



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

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Board Meeting Minutes of 6/6/2023

Board Members Present:	Craig J Manning, D.C. - Chair Cathy Hart Howard Arrington, D.C. William Higgins, D.C. Shannon Gaertner-Ewing, D.C.	Division Staff:	Cesley Metcalfe, Executive Officer Greg Loos, General Counsel Christian Runnalls, Board Support Specialist
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The meeting was called to order at 3:01 PM by Craig J Manning, D.C.

BOARD BUSINESS

Proposed Updates to Statute: The Board discussed making the changes listed below to the statute.

Idaho Code § 54-703(1): The Board changed the language to have acceptable schools of Chiropractic be accredited organizations recognized by the US Department of Education or as otherwise approved by the Board.

Idaho Code § 54-703(6): This was a new statute added at a previous meeting that defined: “Supervising Physician – a physician means a chiropractic physician who is responsible for the direction and supervision of activities and patient services provided by licensed and unlicensed personnel.” At this meeting, the Board struck “a physician” as redundant to the phrase “chiropractic physician”, which directly follows the deleted words and is already defined in I.C. § 54-703(5).

Idaho Code § 703(7): The Board discussed adding additional activities to the definition of chiropractic practice discussed at a previous meeting. The Board added “examination” as a function of the practice of chiropractic to add objective context to the definition.

Idaho Code § 54-704(1)(a): At a previous meeting, the Board added a statute that referenced completing “Specialty Programs of the Federation of Chiropractic Licensing Boards” as an option for proving competency. The Board replaced the FCLB language with ‘any post-doctrinal certifications from an agency recognized by the Board’ to remove references to specific agencies from the statute.

Idaho Code § 54-705(a): The Board removed language added at a previous meeting that was redundant of the reference to chapter 18 title 54.

Idaho Code § 54-705(f): The Board discussed adding “and has proven competency” to the end of this statute because being licensed or registered doesn’t prove competency. After discussion the Board determined that the phrase is too subjective and did not add the language.

Idaho Code § 54-705(d): The Board discussed adding “consultation and expert witness” to this, but instead removed the exemption for out of state chiropractors providing consultation on an Idaho case.

Legal counsel stated that being an expert witness is not practicing chiropractic, so that addition is necessary. It was also determined that consultation is covered in another section. The Board revised the remainder for clarity. It now reads “A licensed chiropractor in another jurisdiction who is in the state to provide educational opportunities which meet the state requirements and is here to lecture or supervise in a clinical situation or demonstration.”

Idaho Code § 54-705(k): The Board reworded this for simplicity. It now reads “A person who administers treatment as part of educational services must practice in line with education from an accredited chiropractic college or program.” Subsections i and ii were deleted as unnecessary. Subsection iii was updated to include... nonprescription “and prescription products (per formulary)”. Subsection vi was updated for clarity to read as “Requires each person receiving services to sign an informal consent which is provided or comes from a malpractice source or specialists with a background in malpractice.”

Idaho Code 54-706(1): The Board discussed increasing the number of years that a chiropractor is required to practice chiropractic prior to becoming a board member from three to ten. No changes were made.

Idaho Code § 54-707(11): The Board retained the previously deleted subsection 11 after Ms. Metcalfe clarified that it defines enforcement of the statute rather than the budgetary process.

Idaho Code § 54-708(4): The Board discussed striking this as unnecessary with previous changes that have been made to tie the scope of practice to a licensee’s education, or leaving the majority of this language but changing it to an advanced practice endorsement of a license instead of a separate certification. The Board decided to add language that gives the Board authority to issue an endorsement for the advanced practice of clinical nutrition to a license that has completed the appropriate education and passed a competency exam.

Idaho Code § 54-716: The Board updated the language to reflect the change to endorsement for clinical nutrition instead of certification. It also deleted all of the subsections with the intent of moving them to the administrative rules.

Idaho Code § 54-717: The Board discussed this statute and how it should be changed. Dr. Gaertner-Ewing stated that she would work on this statute and bring back language at the next meeting.

Public Comment:

Caroline Merrit, Idaho Association of Chiropractic Physicians (IACP), requested a copy of the draft statute changes so that IACP can provide comments before the draft is approved by the Board.

Adjourn

There being no further business, the meeting was adjourned at 5:31 PM.

The next meeting is on 06/12/2023.