



CHIROPRACTIC QUALITY ASSURANCE COMMISSION MEETING MINUTES

August 13, 2015 – 9:00 a.m. to 3:35 p.m.

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

Commission Members:

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

Commission Staff Present

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

Others Present

Danielle Welliever, DOH Policy Analyst
Suzanne Becker, AAG

On August 13, 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 – August 13, 2015 **9:00 a.m.**

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

1.1 The August 13, 2015 meeting agenda was approved

1.2 The June 11, 2015 business meeting and the July 9, 2015 rule writing workshop minutes were approved.

1.3 Message from the Commission leadership:

- Dr. Waldron introduced new Commissioner Dr. Maria Best. She replaces Dr. Rasmussen, as his terms on the Commission ended on June 30, 2015. Dr. Best provided information

about her background to include practicing in Freeland and being a past Chiropractic Commission member.

- Dr. Waldron provided the following reminder to the Commission about the Federation of Chiropractic Licensing Boards District I and IV meeting on October 1-3, 2015 in Coeur d'Alene, Idaho:
 - Who is attending:
 - Dr. Chan, Dr. Pratt, Dr. Corbin Waters, Dr. Smith, Dr. Langel, Dr. Hobbs, Public Members Louise Stephens and Judy Colenso, and Executive Director Bob Nicoloff.
- Dr. Waldron also reminded the Commission about the Washington State Chiropractic Association's annual conference on October 9-11, 2015 at the Hilton Seattle Airport Hotel and Conference Center.

Commission members feel it is important that the Commission continue to host a table in the exhibitor's room at the conference. Dr. Smith, Dr. Hobbs, and Dr. Best volunteered to assist with the table.

- Mr. Nicoloff gave an update about the chiropractic licensing fee reduction hearing that was held on July 29, 2015 at the Department of Health. He said nobody appeared at the hearing. The \$50 application and renewal fee reduction will be effective on Jan 1, 2016.
- The remaining 2015 rules workshops will be held at the Comfort Inn Conference Center in Tumwater on September 10, 2015 and November 12, 2015.
- October 8, 2015 Mock Case Presenter:
 - Dr. Waldron

2. PUBLIC RECORDS TRAINING – Lilia Lopez, AAG 9:30 a.m.

- 2.1** Ms. Lopez provided the Commission training about the Public Records Act and the use of personal devices. She reminded the Commission about the importance of sending or copying all Commission related records to staff in case there is a public disclosure request for the records.

**3. PROPOSAL FOR REVISING COMMISSION/COMMITTEE COMPOSITION - 10:00 a.m.
Bob Nicoloff, Executive Director**

- 3.1** Mr. Nicoloff presented a proposed revision regarding the committee composition and functions. The proposal included eliminating the six committees and creating two run by the vice-chairs. Dr. Waldron and Ms. Colenso will act as floaters between the committees. The Commission leadership will identify who will be on each new committee.

The Commission will begin using the new committee approach at the October 8, 2015 business meeting.

- 4. LITIGATION OF HEALTH PROFESSION CASE PRESENTATION – Suzanne Becker, AAG 10:15 a.m.**
- 4.1** Ms. Becker presented a PowerPoint presentation regarding litigation of health profession cases.
- 5. NEW BUSINESS REQUEST ITEMS FROM THE JUNE 11, 2015 MEETING - 10:45 a.m.**
- 5.1** Commission members discussed the following items:
- Travel cost to hold meetings in Eastern versus Western WA
 - Holding meetings in Eastern WA would be cost prohibitive, unless it can be held at the same time as an association meeting or training.
 - It was determined that the Commission will continue meeting in both Kent and Tumwater alternating as much as possible considering cost effectiveness and meeting and equipment needs.
 - Continue to review areas where the Commission can cut expenses without cutting out quality, to include extra focus in the disciplinary arena, particularly investigations.
 - The Commission will continue evaluating areas to save money without cutting quality, as this is the purpose of the pilot project.
 - Request to send another letter to the legislature regarding the Commission’s continued interest and support of House Bill 1135 – Concerning Remediation Plans.
 - Commission members authorized the leadership to pursue contacting the legislature to show support and also to encourage them to promote the remediation plan concept.
- 6. PUBLIC COMMENT 11:10 a.m.**
- 6.1** No members of the public were present.
- 7. OPERATING AGREEMENT DISCUSSION UPDATE - Bob Nicoloff 11:15 a.m.**
- 7.1** Bob Nicoloff and Jim Slakey updated the Commission about the Joint Operating Agreement (JOA) meeting they had with Jessica Todorovich and Martin Mueller, Department of Health (department) management, on July 22, 2015. They anticipate that two more meetings will be held with department management before the JOA will be ready to present to the Commission for consideration and signature.
- 8. MOCK DISCIPLINARY CASE REVIEW – Dr. Langel 11:30 a.m.**
- 8.1** Dr. Langel presented a mock jurisprudence (JP) examination for training purposes.
- LUNCH - Commission members continued meeting through lunch 12:00 p.m.**

9.1 Planning/Executive Committee:

Members include: Matthew Waldron, DC, Chair, Winfield Hobbs, DC, Vice-Chair, Aaron Chan, DC, Vice-Chair, Gabe Smith, DC, Immediate Past Chair, and Judy Colenso, Public Member

Priority #1

- Committee members continued discussing the JAO meeting with the department and continued developing goals for it.

9.2 Budget Committee:

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

Priority #1

- Committee members reviewed and discussed the current budget report and the proposed discretionary spending reports. The revenues and expenditures are tracking as budgeted and continue to remain in an acceptable range.
- Committee members also discussed the department's licensing database replacement project. The cost is prorated across all health profession programs based on licensee count. The chiropractic program charge will be approximately \$5000. The committee recommended the Commission accept the proposal. The Commission voted all in favor.

9.3 Instrumentation and Procedure/Standard of Care Committee:

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

Priority #1

- No new requests were received.

9.4 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 were received.

Ongoing

- Committee members reviewed the following list/label request and determined that it met the definition of an educational organization and it is approved to receive list/labels:

- River Stone Health Eastern Montana – AHEC, Claudia Janecek– to be used to inform chiropractors and chiropractic x-ray technicians about their Basic X-ray Techniques training.

9.5 Continuing Education/Continued Competency/State Examination Committee:

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

Priority #1

- No new business requests were received

Ongoing:

- Committee members didn't receive any JP examination comments to review.

9.6 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 made edits to the September – December, 2015 draft newsletter articles of:
 - X-Ray Artifacts – Dr. Langel
 - Online Jurisprudence Exam and New Disciplinary Exam Fee of \$100 – Dr. Chan
 - Commissioner Spotlight – Dr. Hobbs

Priority #2

- Committee members assign the following articles for Commission members to draft for the next edition of the newsletter:

Priority #3

- Committee members will continue reviewing and drafting articles on:
 - Performance measures – Bob Nicoloff.
 - Responsibility of a Retiring Chiropractor – Judy Colenso (Jan – Mar 2016)
 - Continuing Education Audits – Dr. Schmitt
 - Pilot Project Update – Dr. Waldron and Bob Nicoloff
 - Billing L&I patients – Dr. Pratt
 - Role of a Public Member – Louise Stephens & Judy Colenso (Jan – Mar 2016)
 - Ongoing Rules Updates – Leann Yount
 - What Commission Does / Role of a Commissioner – Dr. Waldron
 - Commissioner Spotlight – Dr. Smith (Jan – Mar 2016)

9.7 Pilot Committee:

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

Priority #1

- Committee members met, discussed, and continued planning for the implementation of the workgroup recommendations for 2015.

9.8 Rules Committees Panel A:

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

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

Dr. Chan and Dr. Folweiler updated the Commission on the status of the rules review process after the July 9, 2015 rules workshop. The Commission continued working on revising the rules filed under Washington State Register (WSR) 15-09-027 to include WAC 246-808-190 Preceptor or Direct Supervisory Doctor, the Registration of Chiropractic X-Ray Technicians rules in WAC 246-808-201 through WAC 246-808-215, and some of the standard of care rules in WAC 246-808-301 through WAC 246-808-390.

The Temporary Permits – Issuance and Duration rule in WAC 246-808-130 was also discussed. The decision was made to perform further research for continued discussion at the November 12, 2015 rules workshop.

10. COMMITTEE REPORTS 3:00 p.m.

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

11. MANAGEMENT REPORT – Bob Nicoloff and Leann Yount 3:15 p.m.

11.1 Mr. Nicoloff provided an update to the Commission about the licensing and compliance functions shifting from the Department of Health staff to Commission staff.

Mr. Nicoloff is working with the Human Resource office to get the recruitment posted so we can interview and fill the position prior to shifting the function back to the Commission.

11.2 Ms. Yount presented updates to the 2016 business meeting locations, as follows:

- February 11, 2016 – Comfort Inn Conference Center in Tumwater
- April 14, 2016 – Department of Health in Tumwater
- June 9, 2016 – Department of Health in Tumwater
- August 11, 2016 – Department of Health in Tumwater
- October 13, 2016 – Kent venue to be determined
- December 8, 2016 – Tumwater venue to be determined

11.3 Ms. Yount presented a travel rules document to assist Commissioners that travel for Commission business. The information will help with knowing when a Commissioner is in travel status and what things qualify for reimbursement.

12. NEW BUSINESS

12.1 The following new items were requested for the October 8, 2015 meeting agenda:

- Future rules workshops
- Laboratory test kits and interpretation of the results

13. PUBLIC COMMENT

3:30 p.m.

13.1 No members of the public were present.

14. 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.

14.1 July 2015 issue of “The Sentinel News for Department Employees.”

14.2 Chiropractic and chiropractic x-ray technicians licensing statistics as of August 10, 2015.

15. COMMISSION ADJOURNMENT

3:35 p.m.

Next Rules Workshop:

September 10, 2015
[Comfort Inn Conference Center, Tumwater Room](#)
1620 – 74th Ave SW
Tumwater, WA 98501

Next Business Meeting:

October 8, 2015
Department of Health
310 Israel Rd SW, Room 152/153
Tumwater, WA 98501

Prepared By: Leann Yount, Program Manager

Date

Approved By: Matthew Waldron, DC, Chair

Date

Licensing Statistics as of August 10, 2015

Chiropractic X-ray Technicians

	May 28, 2015	August 10, 2015
Total Active Licenses	205	207
Total Pending Licenses	14	13
Expired in Renewal (expired within one year since last renewed)	70	54
Expired Licenses (expired more than one year since last renewed)	936	961
Total Revoked	1	1
Total Suspended	3	3
Active on Probation	0	0
Active with Restrictions or Conditions	0	0

Chiropractors

	May 28, 2015	August 10, 2015
Total Active Licenses	2460	2465
Total Pending Licenses	38	33
Total Inactive Licenses	154	154
Expired in Renewal (expired within 1 year since last renewed)	109	96
Expired Licenses (expired more than 1 year since last renewed)	2578	2619
Total Revoked	36	36
Total Suspended	42	42
Active on Probation	8	7
Active with Restrictions	0	1
Active with Conditions	16	17