

BOARD OF CHIROPRACTIC EXAMINERS
Professional & Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by §92-7(b), Hawaii Revised Statutes (HRS).

Date: Thursday, March 7, 2013

Time: 9:00 a.m.

Place: King Kalakaua Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

Present: James A. Pleiss, D.C., D.A.B.C.O., Vice-Chair
Kathleen T. Kang-Kaulupali, Pharm. D., Member
Lina M. Kikuta, Member
Lawrence A. Redmond, D.C.
Lynn Bhanot, Executive Officer ("EO")
Elmira K. Tsang, Deputy Attorney General ("DAG")
Wilma Balon, Secretary

Excused: Robert E. Klein, D.C., F.A.C.O., Chair

Guests: Eric J. Vroom, D.C.

Call to Order: There being a quorum present, the meeting was called to order by Dr. Pleiss at 9:18 a.m.

Additions/
Revisions: None.

Approval of
Meeting Minutes: Minutes of the January 3, 2013 Board Meeting

It was moved by Dr. Redmond, seconded by Ms. Kang-Kaulupali, and unanimously carried to approve the minutes of January 3, 2013 as circulated.

Executive Officer's
Report:

- A. Council on Chiropractic Education (CCE)
1. February 11, 2013 CCE Accreditation Actions Announcement.

The announcement was distributed to members informing them of the accreditation actions taken by the Council at its January 2013 Annual Meeting.

Executive Officer Bhanot explained that CCE seeks to ensure the quality of chiropractic education in the United States by means of accreditation, educational improvement and public information. CCE develops accreditation criteria to assess how effectively programs or institutions plan, implement and evaluate their mission and goals, program objectives, inputs, resources and outcomes of their chiropractic programs.

Executive Session: At 9:20 a.m., it was moved by Ms. Kang-Kaulupali, seconded by Dr. Redmond, and unanimously carried to enter into Executive Session pursuant to HRS §92-4 and 92-5(a)(1) and (4), to consider and evaluate personal information relating to individuals applying for licensure and to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities.

EXECUTIVE SESSION

At 9:32 a.m., it was moved by Ms. Kang-Kaulupali, seconded by Dr. Redmond, and unanimously carried to return to open session. The room was reopened to the public.

Ms. Kikuta entered the meeting room at 9:32 a.m.

Licensing:

A. Ratifications of Issued License

1. CANDELARIO, Joserodel Z.
2. DODSON, Paul E.
3. FRANCO, Norma D.
4. GRAVESEN, Katherine M.
5. TAKITANI, Ty K.

It was moved by Ms. Kang-Kaulupali, seconded by Dr. Redmond, and unanimously carried to ratify the above staff approval of licensee(s).

B. Applications

1. DRAGAN, Douglas W.

It was noted that at its January 3, 2013 meeting, the Board had initially voted to not grant Dr. Dragan's request to waive the SPEC Examination offered by the NBCE and to deny his application.

However, it was subsequently determined by DAG Tsang that the Board would need to review the application again at the March 7, 2013 Board meeting.

After due consideration of the information received, it was moved by Dr. Redmond, seconded by Ms. Kang-Kaulupali, and unanimously carried to reconsider the Board's decision of January 3, 2013, to not grant Dr. Dragan's request to waive the SPEC Examination offered by the NBCE and to deny his application.

Discussion followed. It was moved by Ms. Kang-Kaulupali, seconded by Dr. Redmond to deny Douglas W. Dragan, D.C. request to waive the SPEC Examination and to provide him a Board authorization form requiring him to take the SPEC examination offered by the National Board of Chiropractic Examiners.

2. VROOM, Eric J.

It was moved by Dr. Redmond, seconded by Ms. Kang-Kaulupali, and unanimously carried to approve the application of Eric J. Vroom, D.C.

Old Business:

A. December 21, 2012 email from Carmen Pang of Pacific Blue Cross Re: Cellular Regeneration

Executive Officer Bhanot informed the Board that at its meeting on January 3, 2013, the Board deferred a decision on Ms. Pang's email inquiry on whether cellular regeneration is within the scope of practice for chiropractors in Hawaii.

Executive Officer Bhanot advised the Board that Ms. Pang did not respond to the Board's request to provide specific information and clarification on the definition of cellular regeneration.

After some discussion, the Board determined that it would not make determination until the Board received a response to their request.

New Business:

A. National Board of Chiropractic Examiners' Annual Business Meeting of NBCE State Delegate – May 3, 2013; San Francisco, California – Designation of Board Delegate

Executive Officer Bhanot advised the Board the NBCE Annual Business Meeting will be held on May 3, 2013 in San Francisco, California.

It was moved by Ms. Kang-Kaulupali, seconded by Ms. Kikuta, and unanimously carried to approve Dr. Klein as the delegate and Dr. Pleiss as the alternate to represent the Hawaii Board of Chiropractic Examiners at the 2013 Annual Business Meeting of NBCE State Delegates.

B. National Board of Chiropractic Examiners' Part IV Practical Examination

Executive Officer Bhanot advised the Board that licensed DC's are invited to participate as examiners in the administration of each practical exam for the two Part IV examinations and Part IV Test Committee meeting for 2013.

It was moved by Dr. Redmond, seconded by Ms. Kang-Kaulupali, and unanimously carried to elect the Board's representative to attend the following:

Dr. Klein and Dr. Pleiss - Spring Part IV Exam – May 17, 18, & 19, 2013

Dr. Pleiss - Part IV Test Committee meeting – June 7 & 8, 2013

Dr. Redmond - Fall Part IV exam – November 8, 9, & 10, 2013

Executive Session: At 9:55 a.m., it was moved by Dr. Redmond, seconded by Ms. Kang-Kaulupali, and unanimously carried to enter into Executive Session pursuant to HRS §92-4 and 92-5(a)(1) and (4), to consider and evaluate personal information relating to individuals applying for licensure and to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities.

EXECUTIVE SESSION

Correspondence: A. December 29, 2012 email from Thaddeus Gala, D.C. Re: Out of state chiropractic services via email and phone

At 10:04 a.m., it was moved by Ms. Kang-Kaulupali, seconded by Ms. Kikuta, and unanimously carried to return to open session. The room was reopened to the public.

Correspondence: A. December 29, 2012 email from Thaddeus Gala, D.C. Re: Out of state chiropractic services via email and phone

After further discussion, it was moved by Ms. Kang-Kaulupali, seconded by Dr. Redmond, and unanimously carried to inform Dr. Gala that a license to practice chiropractic issued by the State of Hawaii, Board of Chiropractic Examiners, is required to provide chiropractic services to Hawaii consumers.

The Board would like to further advise Dr. Galla that Hawaii Board of Chiropractic Examiners does not license by reciprocity. One must meet the examination requirements as set forth in Hawaii Revised Statutes (HRS) §442-6.

In accordance with Hawaii Administrative Rules section 16-201-90, the above interpretation is for information and explanatory purposes only. It is not an official opinion or decision, and thus, is not be viewed as binding on the Board.

Executive Session: At 10:10 a.m., it was moved by Ms. Kang-Kaulupali, seconded by Dr. Redmond, and unanimously carried to enter into Executive Session pursuant to HRS §92-4 and 92-5(a)(1) and (4), to consider and evaluate personal information relating to individuals applying for licensure and to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities.

EXECUTIVE SESSION

- B. January 19, 2013 email from Darren De Mello Re: Use of Class IV lasers in the Chiropractor field of medical care

At 10:29 a.m., it was moved by Ms. Kang-Kaulupali, seconded by Dr. Redmond, and unanimously carried to return to open session. The room was reopened to the public.

- B. January 19, 2013 email from Darren De Mello Re: Use of Class IV lasers in the Chiropractor field of medical care

Discussion followed. It was moved by Dr. Redmond, seconded by Ms. Kang-Kaulupali, and unanimously carried the following response to Mr. DeMello's inquiry:

"Does Hawaii allow a Chiropractor Doctor to administer treatments of class IV lasers?" "Does this type of treatment fall under the scope of practice for a Chiropractor Doctor to use class IV lasers?"

Chiropractic licensees may administer treatments within the definition of chiropractic and within the scope of practice. The Board informally opined that the use of class IV lasers appears to be within the chiropractic scope of practice. See Hawaii Revised Statutes ("HRS") §442-1 and Hawaii Administrative Rules (HAR)§ 16-76-25.

"Does Hawaii allow the Chiropractor Doctor or may a trained and certified massage therapist administer the treatments of class IV lasers?"

In accordance with HRS §442-2(a), "It shall be unlawful for any person to practice chiropractic without a license." The Board does not regulate the practice of massage therapy. The regulation of massage therapy is governed by the Board of Massage Therapy, HRS Chapter 452.

"If these fees for treatment are approved by the board?"

The Board does not have jurisdiction to regulate fees a chiropractic licensee charges for services such as laser treatments.

In accordance with HAR §16-201-90, the above interpretation is for informational and explanatory purposes only. It is not an official opinion or decision, and thus, is not to be viewed as binding on the Board.

C. February 4, 2013 email from Robert C. Nelson, D.C., American Chiropractic Board of Sports Physicians
Re: Concussion survey

After a short discussion, it was moved by Ms. Kang-Kaulupali, seconded by Dr. Redmond, and unanimously carried to inform Dr. Nelson that Hawaii law does not specifically reference the extent to which a chiropractic licensee may evaluate, manage, and determine return to play for concussions.

The Board informally opined that it may be permitted to the extent evaluation, management and/or determination falls within the chiropractic scope of practice as defined in Hawaii Revised Statutes § 442-1 and Hawaii Administrative Rules § 16-76-25.

In accordance with HAR §16-201-90, the above interpretation is for informational and explanatory purposes only. It is not an official opinion or decision, and thus, is not to be viewed as binding on the Board.

D. February 17, 2013 email from Eric Russell, D.C., President – New Zealand College of Chiropractic

The Board reviewed and discussed the above email inquiry from Eric Russell, D.C. His request for the Board to evaluate the New Zealand College of Chiropractic curriculum is not within the Board's jurisdiction as the educational requirements are specified in the statutes and rules. However, the Board appreciated the sharing of the curriculum information.

The Board recommended Dr. Russell refer to HRS 442-2 and HAR 16-76-8 for the educational requirements for chiropractic licensure.

In accordance with HAR §16-201-90, the above interpretation is for informational and explanatory purposes only. It is not an official opinion or decision, and thus, is not to be viewed as binding on the Board.

Continuing Education ("CE"):

A. Ratification of CE Courses – New Applications and Re-registrations:

See attached list(s).

It was moved by Ms. Kikuta, seconded by Dr. Redmond, and unanimously carried to ratify the approval of the following CE courses:

Index No. HI 13-042 – HI 13-046

Index No. HI 13-048 – HI 13-054

Index No. HI 13-056

Index No. HI 13-076 – HI 13-077

It was moved by Ms. Kang-Kaulupali, seconded by Dr. Redmond, and unanimously carried to ratify the following CE Re-registrations Pre-approved by the Executive Officer:

Index No. HI 12-073 R13 – HI 12-084 R13

B. Other CE Courses

1. Request from Alfred R. Valenzuela, D.C. for approval of "Nutrition Principles for Stress, Digestion and Diabetes", for 12 hours of continuing education.

It was moved by Dr. Pleiss, seconded by Dr. Redmond, and unanimously carried to ratify the approval of the above referenced CE course for 12 hours.

5. Request from Beverly Bigbee, D.C. for approval of "The Neurobiology of We", for 8 hours of continuing education.

It was moved by Dr. Redmond, seconded by Ms. Kang-Kaulupali, and unanimously carried to ratify the approval of the above referenced CE course for 8 hours.

2. Request from Raymond K. Yoza, D.C. for approval of "Chinese Medicine Made Simple", for 8 hours of continuing education.
3. Request from Howard Rogers, D.C. for approval of "Science Based Nutrition Foundation Laboratory Analysis", for 12 hours of continuing education.
4. Request from Howard Rogers, D.C. for approval of "AMA Guides to the Evaluation of Permanent Impairment, 6th Edition", for 12 hours of continuing education.

It was moved by Dr. Redmond, seconded by Ms. Kang-Kaulupali, and unanimously carried to defer above references.

Next Meeting:

Thursday, May 2, 2013
9:00 a.m.
King Kalakaua Conference Room
335 Merchant Street, 1st Floor
Honolulu, HI 96813

Adjournment:

There being no further business to discuss, the meeting adjourned at 11:03 a.m.

Taken and recorded by:

/s/Wilma Balon

Wilma Balon, Secretary

Reviewed and approved by:

/s/Lynn R. Bhanot

Lynn R. Bhanot, Executive Officer

LRB:wb
03/14

- () Minutes approved as is.
(X) Minutes approved with changes; see minutes of May 2, 2013.

**CHIROPRACTIC CONTINUING EDUCATION
2012-2013
ALL COURSES EXPIRE ON DECEMBER 31, 2013 UNLESS OTHERWISE NOTED**

Index No.	Program Title	Dates - Locations	Sponsor	Hours	Approved
HI 13-042	21st Annual ICA Symposium on Natural Fitness and Sports	2/28-3/2/13, Columbus, OH	Life Chiropractic College West	20	3/7/2013
HI 13-043	Advanced Extremity Adjusting: Deliberate Practice Protocols	3/23-24/13 Newark, NJ; 4/27-28/13 Seattle, WA; 5/4-5/13 Phoenix, AZ	New York Chiropractic College	12	3/7/2013
HI 13-044	Supporting Your Body from Toes to Nose	3/9-10/13 Philadelphia, PA; 4/20-21/13 Boise, ID; 5/4-5/13 Chicago, IL	New York Chiropractic College	12	3/7/2013
HI 13-045	Living well in a sick world: An Integrative Approach	1/9/13 Pasadena, TX	Texas Chiropractic College	16	3/7/2013
HI 13-046	Human Anatomy Lab for Health and Fitness Professionals	1/26-27/13, 2/09-10/13, 3/09-10/13, 4/20-21/13, 5/11-12/13, 6/08-09/13, 7/20-21/13, 8/24-25/13, 9/28-29/13, 10/19-20/13, 11/09-10/13, 12/07-08/13; Location for all dates: Life Chiropractic College West, Hayward, CA	Life Chiropractic College West	12	3/7/2013
HI 13-048	The Cox Technic for Spine Pain Relief: Parts 1 & 2	4/18-21/13, Ft. Wayne, IN	National University of Health Sciences	30	3/7/2013
HI 13-049	NUCCA Spring Conference	4/18-20/13, Bloomington, MN	Life Chiropractic College West	19	3/7/2013
HI 13-050	Down to the Bone - Assessing Bone Density with X-Ray Technologies	5/19/13, Hayward, CA	Life Chiropractic College West	6	3/7/2013
HI 13-051	X-Ray: Arthritis in Everyday Practice	4/28/13, 5/23/13, 7/20/13; Hayward, CA	Life Chiropractic College West	6	3/7/2013
HI 13-052	X-Ray: Evaluating Instability	3/16/13, 5/18/13, 6/8/13; Hayward, CA	Life Chiropractic College West	6	3/7/2013
HI 13-053	Low Tech Spinal Rehabilitation	3/16/13, 5/18/13, 6/9/13; Hayward, CA	Life Chiropractic College West	6	3/7/2013
HI 13-054	Thoracic Spine and Rib Cage Adjusting	3/17/13, 4/27/13, 6/8/13, 6/27/13, 7/21/13; Hayward, CA	Life Chiropractic College West	6	3/7/2013
HI 13-056	FCA Spring Convention and Exposition 2013	3/14-17/13, Jacksonville, FL	Texas College of Chiropractic	92	3/7/2013
HI 13-076	Health Source Super Camp	4/19-21/13, Dallas, Texas	Northwestern Health Sciences University	12	3/7/2013
HI 13-077	The Cox Technic System of Spinal Pain Management: Biomechanics, Examination, Diagnosis and Treatment	Online	National University of Health Sciences	23	3/7/2013

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Index No.	Program Title	Dates - Locations	Sponsor	Hours	Approved
↓	<u>2012-2013 RE-REGISTRATIONS ↓</u>				
HI 12-073R13	Billing Codes and Ethics	Online	Life University	4	3/7/2013
HI 12-074R13	Diagnosis and Clinical Issues Group	Online	Life University	4	3/7/2013
HI 12-075R13	Head Pain Series	Online	Life University	16	3/7/2013
HI 12-076R13	Personal Injury Practice Series	Online	Life University	8	3/7/2013
HI 12-077R13	Radiology and Diagnosis Imaging	Online	Life University	17	3/7/2013
HI 12-078R13	Risk Management Group	Online	Life University	3	3/7/2013
HI 12-079R13	Sports Injuries: Sport Specific Rehab	Online	Life University	14	3/7/2013
HI 12-080R13	Sports Injuries-Foot and Ankle	Online	Life University	12	3/7/2013
HI 12-081R13	Sports Injuries-Shoulder	Online	Life University	12	3/7/2013
HI 12-082R13	The Lower Extremity Trauma Series	Online	Life University	22	3/7/2013
HI 12-083R13	Upper Extremity Trauma Series	Online	Life University	14	3/7/2013
HI 12-084R13	Whiplash Injury Series	Online	Life University	14	3/7/2013

NOTE: For specific course content information and dates/locations of course offerings, contact sponsors directly.