gaertner-Ewing, aye; Dr. Higgins, aye; and Ms. Hart, aye. Motion carried.

Dr. Gaertner-Ewing made a motion to leave executive session. It was seconded by Ms. Hart. Motion carried. No decisions were made in executive session.

APPROVAL OF MINUTES

Dr. Gaertner-Ewing made a motion to approve the minutes of 2/11/2022 as amended. It was seconded by Dr. Higgins. Motion carried.

ADJOURNMENT

Dr. Manning adjourned the meeting at 10:03 AM MDT.