



Board of Chiropractic Examiners - Public

May 2, 2024 at 8:45 AM
7 Eagle Square, Concord NH 03301

Attendance

Members Present:

Dr. Tamara Lovelace (TL), Chair; Dr. Denise Pickowicz, Secretary (DP); Dr. Stephanie Ryan (SR); Dr. David Lundgren (DL) * *arrived at 9:02 am and left at 10:03 am*

Members Absent:

Lawrence Patten

Staff Present:

Jeanne Webber, Board Administrator; Elizabeth Eaton, Esq., Board Counsel

I. Call to Order

Meeting was called to order at 8:45 a.m., with a quorum of the Board present.

II. Approval of Minutes

A. March 7, 2024

Motion:

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

III. Public Appearances - No Items

IV. OPLC/Board Administrator Updates

A. Standing Order - Remote Participation

Motion:

Upon a motion by DP, with a second by SR, the Board voted to approve the standing order on remote participation under specific conditions; motion passed.

B. Federation of Chiropractic Licensing Boards (FCLB) Update - Informational

C. National Board of Chiropractic Examiners (NBCE) - Informational

1. NBCE Announces More Testing Opportunities

2. 2024 Proposed Bylaws Changes

D. 91 A Refresher - Informational

V. New Business

A. Approved Applications

There are currently three pending applications, waiting on missing documentation.

1. Approved Initial Applications – Informational

- A. Casey, Jessica
- B. Stagnone, Hayden

2. Reinstatements - No items

- B. Inquiry – The Board received a request for clarification on the Board’s official stance regarding the practice and educational requirements for soft tissue mobilization techniques. The Board, nor its staff or counsel, are permitted to provide legal advice or advisory opinions, including interpretations of the law or regulations. The Board Administrator will direct them to contact a private attorney or professional organization for advice or guidance.

VI. Old Business

VII. Rules Review and Other Legislative Topics

A. Legislative Update

HB 1676 - establishing a sunset commission to evaluate various occupational boards and commissions, and sunsetting various boards and commissions - Interim Study

HB 1604 - relative to the use of electronic medical records

HB 1272 - relative to occupational license reciprocity – Inexpedient to Legislate

HB 1278 - relative to qualifying medical conditions for purposes of therapeutic cannabis

HB 1233 - relative to animal chiropractors

Motion:

Upon a motion by DL, with a second by SR, the Board voted draft a response in opposition of HB 1233; motion passed.

B. Ch 500 Initial Proposal

Motion:

Upon a motion by DL, with a second by DP, the Board voted to approve the Initial Proposal as amended and initiate rulemaking; motion passed.

VIII. First Non-Public Session

On motion at 8:46 a.m. of SR, seconded by DP, the Board voted unanimously via roll call vote to conduct the 1st 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 - Motion to come out of 1st non-public at 8:58 a.m. was made by SR, and seconded by DP, by unanimous roll call vote.

A. Seal Minutes from 1st Non-Public Session

Upon the motion by DP, with a second by SR, the Board voted via roll call vote to withhold and seal the minutes of the 1st 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. Second Non-Public Session

On motion at 9:47 a.m. of DL, seconded by SR, the Board voted unanimously via roll call vote to conduct a 2nd 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].

- XI. Resume Public Session - Motion to come out of 2nd non-public at 9:53 a.m. was made by DL, and seconded by SR, by unanimous roll call vote.

A. Seal Minutes from 2nd Non-Public Session

Upon the motion by DL, with a second by SR, the Board voted via roll call vote to withhold and seal the minutes of the 2nd 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.

- XII. Adjournment – Meeting adjourned at 10:06 a.m.