On January 11, 2018, the Chiropractic Quality Assurance Commission (Commission) met in Seattle, Washington at the Embassy Suites – Seattle – Tacoma International Airport. In accordance with the Open Public Meetings Act, the regular meeting agenda was made available online at least 24-hours prior to the meeting.

OPEN SESSION – Thursday, January 11, 2018

1. CALL TO ORDER

1.1 The agenda was approved as presented.

1.2 The November 9, 2017 and December 4, 2017 meeting minutes were approved.

1.3 Message from the leadership included:

Dr. Chan introduced Marlee O’Neill, Deputy Director of the Legal Services Unit. She is replacing Mike Ellsworth as the liaison between the Commission and the Department. Ms. O’Neill worked as a prosecuting assistant attorney general in the past and has experience with chiropractic cases. Dr. Chan welcomed Ms. O’Neill back to the Commission.
2. **PILOT PROJECT RESOURCE COMMITTEE UPDATE – Bob Nicoloff, Executive Director**

2.1 Bob Nicoloff provided a Pilot Project Resource Committee update. Some of the highlights include:

- The pilot project report is complete and has been signed by the Commission chair and the Department of Health. The report was sent to the Office of Financial Management, and they approved the report, after additional clarification in one section of the report was requested.

- A public hearing was held in the House Committee on Health Care and Wellness on January 10, 2018 pertaining to [House Bill 2313](#) - Providing the Chiropractic Quality Assurance Commission with additional authority over budget development, spending, and staffing. The vote was unanimously in favor of the bill moving forward to the next stage in the legislative process.

- [Senate bill 6156](#) was introduced on January 10, 2018 as a companion bill to House Bill 2313.

3. **ASSISTANT ATTORNEY GENERAL REPORT – Chris Gerard, AAG**

3.1 Chris Gerard provided the Commission with an attorney-client privileged memorandum related to chiropractors forming professional services corporations. The Commission decided this issue will be further discussed at the March 8, 2018 meeting.

4. **UPDATING THE INTERPRETIVE STATEMENT ON CHIROPRACTORS ADJUSTING ANIMALS – Dr. Waldron and Chris Gerard, AAG**

4.1 Dr. Waldron presented information pertaining to the Commission’s interpretive statement from 2001 on adjusting animals.

4.2 Chris Gerard provided the Commission with attorney-client privileged memorandum addressing whether the chiropractic treatment of animals is within a licensed chiropractor’s scope of practice. The Commission directed Leann Yount to research what states include animal manipulation in their chiropractic scope of practices. Ms. Yount will present the research and report back to the Commission during the March 8, 2018 meeting.

5. **RULEMAKING**

5.1 Because the meeting was running behind schedule, the Commission deferred continuing to review and discuss comments, and working on drafting ICE rule language to the March 8, 2018 meeting.

5.2 Commission members reviewed and considered a comment submitted pertaining to [WAC 246-808-565 – Radiographic Standards](#).
6. FEDERATION OF CHIROPRACTIC LICENSING BOARDS (FCLB) CONFERENCE

6.1 The Commission identified the following members to attend the FCLB conference on May 3-6, 2018 in Dallas, TX:

- Dr. Langel
- Dr. Hobbs
- Dr. Folweiler
- Dr. Chan
- Dr. Pratt

6.2 The Commission identified the following two commissioners as the FCLB and National Board of Chiropractic Examiners (NBCE) delegate and alternate-delegate to represent Washington State for voting purposes at the FCLB conference:

- Dr. Chan – Delegate
- Dr. Folweiler – Alternate-Delegate

6.3 Commission members discussed and decided who will assist with the NBCE, Part IV test administration. Commission members selected the following two chiropractors for the May 18-20, 2018 and the November 9-11, 2018 test administration, and one chiropractor to attend the June Test Committee meeting:

- May 18-20, 2018 – Dr. Corbin-Waters and Dr. Langel
- June Test Committee – Dr. Best
- November 9-11, 2018 – Dr. Schmitt and Dr. Pratt

Some Commission members expressed interest in obtaining information about how to get involved with the NBCE, Part III examination.

7. NEW BUSINESS FROM THE NOVEMBER 9, 2017 MEETING

Commission members requested discussion of the following items:

- Entering applicant’s email address by default (opt out) into the GovDelivery listserv – Dr. Folweiler
  - In an effort to populate the chiropractic listserv, and as another avenue to reach out to licensees to inform them of Commission information, it was decided that an email address line will be added to renewal cards for licensees to complete. Additionally, Ms. Yount will run a report and obtain email addresses from the licensing database and enter them into the chiropractic GovDelivery listserv.

- GovDelivery listserv features and viewing statistics – Dr. Folweiler and Leann Yount
  - Ms. Yount presented a GovDelivery listserv report that reflects statistics pertaining to how many listserv members opened the email and how many failed to deliver. Anyone can join the listserv and there are only 735 listserv members and 2550 licensees.
8. **COMMISSION BUSINESS MEETINGS – Leann Yount**  
11:00 a.m.

8.1 Ms. Yount presented information about holding a future Commission meeting out of state. Commission members decided to not hold a meeting out of state, but they might plan a future meeting in Eastern Washington.

9. **MOCK CASE PRESENTATION - Dr. Schmitt**  
11:10 a.m.

9.1 Dr. Schmitt presented an electronic health records mock case to the Commission for training purposes.

10. **PUBLIC COMMENT**  
11:40 a.m.

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

**LUNCH**  
11:45 a.m.

11. **CHIROPRACTIC QUALITY ASSURANCE COMMISSION COMMITTEES**  
12:15 p.m.

<table>
<thead>
<tr>
<th>Committee 1</th>
<th>Committee 2</th>
<th>Committee Floating Members</th>
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<tbody>
<tr>
<td>Dr. Folweiler, Chair</td>
<td>Dr. Hobbs, Chair</td>
<td>Dr. Chan</td>
</tr>
<tr>
<td>Dr. Best</td>
<td>Mr. Slakey</td>
<td>Ms. Colenso</td>
</tr>
<tr>
<td>Dr. Waldron</td>
<td>Dr. Langel</td>
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<tr>
<td>Ms. Stephens</td>
<td>Dr. Pratt</td>
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<tr>
<td>Dr. Long</td>
<td>Dr. Schmitt</td>
<td></td>
</tr>
<tr>
<td>Dr. Corbin Waters</td>
<td>Dr. Smith</td>
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11.1 **Committee 1 Items:**

11.1.1 List and Labels Requests:
Committee 1 members reviewed and approved for five years the following request for licensee lists and/or labels.
- Requester Stephen Perle was seeking Washington State recognition as an educational organization and approval to receive licensee contact information in order to survey chiropractors and evaluate the prevalence of evidence-based views and practices in chiropractic.

11.1.2 Committee members reviewed and updated the mock case and newsletter matrix.

11.1.3 Committee members continued working with Dr. Chan on the graphics component of the Commission overview presentation. Dr. Chan will make the suggested edits and it will be presented to the Commission at a future meeting.

11.1.4 Committee members continued to review the list of future commission projects and prioritized the list accordingly. Committee members are interested in obtaining costs for hiring or contracting with someone to do Commission related marketing and outreach.

Committee 1 and Committee 2 lists will be combined and the combined list will be reviewed at the March 8, 2018 meeting.
11.1.5 Committee members continued to identify and develop mentoring and training needed for new Commission members.

11.1.6 Committee members reviewed a Redlight Diode device request to be used for weight loss and determined it is not within the chiropractic scope of practice because of the limitations in RCW 18.25.005. In addition, the Commission has a policy regarding cold laser usage and it specifically states that lasers cannot be used for weight loss, toenail fungus, cellulite, etc.

11.1.7 Commission members reviewed an inquiry regarding stress fractures.

11.2 Committee 2 Items:

11.2.1 List and Labels Requests:
Committee 2 members did not have any requests for licensee lists and/or labels to review.

11.2.2 Committee members reviewed and updated the mock case and newsletter matrix.

11.2.3 Committee members continued to review the list of future commission projects and prioritized the list accordingly. Committee 1 and Committee 2 lists will be combined and the combined list will be reviewed at the March 8, 2018 meeting.

11.2.4 Committee members reviewed the revised draft application for compliance mentors or supervisors and discussed finalization. After the additional edits are made, the form will be ready to use.

11.2.5 Chris Gerard, AAG reported to Committee 2 members regarding his research on functional medicine terminology. It was concluded that the term “functional medicine” is not title protected and aspects of functional medicine are within the chiropractic scope of practice.

12. COMMITTEE REPORTS

12.1 Committees reported to the Commission about their committee work. See the full report under agenda item 11.

13. MANAGEMENT REPORT – Commission Staff

13.1 Bob Nicoloff reminded the Commission that House Bill 2313 has a fiscal note attached to it. In addition to the five staff that work for the Commission, another full time employee position was requested in the fiscal note in case the Commission needs to hire more staff as back up, or to do special projects.

13.2 Mr. Nicoloff mentioned the Health Systems Quality Assurance division of the Department of Health is bringing on more programs due to legislation and staff are being moved to make room. Currently the Commission staff are housed on the second floor, but will be moving to the fifth floor.
14. NEW BUSINESS AND REQUESTS  

2:50 p.m.

14.1 Commission members requested the following items for the March 8, 2018 meeting agenda:

- Revising the meeting agenda format – Dr. Waldron

Dr. Pratt provided a legislative meet-me call update to the Commission to include:

- House Bill (HB) 2258 – Concerning health care provider and health care facility whistleblower protections
- HB2264 – Concerning hospital privileges for advanced registered nurse practitioners and physicians assistants
- HB2272 – Concerning restrictions on prescriptions for opiates
- HB1427 – Concerning opioid treatment programs
- HB2325 – Concerning the prescription drug monitoring program
- HB2356 – Concerning stem cell therapies not approved by the United States Food and Drug Administration.
- Senate Bill (SB) 5518 – Requiring fair reimbursement for chiropractic services
- SB6157 – Regarding prior authorization

15. PUBLIC COMMENT  

2:55 p.m.

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

16. CONSENT AGENDA  

3:00 p.m.

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


17. ADJOURNMENT  

3:00 p.m.

____________________________________
Prepared By: Leann Yount, Program Manager  
Date

____________________________________
Approved By: Aaron Chan, DC  
Date
**Licensing Statistics as of January 2, 2018**

### Chiropractic X-ray Technicians

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### Chiropractors

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