

NEW HAMPSHIRE BOARD OF CHIROPRACTIC EXAMINERS AGENDA

Thursday, April 2, 2020
Public – Minutes

The regularly scheduled meeting of the New Hampshire Board of Chiropractic Examiners (the “Board”) was held at the Office of Professional Licensure and Certification (“OPLC”), 121 South Fruit St., Concord NH on April 2, 2020 beginning at 8:38 a.m., with the following members present via Zoom by roll call vote:

Dr. Keith J. Zimmermann, Chair, - here
Dr. David Lundgren, - here
Dr. Lisa Lanzara-Bazzani, - here
Dr. Tamara L. Lovelace - here
Lawrence Patten - here

Public Attendees via Zoom:

Dr. Paul Powers
Dr. Guy Annunziata

I. Minutes:

- A. Review and approve minutes of March 5, 2020 meeting
Upon motion by Dr. David Lundgren, with a second by Lawrence Patten, the Board voted to approve the public minutes of the March 5, 2020 as amended. By roll call vote:

Dr. Keith J. Zimmermann, Chair, - yes
Dr. David Lundgren, - yes
Dr. Lisa Lanzara-Bazzani, - here
Dr. Tamara L. Lovelace - yes
Lawrence Patten - yes

~ Motion Approved

- B. New Certificates for Signatures

MARCIANO, Richard
HANSON, Laura

II. Public Hearing

N/A

III. New Business:

- A. Covid-19 – For informational purposes the Board was provided the location of the executive orders on the Governor’s website and OPLC’s website.

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1. Essential Healthcare Provider – Upon motion by Dr. Lisa Lanzara-Bazzani, with a second by Dr. David Lundgren, the Board voted to approve that an email be sent to have Chiropractic Doctors added to the Essential Healthcare Providers list by roll call vote:

Dr. Keith J. Zimmermann, Chair, - yes
Dr. David Lundgren, - yes
Dr. Lisa Lanzara-Bazzani, - here
Dr. Tamara L. Lovelace - yes
Lawrence Patten - yes

2. Emergency Petition - ChiroCredit.com – NH Petition to waive limitation of Distanced Based Learning 2020.

Dr. Paul Powers, from ChiroCredit.com a division of Online Continuing ED, LLC and Dr. Guy Annunziata, from DC Hours, a division of Advanced Healthcare Solutions, LLC, addressed the Board regarding an emergency petition for removing limitation on distanced based learning for the current renewal period. As part of the discussion the Rules Attorney, Thomas Broderick stated the change would not be considered an emergency and it would have to go through the normal rule making process. The reason is Chiropractic Doctors do not renew until June of 2021 so there is plenty of time to make the changes to the requirements during the current state of emergency. Attorney Broderick also presented to the Board a draft proposal of the change.

Upon motion by Dr. David Lundgren, with a second by Dr. Lisa Lanzara-Bazzani, the Board voted to accept the draft proposed rule change by roll call vote.

Keith J. Zimmermann, Chair, - yes
Dr. David Lundgren, - yes
Dr. Lisa Lanzara-Bazzani, - here
Dr. Tamara L. Lovelace - yes
Lawrence Patten - yes
~Motion Approved

IV. New License

Upon motion by Dr. Tamara Lovelace, with a second by Dr. Lisa Lanzara-Bazzani, the Board voted to approve the application of Alexandre Marquignon. By roll call vote:

Keith J. Zimmermann, Chair, - yes
Dr. David Lundgren, - yes
Dr. Lisa Lanzara-Bazzani, - here
Dr. Tamara L. Lovelace - yes
Lawrence Patten - yes

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~Motion Approved

V. Questions: The Board discussed the following 3 main questions and concerns

1. Recommendations regarding treating patients, to include sanitation, social distancing and pre-screening.

The NHBCE recommends that any and all licensees who choose to continue to see patients during the COVID-19 pandemic following any and all guidelines set forth by the CDC and federal and state governments.

2. Regarding Emergency Order #17 pursuant to the Executive Order 2020-04; Closure of non-essential businesses and the list of industry sectors that provide essential services and support to COVID-19 and the core missions of the State.

The NHBCE is seeking clarification from the Governor's Office, information will be posted to the website as it becomes available.

3. Exceptions to continuing education hours to be allowed through distance base learning for the current renewal period and not require real time interaction.

The NHBCE is currently working on rule changes regarding continuing education hours during the State of Emergency. The following will be added to Ch 404.01 Continuing Education Hours and Courses:

(f) Notwithstanding (d)(2)(a) above, any continuing education course taken via electronic participation during the State of Emergency called by the Governor in Executive Order 2020-04 shall be considered live hours. (Please note that this process will need to go through the rule making procedures and will take some time. As information becomes available the NHBCE website will be updated.)

Upon motion by Dr. Lisa Lanzara-Bazzani, with a second by Dr. David Lundgren, the Board voted to send out a memo to the Chiropractic Doctors with the information above and post to the website by roll call vote:

Dr. Keith J. Zimmermann, Chair, - yes
Dr. David Lundgren, - yes
Dr. Lisa Lanzara-Bazzani, - here
Dr. Tamara L. Lovelace - yes
Lawrence Patten - yes

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VI. Non-Public

Motion to commence Non-Public Session:

On motion at 9:50 am of Dr. Lisa Lanzara-Bazzani, seconded by Dr. Davis Lundgren, the Board voted 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 329:18, I, RSA 329:18-a, IV, RSA 329:29, Lodge v. Knowlton, 119 N.H. 574 (1978), and the Board's executive and deliberative privileges. Roll call vote:

Dr. Keith J. Zimmermann, Chair, - yes
Dr. David Lundgren, - yes
Dr. Lisa Lanzara-Bazzani, - here
Dr. Tamara L. Lovelace - yes
Lawrence Patten - yes

Public session resumed at 11:47 am

I. [Minutes kept separately]

VII. Seal Non-Public

Motion to keep minutes of non-public session confidential:

Upon the motion at 11:47 am. by Dr. Lisa Lanzara-Bazzani, with a second by Lawrence Patten, the Board voted 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. Roll call vote:

VIII. Meeting Adjourned 11:47 am

IX. Next Meeting

May 7, 2020