



WASHINGTON STATE
CHIROPRACTIC QUALITY ASSURANCE COMMISSION
SPECIAL MEETING MINUTES

November 12, 2015 – 9:00 a.m. to 3:00 p.m.

Comfort Inn Conference Center, Tumwater Room
1620 – 74th Ave SW
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, Doug Long, DC, (absent), 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,

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

Others Present

Danielle Welliever, DOH Policy Analyst
Brian Anderson, Private Attorney

On November 12, 2015 the Chiropractic Quality Assurance Commission (Commission) met in Tumwater, Washington at the Comfort Inn Conference Center 1620 – 74th Ave SW, Tumwater, WA 98501. In accordance with the Open Public Meetings Act, the notice of the meeting was made available on line at least 24-hours prior to the meeting.

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

1.1 The Commission approved the November 12, 2015 special meeting agenda.

1.2 Message from the Commission leadership:

- Dr. Waldron continued to encourage stakeholder input on the rule-making. He mentioned program staff was contacted and stakeholders are expected to be at the public comment portion of the meeting to provide comments.
- He also mentioned that the September – December 2015 Chiropractic Newsletter’s Message from the Chair was sent to the Washington State Chiropractic Association’s Plexus for distribution.

2. COUNCIL ON CHIROPRACTIC CONTINUING EDUCATION ACCREDITATION (CCE) STANDARDS DRAFT – All

- 2.1** Dr. Chan briefly presented his review about the draft accreditation document. Because it is so lengthy, Commission members were not provided with a hard copy and the electronic version couldn't be located on the CCE website. Dr. Chan noted sections G and H are the main areas for the Commission to focus their review.

Ms. Yount will email the CCE link of the draft accreditation standards to the Commission for review and comment. Commission members should send their comments to Ms. Yount to compile and present at the December 10, 2015 meeting.

3. CHIROPRACTIC NEWSLETTER – All

- 3.1** Commission members were provided with the September – December 2015 newsletter and the comments received on the x-ray standards article.

It was determined that articles in the newsletter should focus on the regulations set forth in the statutes/rules and the articles should not interpret the statutes/rules in any way.

All newsletter articles will be drafted in committee but will go to the Commission's Assistant Attorney General (AAG), and all members, to review and approve prior to using them. In addition, all future newsletters will also be reviewed and approved by the AAG and Commission prior to publication.

The Commission voted eight in favor, three no, and three were absent for the vote to remove the x-ray article and replace it with text that reflects the topic is under review. Ms. Yount will remove the article from the newsletter.

4. LIST AND LABEL REQUEST – Committees 1 and 2

- 4.1** Committee 1 members reviewed additional information that was received from Cambia Health Solutions (Regence Blue Shield and Asuris Northwest Health) after denying recognition on October 8, 2015. The request was denied.

Committee 2 members reviewed a request from Gulfcoast Ultrasound Institute, Inc., for recognition as an educational organization. The request was denied.

5. RULES WORKSHOP - All

11:15 a.m.

- 5.1** Commission members discussed how to proceed with WAC 246-808-550 – Future Care Contracts Prohibited, filed under WSR 10-06-017.
- It was determined that Ms. Yount will withdraw the CR101 and eventually the entire rule will be repealed, as the language will be amended and merged into WAC 246-808-540 – Billing.
 - Ms. Lopez will conduct an analysis of the Office of the Insurance Commissioner laws in [Chapter 48.150 RCW](#), WAC 246-808-550, and WAC 246-808-540 and report back at the March 10, 2016 rules workshop.

Commission members continued drafting language for the following rules filed under Washington State Register (WSR) 15-09-027 t:

- WAC 246-808-560 – Documentation of Care
- WAC 246-808-565 – Radiographic Standards

6. PUBLIC COMMENT 11:30 a.m.

6.1 No public comment provided.

LUNCH - Commission members took a break for lunch. **12:00 p.m.**

7. RESUME RULES WORKSHOP - All 12:15 p.m.

7.1 Commission members continued drafting language for the rules as described above.

8. PUBLIC COMMENT 2:45 p.m.

8.1 A personal injury attorney licensed in Washington State expressed his concerns regarding the ethical problems associated with chiropractors and marketing companies that contact accident victims through various means including police reports. Specifically he described that marketing company phone callers make false and misleading statements to potential accident victims. He explained that Washington State attorneys, as well as many other professions have rules prohibiting unethical forms of marketing, and he encouraged the Commission draft rules that prohibit unethical marketing schemes too. He also requested that any new rules will prevent a chiropractor from claiming ignorance or to transfer the blame onto the marketing company.

9. NEW BUSINESS

9.1 Commission members requested the following items for the December 10, 2015 meeting agenda:

- December 19, 2015 Washington State Chiropractic Association (WSCA) Board meeting and Commission rule writing – Dr. Folweiler
- WSCA annual conference and vendor CE tracking sheet – Dr. Smith
- Expert Witness – Dr. Langel

10. OTHER ITEMS

10.1 No other items were reported.

11. COMMISSION ADJOURNMENT 3:00 p.m.

Prepared By: Leann Yount, Program Manager

Date

Approved By: Matthew Waldron, DC, Chair

Date