



State of Idaho  
Division of Occupational and Professional Licenses  
Idaho Board of Chiropractic Physicians

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**Board Meeting Minutes of 9/23/2022**

<b>Board Members Present:</b>	Craig J Manning, D.C. - Chair Cathy Hart William Higgins, D.C. Lynn A Hansen, D.C. Shannon Gaertner-Ewing, D.C.	<b>Division Staff:</b>	Anne Lawler, Bureau Chief Kent Absec, Licensing Program Manager Nicholas Krema, General Counsel John Price, Investigative Unit Manager Cesley Metcalfe, Board Support Supervisor Christian Runnalls, Board Support Specialist
		<b>Others Present:</b>	Josh Scholer, Division of Financial Management

The meeting was called to order at 8:08 AM by Craig J Manning, D.C.

**Approval of Minutes**

Motion was made and seconded to approve 6/3/2022 minutes. Motion carried unanimously.

**DIVISION BUSINESS**

**Zero-Based Regulation Introduction:** Mr. Scholer and Ms. Lawler introduced the purpose and process of Zero-Based Regulation (ZBR). The Board expressed its desire to update the statute prior to completing ZBR.

**Financial Update:** Ms. Lawler presented a draft financial report. The Board had a cash balance of \$87,248.42 as of September 20, 2022.

**BOARD BUSINESS**

**Board Elections:** Motion was made and seconded to elect Dr. Manning as Board chair. Motion carried unanimously

**CCE Accreditation and Residency Accreditation Standards:** Ms. Lawler informed the Board of a currently in-progress 60-day comment period regarding proposed revisions to the CCE Accreditation Standards and CCE Residency Accreditation Standards.

**NBCE- November 2022 Part IV (Practical) Examination:** Motion was made and seconded to send two Board members to the NBCE Part IV Examination in November 2022. Motion carried unanimously.

**Licensing Report:** Mr. Absec presented a report on applications received and licenses issued and renewed by staff since the last meeting.

**Application Review:** Motion was made to deny application DCA-2279 until probation is complete, at which time the applicant may reapply. Motion failed due to lack of a second.

Motion was made and seconded to table application DCA-2279 pending a Board interview with the applicant. Motion carried with one dissenting vote.

**Board Training – Open Meeting Law:** Mr. Crema presented a training on the Open Meeting Law.

#### **Executive Session**

Motion was made and seconded to 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 pending litigation. The vote was: Dr. Gaertner-Ewing, aye; Dr. Hansen, aye; Dr. Higgins, aye; Ms. Hart, aye; and Dr. Manning, aye. Motion carried unanimously.

Motion was made and seconded to exit executive session. Motion carried unanimously. No decisions were made in executive session.

#### **Executive Session**

Motion was made and seconded to 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 obtain or retain a license or registration. The vote was: Dr. Gaertner-Ewing, aye; Dr. Hansen, aye; Dr. Higgins, aye; Ms. Hart, aye; and Dr. Manning, aye. Motion carried unanimously.

Motion was made and seconded to exit executive session. Motion carried unanimously. No decisions were made in executive session.

#### **Discipline**

Motion was made and seconded to issue an emergency suspension based on evidence presented in case CHI-2023-1 due to an imminent risk to the safety of the public. Motion carried unanimously.

Motion was made and seconded to close case I-CHI-2022-1 with a Corrective Action Plan. Motion carried with two dissenting votes.

Motion was made and seconded to deny application DCA-2279 based on Idaho Code § 702.01.b.i.7 due to an exhibited lack of knowledge of the laws and rules of nutritional certification. Motion carried unanimously.

#### **Adjourn**

There being no further business, the meeting was adjourned at 10:59 AM.

The next meeting is on 10/13/2022.