



Board of Chiropractic Examiners

February 2, 2023 at 8:30 AM

7 Eagle Square, Concord NH 03301

Attendance

Members Present:

Dr. Tamara Lovelace (TL), Chair; Dr. David Lundgren (DL); Dr. Stephanie Ryan (SR)

Members Absent:

Lawrence Patten (LP); Dr. Denise Pickowicz (DP), Secretary

Staff Present:

Jeanne Webber, Board Administrator; Elizabeth Eaton, Esq., Board Counsel; Bethany Cotrell, Director

I. Call to Order

Meeting was called to order at 8:37 a.m., with a quorum of the Board present.

II. Approval of Public Minutes

A. January 5, 2023

Motion:

Upon a motion by SR, with a second by DL, the Board voted to approve the minutes as stated; motion passed.

III. OPLC Board Administration Updates

A. National Board of Chiropractic Examiners (NBCE)- Memorandum

1. NBCE Important Dates - Informational, no Board action required
2. NBCE 2023 Annual Meeting

Motion:

Upon a motion by SR, with a second by DL, the Board voted to nominate DP as representative of the Board; motion passed.

3. NBCE 2023 Part IV Examination

Motion:

Upon a motion by SR, with a second by DL, the Board voted to nominate DP as optional representative of the Board; motion passed.

B. Federation of Chiropractic Licensing Boards (FCLB) - Memorandum

1. FCLB 2023 Annual Meeting

Motion:

Upon a motion by SR, with a second by DL, the Board voted to nominate DP as representative of the Board; motion passed.

IV. Old Business – No items

V. New Business

A. Garrett, Jason - Citation

Motion:

TL requested that Board Admin verify that the CE in question meets New Hampshire licensure renewal continuing education requirements if Dr. Garrett submits them at the time of renewal.

B. Questions from Licensee

The Board discussed questions surrounding guardianship of records pursuant to Ch 407.02, and certification and training of chiropractic assistants. The Board does not oversee and is not aware of a state chiropractic assistant training program.

C. Continuing Education Credit Approval Request

Motion:

Upon a motion by TL, with a second by DL, the Board voted to approve the requested 4 hours of continuing education conducted by the National Board of Chiropractic Examiners; motion passed. **Abstained:** SR

VI. Applications for Review – No items

VII. Rules Review / Legislation Update

A. Legislation Update – Elizabeth Eaton, Esq., Board Counsel

HB 507 - Relative to unauthorized practice in occupational and professional licensing and certification.

Motion:

Upon a motion by TL, with a second by DL, the Board voted to oppose this Bill, and to delegate Board Counsel to testify on the Board's behalf. Motion passed.

HB 258 – Relative to establishing a certification for animal chiropractors
DL will gather and present information to the Board at the March 2, 2023 meeting

VIII. Non-Public Session

On motion at 9:16 a.m. of SR, seconded by DL, the Board voted unanimously via roll call vote to conduct a non-public session for the purpose of discussing investigations of alleged licensee misconduct and other confidential Board business and noting that such a non-public session is authorized by RSA 91-A:3, II (c), RSA 91-A:3 II (e), RSA 91-A:5, IV, RSA 316-A:22, I, RSA 316-A:23-a, *Lodge v. Knowlton*, 119 N.H. 574 (1978), and the Board's executive and deliberative privileges.

[Minutes kept separately].

IX. Resume Public Session

A. Seal Minutes from Non-Public Session

Upon the motion by SR, with a second by DL, the Board voted via roll call vote to withhold and seal the minutes of the preceding non-public session from public disclosure pursuant to RSA 91-A: 3 III, that divulgence of the information likely would affect adversely the reputation of a person other than a Board member and to render the proposed action ineffective. Each member recorded his or her vote on the motion, which passed by the unanimous vote of all members present.

X. Adjournment

At 9:27 a.m., upon motion by SR, with a second by DL, the Board voted unanimously via roll call vote to adjourn the meeting.