



CHIROPRACTIC QUALITY ASSURANCE COMMISSION MEETING MINUTES

April 9, 2015 – 9:00 a.m. to 3:00 p.m.

Department of Health
[Point Plaza East Building, Rooms 152/153](#)
310 Israel Road SE
Tumwater, WA 98501

Commission Members:

Gabe (Gary) Smith, DC, Chair, Matthew Waldron, DC, Vice-Chair, Judy Colenso, Public Member, Aaron Chan, DC, James Slakey, Public Member, Winfield Hobbs, DC, Doug Long, DC, Robert Schmitt, DC, Bryson Langel, DC, Ronwynn Pratt, DC, Harold Rasmussen, DC, David Folweiler, DC, Louise Stephens, Public Member, and Kimberly Corbin Waters, DC.

Commission Staff Present

Leann Yount, Program Manager
Bob Nicoloff, Executive Director
Lilia Lopez, Assistant Attorney General (AAG)
Mike Ellsworth, DOH Supervising Staff Attorney

Others Present

Danielle Welliever, DOH Policy Analyst
Jennifer Herbrand, Credentialing Supervisor
Cyndi Blake, Credentialing, Section Staff
Suzanne Becker, AAG
Tom Graham, AAG

On April 9, 2015 the Chiropractic Quality Assurance Commission (Commission) met in Tumwater, Washington at the Department of Health 310 Israel SW Tumwater, WA 98501. In accordance with the Open Public Meetings Act, the regular meeting agenda was made available on line at least 24-hours prior to the meeting.

OPEN SESSION – April 9, 2015 **9:00 a.m.**

1. CALL TO ORDER – Dr. Smith, DC, Chair **9:00 a.m.**

1.1 The April 9, 2015 meeting agenda was approved with the following edits:

- Corrected the “Open Session” date from February 12, 2015 to April 9, 2015,
- 5.6 - Removed article topics that have been published and assigned articles to Commission members.

1.2 Commission members approved the February 12, 2015 meeting minutes.

1.3 Message from the Chair and/or Vice-Chair included:

- Dr. Smith reminded Commission members about the May 14, 2015 rules workshop that will be at the Department of Labor and Industries. It is important that Commissioners do their homework in between the meetings so everyone can be prepared and focused on rule writing.
- The Federation of Chiropractic Licensing Boards (FCLB) and the National Board of Chiropractic Examiners (NBCE) are holding their national conferences on May 7-10, 2015 in New Orleans, LA (JW Marriott New Orleans).
 - Attendees:
 - Dr. Waldron, voting delegate
 - Dr. Hobbs, alternate
 - Bob Nicoloff, Executive Director
 - Leann Yount, Program Manage
- Commission member appointments update:
 - Dr. Rasmussen's second term ends on June 30, 2015,
 - Four Commissioners are completing their first term and are interested in being appointed to a second term:
 - Dr. Pratt
 - Dr. Schmitt
 - Dr. Langel
 - Louise Stephens, Public Member

The Commissioners will complete a new application and submit it to the Governor's Office to be reappointed. Dr. Rasmussen's position will be filled by a new appointee.

- June 11, 2015 Mock Case Presenter:
 - Dr. Pratt

2. LEGISLATIVE UPDATE – Dr. Chan and Bob Nicoloff, Executive Director 9:15 a.m.

2.1 Dr. Chan provided a brief status update about the Department's legislative meet-me calls:

- Active bills as of April 9, 2015:
 - HB 1339 – Expanding Scope of Practice
 - SHB 1424 – Suicide CE
 - HB 1779 – Investigator victim interview training
 - SB 6019 – Adjudicative Proceedings
- Dead bills as of April 9, 2015:
 - HB 1135 – Alternative to Discipline / Remediation Plans
 - SB 5720 – FBI Fingerprints on all applicants
 - HB 1944 – Exemptions during State of Emergencies

2.2 Bob Nicoloff discussed recent meetings with State Legislators regarding the activities of the Commission, as follows:

- The Commission leadership and Mr. Nicoloff met with Representative Kevin Van De Wege as well as Representative Eileen Cody. A status update was given to them about the five-year pilot project.

In addition, the Classification of Chiropractic Instrumentation and Procedures List Policy was shared with them. It was well received.

- The Commission leadership and Mr. Nicoloff also met with Keith Swensen from the Governor's Office about the number of appointments the Commission has coming, and to also emphasize timeliness with filling them. He was open and receptive to the communication and with having future meetings.

The Governor's Office considers diversity, gender, and geographic location as appropriate when filling positions. They are also encouraging younger people to apply.

- On March 12, 2015, the Commission sent a letter to Senator Randi Becker, Senate Committee Chair on Health Care regarding our support of Substitute House Bill 1135 - an act relating to education-based practice remediation for licensed health and health-related professions.

3. **PROPOSED LICENSE RENEWAL FORM CHANGES - 9:30 a.m.**
Bob Nicoloff, Executive Director

3.1 Mr. Nicoloff presented a draft of the revised license renewal card which shows:

- a message regarding suicide prevention continuing education (CE) to serve as an additional reminder to chiropractors regarding this new requirement, and
- the signature block moved from the back to the front of the renewal card.

Commission members liked the draft changes. After the new suicide CE bill passes, the Commission will have to revise the draft renewal card to reflect the new, extended reporting period.

An update to the suicide CE bill will be provided at the June 11, 2015 business meeting.

4. **MOCK DISCIPLINARY AUDIT CASE REVIEW – Dr. Smith 10:15 a.m.**

4.1 Dr. Smith presented a series of good and bad x-ray films for training purposes.

LUNCH - Commission members continued meeting through lunch. 11:30 a.m.

5. CHIROPRACTIC QUALITY ASSURANCE COMMISSION COMMITTEES 12:00 p.m.

5.1 Planning/Executive Committee:

Members include: Gabe Smith, DC, Chair, Matthew Waldron, DC, Vice-Chair, Harold Rasmussen, DC, Immediate Past Chair, and Jim Slakey, Chair Public Member

Pilot Committee:

Members include: Matthew Waldron, DC, Chair, Jim Slakey, Public Member, Harold Rasmussen, DC, and Gabe Smith, DC

Priority #1

- Committee members continued developing goals for the revisions to the Commission/Department Operating Agreement (OA).

Committee members discussed the 10 items identified for the June 5, 2015 OA meeting with the Department.

Commission members voted all in favor to have Jim Slakey be the Commission representative for OA meetings with the Department. The June 5, 2015 OA meeting will also be added to the June 11, 2015 business meeting agenda.

5.2 Budget Committee:

Members include: Jim Slakey, Public Member, Chair, Gabe Smith, DC, Matthew Waldron, DC, Harold Rasmussen, DC, and Winfield Hobbs, DC

Priority #1

- Committee members reviewed and discussed the current budget report. The revenues and expenditures are tracking as budgeted and are within an acceptable range so the Committee recommended a fee decrease to be presented at the May 14, 2015 meeting.

Priority #2

- Committee members reviewed a draft CR-102 form that initiates the rules process to reduce several categories of license fees, and rename some categories to make them clearer.

Committee members recommended the Commission accept the draft proposal.

Commission members voted all in favor to accept the draft proposal.

5.3 Instrumentation and Procedure/Standard of Care Committee:

Members include: Win Hobbs, DC, Chair, Doug Long, DC, Ronwynn Pratt, DC, Kimberly Corbin-Waters, DC, and David Folweiler, DC

Priority #1

- Committee members continued to discuss the April 10, 2014 Diagnostic Ultrasound (DU) request to make a recommendation to the Commission. The Committee considered the February 12, 2015 DU presentation and the documents the requester(s)

submitted for the Commission to review. The Committee recommended that Diagnostic Ultrasound be added to the Classification of Chiropractic Procedures and Instrumentation List (List) as not approved for musculoskeletal purposes but it may be reviewed again at a later date.

The Commission voted to add this item to the List.

5.4 Research Committee:

Members include: Bryson Langel, DC, Chair, Aaron Chan, DC, Judy Colenso, Public Member, Robert Schmitt, DC, and Louise Stephens, Public Member.

Priority #1

- No new business requests have been received

Ongoing

- Committee members didn't have any requests for licensee address lists and/or labels to review.

5.5 Continuing Education/Continued Competency/State Examination Committee:

Members include: Aaron Chan, DC, Chair, Bryson Langel, DC, Win Hobbs, DC, Louise Stephens, Public Member, and David Folweiler, DC

Priority #1

- Committee members reviewed a draft policy which clarifies which national examinations are required for applicants for licensure under the endorsement provisions in [WAC 246-808-135](#). It was recommended to the Commission that they accept the policy as written.

Commission members voted all in favor to accept the policy. Ms. Yount will share the policy with the credentialing office.

Priority #2

- Committee members reviewed a request for recognition from Macquarie University, Australia under the provisions of [WAC 246-808-040](#). They recommended the Commission recognize the CCEI as an accrediting body and to also accept chiropractic applicants that receive their chiropractic degree from the Macquarie University.

Commission members voted all in favor to recognize the CCEI. They also voted all in favor to accept Macquarie University's chiropractic education as being substantially equivalent and graduates can apply for a Washington State chiropractic license.

Ongoing:

- Committee members didn't have any jurisprudence examination comments to review.

5.6 Communications Committee:

Members include: Doug Long, DC, Chair, Judy Colenso, Public Member, Robert Schmitt, DC, Ronwynn Pratt, DC, and Kimberly Corbin-Waters, DC

Priority #1

- Committee members reviewed and edited the April – August, 2015 draft newsletter, and made recommendations to the Commission. They also identified that the September – December 2015 newsletter will publish the X-ray Artifacts article that Dr. Langel will draft, the Online Jurisprudence Exam and New Disciplinary Exam Fee article that Dr. Chan will draft, and Dr. Hobbs will be featured under the Commissioner Spotlight

Commission members voted all in favor to accept the newsletter with the suggested edits.

Ms. Yount will post the April – August 2015 newsletter to the website and send it out on the chiropractic emailing listserv.

Priority #2

- Committee members continued reviewing and drafting articles including:
 - Oxygen usage – Dr. Waters
 - Performance measures – Bob Nicoloff.
 - Responsibility of a Retiring Chiropractor – Judy Colenso
 - Continuing Education Audits – Dr. Schmitt
 - Pilot Project Update – Dr. Waldron and Mr. Nicoloff
 - Billing L&I patients – Dr. Pratt
 - X-Ray Artifacts – Dr. Langel (September edition)
 - Role of a Public Member – Louise Stephens & Judy Colenso
 - Online Jurisprudence Exam and New Disciplinary Exam Fee of \$100- Dr. Chan (September edition)
 - Ongoing Rules Updates – Leann Yount
 - What Commission Does / Role of a Commissioner – Dr. Waldron
 - Commissioner Spotlight – Dr. Hobbs (September edition)

5.7 Pilot Committee:

Members include: Matthew Waldron, DC, Chair, Jim Slakey, Public Member, Harold Rasmussen, DC, and Gabe Smith, DC

Priority #1

- Committee members discussed the status of the implementation of the workgroup recommendations for 2015. Committee members reported the budget is strong and recommended a license fee decrease. Mr. Nicoloff will ask for a six-year cost analysis to include a fee reduction of \$50, \$75, and \$100 for the Commission to review during their May 14, 2015 Special Meeting.

5.8 Rules Committees Panel A:

Members include: Harold Rasmussen, Chair, Winfield Hobbs, DC, Robert Schmitt, DC, Gabe Smith, DC, Bryson Langel, DC, David Folweiler, and Jim Slakey, Public Member

Priority #1

- Committee members discussed how to approach rulemaking on Chapter 246-808 WAC for the May 14, 2015 rules workshop. It was recommended that each Commissioner review the rules identified for rulemaking and put them into categories of easy, moderate, and difficult and email your suggestions to Dr. Folweiler, with a copy to Leann Yount, by May 10, 2015. Dr. Folweiler will compile the suggestions and present them on May 14, 2015 for the Commission to consider as a group.

5.9 Rules Committees Panel B:

Members include: Ronwynn Pratt, DC, Chair, Aaron Chan, DC, Doug Long, DC, Matthew Waldron, DC, Kimberly Corbin-Waters, DC, Judy Colenso, Public Member, and Louise Stephens, Public Member

Priority #1

- Committee members continued working on amending the language of [WAC 246-808-550](#) – Future Care Contract language for the CR102 form, and made recommendations to the Commission.

Ms. Yount will send the draft to the Commission to consider during the May 14, 2015 rule workshop.

6. COMMITTEE REPORTS 2:00 p.m.

- 6.1 Committees reported to the Commission about their committee work. Some items were presented as a status update and others were presented for consideration.

7. COMMISSION LEADERSHIP NOMINATIONS – Dr. Smith

- 7.1 Commission members nominated the following Commission members for the 2015-2016 Chair, Vice-Chair, and Executive Committee Public Member positions effective June 11, 2015 – June 9, 2016, as follows:

- Chair – Dr. Matthew Waldron
- Vice-Chair Dr. Winfield Hobbs and Dr. Aaron Chan
- Executive Committee Public Member Judy Colenso and Louise Stephens

Elections will take place at the June 11, 2015.

8. MANAGEMENT REPORT – Bob Nicoloff and Leann Yount 2:30 p.m.

- 8.1 Mr. Nicoloff provided the following support staff update to the Commission:

The Department of Health posted the Administrative Assistant 2 (AA2) position. We received 74 applications for the position. The Department certified the register with 27 candidates that

qualified. However, the position was identified for a reduction in force employee so the interview process was placed on hold.

After the hiring freeze was lifted, Mr. Nicoloff and Ms. Yount went through the applications and found 12 strong applicants. Interviews were conducted and a candidate was selected. The position was offered and accepted by Jessica Jorgensen. Ms. Jorgensen will start on May 18, 2015.

8.2 Other relevant items:

Because the Commission is conducting rulemaking on many of their rules, and WAC 246-808-990 falls under the jurisdiction of the Secretary of Health, the Commission was presented with suggested language changes to some of the fee categories for consideration.

Commission members voted all in favor to adopt the suggested changes.

9. CREDENTIALING REPORT- Jennifer Herbrand, Deputy Credentialing Manager, Cyndi Blake, Credentialing Supervisor

9.1 Jennifer Herbrand and Cyndi Blake provided an update on chiropractic credentialing statistics.

10. NEW BUSINESS

10.1 Commission members, or program staff, requested the following item for the June 11, 2015 meeting agenda:

- Bylaw change to Article 6, paragraph 8 – Procedures of Meeting – Dr. Smith

11. PUBLIC COMMENT

2:45 p.m.

11.1 No members from the public were present to address the Commission.

12. CONSENT AGENDA

Items listed under the consent agenda (informational items) are routine agency matters. Items were approved by a single motion of the Commission without discussion.

12.1 March 2015 issue of “The Sentinel News for Department Employees.”

12.2 Chiropractic and chiropractic x-ray licensing statistics as of April 2, 2015.

12.3 March 2015 National Institute Health (NIH) Report

13. COMMISSION ADJOURNMENT

3:30 p.m.

Next Business Meeting:

June 11, 2015
Department of Health
[CenterPointe, Room 309](#)
20425 – 72nd Ave. S.
Kent, WA 98032

Next Rules Workshop:

July 9, 2015
[CenterPointe, Room 309](#)
20425 – 72nd Ave. S.
Kent, WA 98032

Prepared By: Leann Yount, Program Manager

Date

Approved By: Gary “Gabe” Smith, DC, Chair

Date

Licensing Statistics as of April 7, 2015

Chiropractic X-ray Technicians

	February 2, 2015	April 7, 2015
Total Active Licenses	204	205
Total Pending Licenses	12	15
Expired in Renewal (expired more than 1 year since last renewed)	65	72
Expired Licenses (expired within 1 year since last renewed)	929	929
Total Revoked	1	1
Total Suspended	3	3
Active on Probation	0	0
Active with Restrictions or Conditions	0	0

Chiropractors

	February 2, 2015	April 7, 2015
Total Active Licenses	2426	2442
Total Pending Licenses	41	47
Total Inactive Licenses	157	155
Expired in Renewal (expired within 1 year since last renewed)	92	109
Expired Licenses (expired more than 1 year since last renewed)	2576	2578
Total Revoked	36	36
Total Suspended	43	42
Active on Probation	6	7
Active with Restrictions	0	0
Active with Conditions	15	16