



# STATE OF WEST VIRGINIA Board of Chiropractic Examiners

P.O. Box 8532, South Charleston, WV 25303

Phone: (304) 746-7839

E-mail: [wvchiroboard@outlook.com](mailto:wvchiroboard@outlook.com)

Website: [www.boc.wv.gov](http://www.boc.wv.gov)

COPY

December 13, 2019

Governor James C. Justice, II  
Office of the Governor  
State Capitol Building  
1900 Kanawha Blvd., East  
Charleston, WV 25305

Dear Governor Justice:

The West Virginia Board of Chiropractic Examiners is pleased to provide you with our report of the biennium covering activities during the period of July 1, 2017 through June 30, 2019.

The Board is empowered to enforce the rules and regulations of the Board and to exercise full discretion and authority with respect to disciplinary actions. The practice of chiropractic is one that needs to be governed by persons who are educated, experienced, and licensed in the practice of chiropractic. The mission of this Board is to ensure that the public will have access to competent, safe, and ethical practitioners in the profession.

If you should have any questions, please feel free to contact our office.

Sincerely,

Barbara L. Johnson  
Executive Director

/blj



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December 13, 2019

WV Division of Culture & History  
Capitol Complex - Cultural Center  
Attn: WV State Archives Library,  
State Documents Clerk  
1900 Kanawha Blvd., East, Bldg. 9  
Charleston, WV 25305-0300

To Whom It May Concern:

Re: Annual Report for July 1, 2017 through June 30, 2019

Please find enclosed a copy of the West Virginia Board of Chiropractic Examiner's report of the biennium covering activities during the period of July 1, 2017 through June 30, 2019.

If you have any questions, please contact me.

Sincerely,

Barbara L. Johnson  
Executive Director

/blj

Enclosure



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COP

December 13, 2019

The Honorable Mac Warner  
Secretary of State  
Building 1, Suite 157-K  
1900 Kanawha Blvd., East  
Charleston, WV 25305

Dear Mr. Warner:

Re: Annual Report for July 1, 2017 through June 30, 2019

Please find enclosed a copy of the West Virginia Board of Chiropractic Examiner's report of the biennium covering activities during the period of July 1, 2017 through June 30, 2019.

If you have any questions, please contact me.

Sincerely,

  
Barbara L. Johnson  
Executive Director

/blj

Enclosure

# ANNUAL REPORT - 2017-2019

*Respectfully Submitted by*  
*Barbara L. Johnson, Executive Director*  
*304-746-7839*  
*wvchiroboard@outlook.com - Email*  
*www.boc.wv.gov - Website*



## WEST VIRGINIA BOARD OF CHIROPRACTIC

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# West Virginia Board of Chiropractic

I do hereby certify the information contained within the following 2017-2019 Biennium Report of the West Virginia Board of Chiropractic is true and correct to the best of my knowledge.



Barry A. Stowers, D.C., Chairman

12-12-19

Date

---

Terry W. Chambers, D.C., Secretary


---

Date

# West Virginia Board of Chiropractic

I do hereby certify the information contained within the following 2017-2019 Biennium Report of the West Virginia Board of Chiropractic is true and correct to the best of my knowledge.

\_\_\_\_\_  
Barry A. Stowers, D.C., Chairman

  
\_\_\_\_\_

Terry W. Chambers, D.C., Secretary

\_\_\_\_\_  
Date

12-12-2019

Date

\_\_\_\_\_

\_\_\_\_\_

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# BOARD MEMBERS

## **Chairman**

Barry A. Stowers, D.C.  
111 Lewis Street  
Oak Hill, WV 25901  
(304) 465-0561  
Term Expires: 6/30/2020

## **Vice Chairman**

Geoffrey R. Mohn, D.C.  
3677 US Route 60 East, Suite 4  
Barboursville, WV 25504  
(304) 733-4800  
Term Expires: 6/30/2022

## **Investigative Officer**

Holly L. Harvey, D.C.  
26 Greenville School Road  
Greenville, WV 24945  
(304) 832-6420  
Term Expires: 6/30/2019

## **Secretary**

Terry W. Chambers, D.C.  
319B Lutz Avenue  
Martinsburg, WV 25404  
(304) 263-4927  
Term Expires: 6/30/2021

## **Public Member**

Ruth R. Lemmon  
225 Brooke Lane  
Nitro, WV 25143  
(304) 545-4158  
Term Expires: 6/30/2021



# OVERVIEW OF BOARD ACTIVITIES

- Board Members attended Board Meeting/Exam held in Charleston on August 3, 2017.
- The Executive Director of the Board attended the 2017 Agency Purchasing Conference at Canaan Valley Resort on August 22-25, 2017.
- Board Members Dr. Barry Stowers, and Dr. Holly Harvey, attended the (FCLB) Federation of Chiropractic Licensing Boards District III & V Regional Meeting held in Quebec City, Quebec on September 14-17, 2017.
- Board Members attended Board Meeting held in Charleston on October 19, 2017.
- The Executive Director attended the State Auditor's Required Annual Seminar for State Licensing Boards in Charleston on November 29, 2017.
- The Executive Director attended the (FARB) Federation of Associations of Regulatory Boards conference held in San Diego on January 25-28, 2018.
- Board Members attended Board Meeting/Exam held in Charleston on February 1, 2018.
- The Executive Director attended P-Card Training in Charleston on April 9, 2018.
- The Executive Director attended the Treasurer's Cash Handling Conference held on April 24-26, 2018 at Stonewall.
- Dr. Holly Harvey attended the (FCLB) Federation of Chiropractic Licensing Boards Annual Educational Conference held in Dallas, TX on May 2-6, 2018.
- The Executive Director of the Board attended CLEAR (Council on Licensure, Enforcement & Regulation) training held in Charleston on May 9-11, 2018.
- Board Members attended Board Meeting held in Charleston on May 17, 2018.
- Board Members attended Board Meeting held in Charleston on August 2, 2018.

- Dr. Barry Stowers attended the FARB (Federation of Association of Regulatory Boards) Regulatory Law Seminar held in Portland, OR in September 2018.
- Board Members attended Board Meeting held in Charleston on November 8, 2018.
- Dr. Holly Harvey attended the FCLB District II Regional Meeting on November 29 - December 2, 2018 in Fort Walton Beach, FL.
- Board Members attended Board Meeting held in Charleston on February 7, 2019.
- The Executive Director attended the Treasurer's Cash Handling Conference held on April 30 - May 2, 2019 at Stonewall.
- Board Members attended Board Meeting held in Charleston on May 16, 2019.

# REVENUE

## July 1, 2017-June 30, 2018

License Renewal Fees 2017/2018	\$85,350.00
Late Fees	\$400.00
Reinstatement Fees	\$200.00
Initial Licensing Fees	\$650.00
Address Listings	\$5,000.00
Incorporation	\$0
Examination Fees	\$1,500.00
Re-Examination Fees	\$0
License Verification Fees	\$0
Photocopies	\$0
Duplicate License	\$0
Continuing Education Approval	\$21,800.00
IRS Reimbursement/BRIM	\$0
Preceptorship Fees	\$0
PLLC	\$900.00
PLLC Renewal Fees	\$15,450.00
Fines	\$0
Reimbursement for Legal Fees	\$0
FCLB (Federation of Chiropractic Licensing Boards) Reimbursement	\$0
Temp License	\$200
<b>TOTAL REVENUE</b>	<b>\$131,450.00</b>

# REVENUE

## July 1, 2018-June 30, 2019

License Renewal Fees 2018/2019	\$81,350.00
Late Fees	\$1,000.00
Reinstatement Fees	\$600.00
Initial Licensing Fees	\$550.00
Address Listings	\$5,000.00
Incorporation	\$0
Examination Fees	\$1,650.00
Re-Examination Fees	\$0
License Verification Fees	\$5.00
Photocopies	\$0
Duplicate License	\$0
Continuing Education Approval	\$25,800.00
IRS Reimbursement/BRIM	\$0
Preceptorship Fees	\$50.00
PLLC	\$750.00
PLLC Renewal Fees	\$13,500.00
Fines	\$0
Reimbursement for Legal Fees	\$0
FCLB (Federation of Chiropractic Licensing Boards) Reimbursement	\$0
Temp License	\$300
<b>TOTAL REVENUE</b>	<b>\$130,555.00</b>

# YEAR-TO-DATE EXPENDITURES

## 4<sup>th</sup> Quarter - 2018

Personal Services	\$48,381.63
Per Diem	\$4,200.00
Annual Increment	\$660.00
PEIA Fees	\$46.36
WV OPEB (Other Post-Employment Benefits) Contribution	\$2,124.00
Employee Benefits (Social Security, Retirement, Workers Comp, PEIA)	\$18,943.48
Rental Expense & Hospitality	\$8,117.94
Telecommunications	\$3,065.95
Contractual & Professional Services	\$3,281.50
Travel	\$9,821.21
Association Dues & Professional Membership	\$1,097.00
Fire/Auto/Bond (BRIM)	\$2,920.00
Training & Development	\$3,565.00
Postal & Freight	\$1,642.91
Office Expenses (Printing, Supplies/Machine Rental)	\$2,134.93
Computer Services/Supplies	\$3,814.00
PEIA Reserve Transfer	\$456.00
Miscellaneous	\$523.38
<b>Total YTD Expenditures for 2018</b>	<b>\$114,795.29</b>

# YEAR-TO-DATE EXPENDITURES

## 4<sup>th</sup> Quarter - 2019

Personal Services	\$48,866.89
Per Diem	\$3,900.00
Annual Increment	\$720.00
PEIA Fees	\$50.00
WV OPEB (Other Post-Employment Benefits) Contribution	\$2,196.00
Employee Benefits (Social Security, Retirement, Workers Comp, PEIA)	\$18,761.10
Rental Expense & Hospitality	\$8,081.16
Telecommunications	\$2,801.32
Contractual & Professional Services	\$2,784.00
Travel	\$8,716.36
Association Dues & Professional Membership	\$1,124.00
Fire/Auto/Bond (BRIM)	\$2,900.00
Training & Development	\$950.00
Postal & Freight	\$1,572.45
Office Expenses (Printing, Supplies/Machine Rental)	\$2,557.88
Computer Services/Supplies	\$1,384.63
PEIA Reserve Transfer	\$477.00
Miscellaneous	\$176.10
<b>Total YTD Expenditures for 2019</b>	<b>\$108,101.29</b>

# LICENSE BY COUNTY SUMMARY

Barbour	3
Berkeley	13
Braxton	1
Brooke	3
Cabell	26
Fayette	4
Greenbrier	6
Hancock	4
Hardy	1
Harrison	15
Jackson	2
Jefferson	9
Kanawha	34
Lewis	4
Logan	6
Marion	8
Marshall	2
Mason	1
Mercer	1
Mineral	4
Monongalia	21
Monroe	2
Morgan	2
Nicholas	2
Ohio	4
Preston	3
Putnam	7
Raleigh	14
Randolph	6
Ritchie	2
Roane	3
Summers	1
Taylor	1
Tucker	1
Upshur	4
Wayne	3
Wetzel	2
Wirt	1
Wood	30
<b>TOTAL IN STATE</b>	<b>257</b>

# LICENSE BY OUT-OF-STATE SUMMARY

CA	3
CT	1
FL	2
KS	1
KY	3
MD	5
NY	2
OH	13
PA	17
SC	3
TN	1
TX	1
VA	5
<b>TOTAL OUT OF STATE</b>	<b>57</b>



# COMPLAINTS INVESTIGATED

## Complaints 2017-2019

- Complaint #2017-172; Ringing in Ears/Pain; Complaint Received on 11/13/2017; Board Ruled No Probable Cause on 5/17/2018; Complaint Dismissed
- Complaint #2018-173; Faking test to gain favor that dizziness occurs in order to benefit from claim; Complaint Received on 9/20/2018; Board Ruled No Probable Cause on 2/7/2019; Complaint Dismissed
- Complaint #2018-174; Payment Plan for Kidney and Thyroid; Complaint Received on 11/13/2018; Awaiting Settlement
- Complaint #2018-175; Malingering Patient; Complaint Received on 12/26/2018; Board Ruled No Probable Cause on 5/16/2019; Complaint Dismissed

# **PERSONS LICENSED FROM**

## **JULY 1, 2017 - JUNE 30, 2019**

### **August 3, 2017**

Theodore B. Barko, Jr., D.C.

Glenn D. Gamble, Jr., D.C.

Jamie S. Johnson, D.C.

Matthew D. Mason, D.C.

Charles M. Morris, D.C.

Charlie J. Phares, D.C.

Chad M. Porter, D.C.

Judson C. Spaur, D.C.

### **February 1, 2018**

Natalie A. Boyland, D.C.

Andrew J. Oslosky, D.C.

Brent M. Staddon, D.C.

Morgan A. Wolff, D.C.

Lawrence York, D.C.

## **August 2, 2018**

Todd D. Anderson, D.C.

Guy Galluzzo, D.C.

Todd M. Gewant, D.C.

Robert M. Knapp, D.C.

Alix K. Lilly, D.C.

Andrea J. Pinkstaff, D.C.

Franklin P. Short, III, D.C.

## **February 7, 2019**

David A. Bannister, D.C.

Brent V. Bertschinger, D.C.

Dylan T. Drinkard, D.C.

Gretchen M. Silver, D.C.

Teal Tritapoe, D.C.

**▶ WEST VIRGINIA**

📍 Licensing Boards / U.S. / West Virginia

**WEST VIRGINIA BOARD OF CHIROPRACTIC EXAMINERS**

Licensure Date: 1925 approx

**FCLB Member Board**

Directory page last updated 12-2-2019

The Federation does not provide interpretation of the scope of practice laws or rules of any chiropractic licensing authority, nor can we provide specific details regarding licensing requirements. The educational and testing requirements for each State or Province set forth in this Directory are intended as a general guide. It is strongly recommended that anyone interested in becoming licensed in a particular State or Province contact the Board office or the Secretary of the respective board to secure current and complete details before matriculating in any school.

Barbara L. Johnson, Executive Director

Anthony D. Eates II, Board Attorney

For Information Contact:

Phone: (304) 746-7839

415 ½ D Street, Suite B

Fax: (877) 992-0248

P.O. Box 8532

(Do not use FAX for applications)

So. Charleston, WV 25303

Application requests must be in writing

Time Zone: Eastern

Email: [wvchiroboard@outlook.com](mailto:wvchiroboard@outlook.com)

Office Hours: 9:00 am - 4:00 pm; Monday - Thursday

Web address: [www.boc.wv.gov](http://www.boc.wv.gov)**Exam Dates:** 2/6/2020; 8/6/2020**Exam fee:** \$150**Application/ Transcript Deadline:** 6 weeks prior to exam date;**Initial license fee:** \$50

12/26/2019 6/25/2020

**License Renewal fee:****Term:** Annual, renew July 1st

\$300 - Resident

**Criminal background check:** Yes

\$150 - Non Resident or

**Fingerprinting:** Yes

Retired

**Preceptor/Intern/Extern Program:** Students may work under direct supervision of licensed D.C.

Contact Board for more details.

**Students or graduated:** Must be graduate to sit for Board  
**License(s) Required for Practice:** Chiropractic  
**Optional Certification:** Physiotherapy (optional but preferred); required to perform & bill  
**Require supervised practice prior to full licensure:** No

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#### **CONTINUING EDUCATION:**

<b>Requirements:</b> 18 hours per year	<b>Requires sexual boundaries training:</b>
<b>Distance Credits Allowed:</b> 6 hours only	No
<b>Program Criteria:</b> At the discretion of the Board - approves either sponsor or program.	<b>Requires AIDS awareness/risk prevention training:</b> No
Reputable sponsors, instructors from approved chiropractic colleges	<b>Other specific CE training required:</b> Varies

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**CONDITIONS FOR RECIPROCITY/ENDORSEMENT:** Handled on case-by-case basis, state must have requirements equivalent to West Virginia and reciprocate with WV.

**EXAMINATIONS ADMINISTERED BY STATE:** Oral jurisprudence exam and interview with Board.

#### **NATIONAL BOARD EXAMINATIONS**

<b>Part I:</b> Required	<b>SPEC:</b> Reciprocity/Endorsement: Not planning to use
<b>Part II:</b> Required	<b>Reinstatement Lapsed License:</b> After a lapse of two years, a license may be issued only after the former certificate holder, subsequent to the lapse, has fulfilled all other requirements of licensure as set forth in Chapter 30, Article 16 (§30-16-6) and has passed the SPEC exam.
<b>Part III (WCCE):</b> Required	
<b>Part IV:</b> Required	<b>Disciplinary Cases:</b> Can use now
<b>Physiotherapy:</b> Accepted (required to perform & bill)	<b>Impairment Review:</b> Not planning to use
<b>Acupuncture:</b> Accepted	

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**PHYSIOTHERAPY:** Termed Physiological Therapeutic Procedures

<b>Certification:</b> Optional endorsement or notation included with chiropractic license	<b>Additional Examination:</b> Must take state exam / NBCE PT
<b>Additional Education:</b> 120 hours in subject	<b>Additional Fee:</b> None

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**EDUCATION REQUIREMENTS**

**Min. # years pre-professional education required for licensure:** Has attended for at least two academic years, consisting of no less than sixty semester hours, an accredited academic college or university and that after the first day of July, two thousand five, the applicant has obtained a bachelor's degree consisting of no less than one hundred twenty-eight semester hours from an accredited academic college or university, with a minimum of sixty hours in basic sciences mandated by the council on chiropractic education.

**Accreditation for Chiropractic Programs/Institutions:** Council on Chiropractic Education; Fully accredited only

**SPECIAL REQUIREMENTS FOR GRADUATES OF FOREIGN COLLEGES:** Contact Board for specific information.

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**SUMMARY OF SCOPE OF PRACTICE:** (Contact State for precise definition by state law)

The practices and procedures which may be employed by Doctors of Chiropractic are based on the academic and clinical training received in and through accredited chiropractic colleges. These shall include the use of diagnostic, analytical and therapeutic procedures specifically including the adjustment and manipulation of the articulations and adjacent tissues of the human body, particularly of the spinal column; included is the treatment of intersegmental disorders for alleviation of related neurological aberrations. Patient care and management is conducted with due regard for environment and nutritional factors, as well as first aid, hygiene, sanitation, rehabilitation and physiological therapeutic procedures designed to assist in the restoration and maintenance of neurological integrity and homeostatic balance.

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**OTHER REFERENCE INFORMATION:**

**Board regulates specialty council certification:** Cannot claim to be certified unless shows proof of certification or diplomate status.

**Board permits or authorizes travel-to-treat requirements:** Case by case basis with approval from Board for limited period of time

**Board permits or authorizes telemedicine practices:** No

**Licensees required to carry malpractice insurance:** No

**Additional legally accepted terms for chiropractor** (in addition to Doctor of Chiropractic, D.C., Chiropractor, Chiropractic Doctor): Chiropractic Physician

**Peer Review:** Handled by separate organization or committee

**Certified Clinical Chiropractic Assistants:** Certificate not required; See Title 4, Series 1, §4-1-2.3; §4-1-14

**Chiropractors defined as Primary Care Physicians:** Yes

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**BOARD MEMBERS / TERMS:**

Board handles both licensing and disciplinary functions.

**Barry Stowers, D.C., Chairman**, 111 Lewis St., Oak Hill 25901 Exp. 6/2020

**Geoffrey R. Mohn, D.C., Vice-Chairman**, 3415 Edwards Avenue Huntington, WV 25705 Exp. 6/2022

**Holly L. Harvey, D.C., Investigative Officer**, 26 Greenville School Road, Greenville WV 24945 Exp. 6/2019

**Terry W. Chambers, D.C.**, 319-B Lutz Ave, Martinsburg 25404 Exp. 6/2021

**Ruth R. Lemmon, Lay Member**, 225 Brooke Lane, Nitro, WV 25143 Exp. 6/2021

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**STATISTICAL INFORMATION: Total # of Licensees as of 12-2-2019**

**# of Active licenses:** 314

**# of New licensees:** 10

**# of Inactive licenses:** 0

**# of Resident licenses:** 257

**# of Other Status:** 300 Expired

**# of Non-Resident licenses:** 57

**(Ex: retired/deceased/terminated/emeritus...)**

**# of Chiropractic Assistants:** 0



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**WV BOARD OF CHIROPRACTIC  
MEETING AGENDA  
August 3, 2017, 8:00 a.m.  
Wingate by Wyndham  
402 2<sup>nd</sup> Avenue  
South Charleston, WV 25303**

**Agenda Topics:**

**Call to Order**

**Approval of Minutes from Board Meeting held on May 18, 2017**

**Welcome new Board Member, Dr. Barry Stowers, to succeed Dr. Roger Kritzer**

**Jurisprudence Exam (eight applicants are scheduled)**

**Investigative Officer's Report**

- **Complaint #2017-171**

**Old Business**

- **House Bill 2301 tabled from May 18, 2017 Board meeting (Dr. Byron Folwell)**
- **Budget for FY2018**

**New Business**

- **Election of Officers**
- **Request for CE Approval from ChiroCredit.com, Dr. Paul D. Powers, for course entitled "Stroke and Manipulation 104". Dr. Powers is requesting approval for eight (8) online hours.**
- **Request for CE Approval (7.25 hours) from the Family Medicine Foundation of WV for the Sunday Sports Medicine Program on November 12, 2017 in Huntington, WV**
- **Body Wrap Question from Dr. Jennifer Runyan**
- **Review of Primary Care Physician (Defining primary care and the Chiropractic Physician's Role)**
- **Approval of P-Card (purchasing card) expenditures for May and June 2017**



**New Business - Continued:**

- **2017 Agency Purchasing Conference (Barbara)**  
**August 22-25, 2017; Canaan Valley Resort**
- **Update on Office Move (Barbara)**
- **FCLB Districts III & V Meeting**  
**September 14-17, 2017; Le Bonne Entente Hotel, Quebec City, Quebec**  
**September 14 (arrival); September 17 (departure)**
- **Next Board Meeting (no exam) - TBD**

**Adjourn**

**MINUTES**  
**WV BOARD OF CHIROPRACTIC BOARD MEETING**  
**August 3, 2017**  
**Wingate by Wyndham**  
**402 2<sup>nd</sup> Avenue, South Charleston, WV 25303**

**MEMBERS:**

Roger A. Kritzer, D.C., Chairman  
Geoffrey R. Mohn, Vice Chairman  
Jeffrey L. Summers, D.C., Secretary  
Holly L. Harvey, D.C., Investigative Officer  
H. Jarrett Walker, Public Member

**PRESENT:**

Roger A. Kritzer  
Geoffrey R. Mohn  
Jeffrey L. Summers  
Holly L. Harvey  
Jerry Walker

**ALSO IN ATTENDANCE:**

Barry A. Stowers (new Board member appointed July 19, 2017 to succeed Roger A. Kritzer)  
Barbara L. Johnson, Executive Secretary -  
Katherine A. Campbell, Assistant Attorney General

**CALL TO ORDER:**

Roger Kritzer called the meeting to order at 8:00 a.m.

**APPROVAL OF MINUTES:**

Jeff Summers moved that the Minutes for the May 18, 2017 Board meeting be approved.  
- Geoff Mohn - 2<sup>nd</sup> Motion  
- Motion carried.

**JURISPRUDENCE EXAM:**

Exam was administered to eight (8) applicants and all received a license to practice chiropractic in the State of West Virginia.

**EXECUTIVE SESSION:**

Motion was made by Barry Stowers to enter Executive Session.  
- Jeff Summers - 2<sup>nd</sup> Motion  
- Motion carried.

## **OUT OF EXECUTIVE SESSION:**

Motion was made by Jerry Walker to dismiss Executive Session.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

## **INVESTIGATIVE OFFICER'S REPORT:**

Motion was made by Jeff Summers to table Complaint #2017-171, until the next scheduled Board meeting, for further investigation.

- Jerry Walker - 2<sup>nd</sup> Motion
- Motion carried.

## **OLD BUSINESS:**

The Board has endorsed House Bill 2301 and will draft a letter to Dr. Byron Folwell stating the Bill is in effect and will be of great benefit to chiropractic patients.

Board reviewed and accepted final Budget for FY2018.

## **NEW BUSINESS:**

### Election of Officers:

Jeff Summers made motion for Barry Stowers to serve as Chairman.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

### All other positions will continue as is:

Geoff Mohn as Vice Chairman  
Holly Harvey as Investigative Officer  
Jeff Summers as Secretary  
Jerry Walker as Public Member

Motion was made by Jeff Summers to approve only 6 CE hours for the online course entitled "Stroke and Manipulation 104" sponsored by ChiroCredit.com/Dr. Paul Powers.

- Jerry Walker - 2<sup>nd</sup> Motion
- Motion carried.

Motion was made by Geoff Mohn to approve 7.25 CE hours for the "Sunday Sports Medicine Program", sponsored by the Family Medicine Foundation, to be held on November 12, 2017.

- Jeff Summers - 2<sup>nd</sup> Motion
- Motion carried.

Jeff Summers made motion to table the “body wrap question” from Dr. Jennifer Runyan, until the next scheduled Board meeting, allowing time for Barry Stowers to speak to her and answer questions he may have. It is the Board’s opinion that “body wrap” does not fall within the chiropractic scope of practice.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

The Board reviewed and discussed Primary Care Physician and will add to the Agenda for the October 19, 2017 Board meeting for further discussion.

Jeff Summers made motion to approve purchasing card transactions for May and June 2017.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

Barbara will attend the 2017 Agency Purchasing Conference on August 22-25, 2017 at the Canaan Valley Resort.

Barbara updated the Board regarding office move to Suite B.

Holly Harvey and Barry Stowers will attend the FCLB District III & V Meeting on September 14-17, 2017 in Quebec City, Quebec.

Next Board Meeting was scheduled for Thursday, October 19, 2017.

Meeting was adjourned at 1:00 noon by Roger Kritzer.

Signed & Dated:

---

Roger A. Kritzer, D.C.  
Chairman



Signed by:  
**Dr. Barry A. Stowers**  
Chairman  
October 19, 2017

**Dr. Roger A. Kritzer’s Term Expired  
August 3, 2017 was his last Board Meeting**

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**WV BOARD OF CHIROPRACTIC  
MEETING AGENDA  
October 19, 2017; 9:00 a.m.  
Holiday Inn & Suites  
400 Second Avenue  
South Charleston, WV 25303**

**Agenda Topics:**

**Call to Order**

**Approval of Minutes from Board Meeting held on August 3, 2017**

**Investigative Officer's Report**

- **Complaint #2017-171 (tabled from August 3, 2017)**

**Old Business**

- **House Bill 2301; Update from Dr. Barry Stowers (ChiroUSA)**
- **Review of Primary Care Physician (tabled from August 3, 2017)**
- **Body Wrap Question from Dr. Jennifer Runyan (tabled from August 3, 2017)**

**New Business**

- **Funeral Board Fraud Case**
- **FCLB Position Statement**
- **Update on SB 619 Regulatory Reform Act  
§29A-3-20 Executive review of agency rules, guidelines, policies and recommendations**
- **FAA Basic Med Flight Physical Program (email from FCLB)**
- **Required Annual Seminar for Chapter 30 Licensing Boards  
Wednesday, November 29, 2017; Marriott Hotel, Charleston**
- **Temporary Licensure for vacation relief; review the process, frequency, and application**
- **Approval of P-Card (purchasing card) expenditures for July and August 2017**
- **FCLB Districts III & V Meeting  
Synopsis by Drs. Barry Stowers and Holly Harvey  
September 14-17, 2017; Le Bonne Entente Hotel, Quebec City, Quebec**

**Adjourn**

**MINUTES**  
**WV BOARD OF CHIROPRACTIC**  
**October 19, 2017**  
**Holiday Inn & Suites**  
**400 Second Avenue, South Charleston, WV 25303**

**MEMBERS:**

Barry A. Stowers, Chairman  
Geoffrey R. Mohn, Vice Chairman  
Jeffrey L. Summers, D.C., Secretary  
Holly L. Harvey, D.C., Investigative Officer  
H. Jarrett Walker, Public Member

**PRESENT:**

Barry A. Stowers  
Geoffrey R. Mohn  
Jeffrey L. Summers  
Holly L. Harvey  
Jerry Walker

**ALSO IN ATTENDANCE:**

Barbara L. Johnson, Executive Secretary  
Katherine A. Campbell, Assistant Attorney General

**CALL TO ORDER:**

Barry Stowers called the meeting to order at 9:00 a.m.

**APPROVAL OF MINUTES:**

Jeff Summers moved that the Minutes for the August 3, 2017 Board meeting be approved.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

**EXECUTIVE SESSION:**

Motion was made by Jeff Summers to enter Executive Session.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

**OUT OF EXECUTIVE SESSION:**

Motion was made by Jeff Summers to dismiss Executive Session.

- Jerry Walker - 2<sup>nd</sup> Motion
- Motion carried.

## **INVESTIGATIVE OFFICER'S REPORT:**

Motion was made by Jeff Summers to accept Investigative Officer's recommendations for no probable cause for Complaint #2017-171; therefore, the complaint is hereby dismissed. On a separate matter, Barry Stowers will draft a letter to the licensee regarding his advertising.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

Barry Stowers will draft a letter regarding "Functional Medicine" advertising and will present to the Board at the February 1, 2018 meeting for review. When complete, the letter will be mailed to all licensees.

## **OLD BUSINESS:**

Barry Stowers updated the Board regarding House Bill 2301 relating to Article 3F, Direct Primary Care Practice, §30-3F-1-5. Motion was made by Jeff Summers to contact the WV Board of Medicine regarding the Direct Primary Care Agreement and any problems and/or discussions they may have encountered regarding Medicare. The Board may also request a written opinion from Attorney General, Patrick Morrissey.

- Jerry Walker - 2<sup>nd</sup> Motion
- Motion carried.

Review of primary care physician was discussed, and it was determined that chiropractors are considered as primary care physicians. No motion needed.

Barry Stowers updated the Board regarding his telephone conversation with Dr. Jennifer Runyan and her question regarding body wrap. No motion needed.

## **NEW BUSINESS:**

The Funeral Board Fraud Case was discussed with the Board's AG. No motion needed.

Motion was made by Jeff Summers to accept the FCLB Position Statement (regarding PACE) drafted by Barry Stowers. The statement will be mailed to the FCLB Executive Director.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

Update on SB 619 Regulatory Reform Act was reviewed. The Board is not required to submit the report which is due on or before November 1, 2017. This report is only for those that have "federal counterparts". No motion needed.

An email from the Executive Director of the FCLB regarding the FAA Basic Med Flight Physical Program was reviewed. The Board determined that if a licensee receives training/certification to participate, they are permitted to do so. A licensee must also receive federal approval before participating.

Barbara will attend the Required Annual Seminar for Chapter 30 Licensing Boards scheduled for November 29, 2017 at the Marriott Hotel.

Motion was made by Jeff Summers to contact the FCLB to request a Power Poll regarding temporary licensure for vacation relief. Barbara will update the Board at its meeting scheduled for February 1, 2018. To commence immediately, a temporary license for vacation relief will be active for 30 calendar days and a fee of \$100 will incur. After the 30 calendar days, the doctor must renew the temporary license.

- Jerry Walker - 2<sup>nd</sup> Motion
- Motion carried.

Jeff Summers made motion to approve purchasing card transactions for July and August 2017.

- Jerry Walker - 2<sup>nd</sup> Motion
- Motion carried.

Synopsis was given by Holly Harvey and Barry Stowers regarding the FCLB Districts III & V Meeting they attended on September 14-17, 2017 in Quebec City.

Jeff Summers made motion for Barbara to attend the FARB (Federation of Associations of Regulatory Boards) Forum to be held on January 25-28, 2018 in Coronado, CA.

- Jerry Walker - 2<sup>nd</sup> Motion
- Motion carried.

Meeting was adjourned at 1:00 p.m. by Barry Stowers.

Signed & Dated:

  
Barry A. Stowers, D.C.  
Chairman



**WV BOARD OF CHIROPRACTIC  
MEETING AGENDA  
February 1, 2018 - 8:00 a.m.  
Wingate  
402 Second Avenue  
South Charleston, WV 25303**

Agenda Topics:

Call to Order

Approval of Minutes from Board Meeting held on October 19, 2017

Jurisprudence Exam

Investigative Officer's Report

- Complaint #2017-172

Old Business

- Direct Primary Care Practice - Overview
- On a separate matter concerning Complaint #2017-171, dismissed at the October 19, 2017 Board meeting, the Board voted for Barry Stowers to draft a letter to the licensee concerning his advertising. Letter and licensee's response will be reviewed.
- Letter regarding "Functional Medicine" advertising, drafted by Barry Stowers

New Business

- Approval process for a PLLC and/or Corporation
- Discuss mandated hour exemptions
- Request for one (1) hour CE credit for "Legislative Process 101" by Chad Robinson, presented at the 2018 WVCS Chiropractic Day, January 25, 2018
- Update on FARB Conference and State Auditor's Required Annual Seminar for Chapter 30 State Licensing Boards (Barbara)
  - Chapter 30. Professions and Occupations; §30-1-3. Officers.
    - (a) Every board referred to in this chapter shall elect annually from its members a president and a secretary who shall hold their offices for one year but shall continue to hold their offices until their successors are elected.
  - Complaint investigations - advised to investigate outside of profession for complaint investigations

- **2018 Proposed Bill - Department of Health & Compliance**
  - **Temporary Licensure for vacation relief - FCLB Power Poll (tabled from October 19, 2017 Board meeting); draft Position Statement**
  - **What, if any, action could be taken by the Board regarding manipulation being done by physical therapists and massage therapists (Holly Harvey)**
  - **Appeal of the Texas Medical Association lawsuit against the Texas Board of Chiropractic Examiners regarding §78-13, Scope of Practice**
  - **Approval of P-Card (purchasing card) expenditures for September, October, November, December 2017**
  - **FCLB Annual Congress; May 2-6, 2018  
Hyatt Regency Dallas; Dallas, TX**
  - **FCLB and NBCE Delegate & Alternate Voting Designation**
  - **May Board Meeting - TBD**

**Adjourn**

**MINUTES**  
**WV BOARD OF CHIROPRACTIC**  
**February 1, 2018**  
**Wingate by Wyndham**  
**402 Second Avenue, South Charleston, WV 25303**

**MEMBERS:**

Barry A. Stowers, Chairman  
Geoffrey R. Mohn, Vice Chairman  
Jeffrey L. Summers, D.C., Secretary  
Holly L. Harvey, D.C., Investigative Officer  
H. Jarrett Walker, Public Member

**PRESENT:**

Barry A. Stowers  
Geoffrey R. Mohn  
Jeffrey L. Summers  
Holly L. Harvey (via phone)

**ALSO IN ATTENDANCE:**

Barbara L. Johnson, Executive Secretary  
Michael E. Bevers, Assistant Attorney General

**CALL TO ORDER:**

Barry Stowers called the meeting to order at 8:00 a.m.

**APPROVAL OF MINUTES:**

Jeff Summers moved that the Minutes for the October 19, 2017 Board meeting be approved.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

**JURISPRUDENCE EXAM:**

Natalie A. Boyland, Andrew J. Oslosky, Brent M. Staddon, Morgan A. Wolff, and Lawrence York, completed the Jurisprudence Exam and all received a license to practice Chiropractic in the State of West Virginia.

**EXECUTIVE SESSION:**

Motion was made by Jeff Summers to enter Executive Session to discuss disciplinary matters.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

## **OUT OF EXECUTIVE SESSION:**

Motion was made by Jeff Summers to dismiss Executive Session.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

## **INVESTIGATIVE OFFICER'S REPORT:**

Motion was made by Jeff Summers to table Complaint #2017-172 until the next Board meeting scheduled for May 17, 2018. The Investigative Officer will contact licensee to request further information/records.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

Letter drafted by Barry Stowers, and licensee's response concerning his advertising, were reviewed and discussed by the Board. Motion was made by Geoff Mohn for Michael Bevers to review requirements for forming a PLLC and/or Corporation for clarification/approval process. Michael will also review Cathy Boyd Physical Medicine, LLC and contact the West Virginia Board of Medicine for clarification.

- Jeff Summers - 2<sup>nd</sup> Motion
- Motion carried.

Motion was made by Jeff Summers to adopt Barry Stowers' letter, as amended, regarding Functional Medicine. The letter will be mailed to all licensees.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

## **OLD BUSINESS:**

Barry Stowers updated the Board regarding House Bill 2301 relating to Article 3F, Direct Primary Care Practice, §30-3F-1-5. Barbara contacted the WV Board of Medicine regarding the Direct Primary Care Agreement. Per Mark Spangler, the Executive Director of the Board, they have had no issues and/or problems with the Direct Primary Care Practice.

## **NEW BUSINESS:**

## **EXECUTIVE SESSION:**

Motion was made by Jeff Summers to enter Executive Session to discuss a licensee matter.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

The Board discussed a licensee's request to be exempt from completing the required eighteen (18) CE hours for renewal due to illness. Motion was made by Geoff Mohn to allow licensee to complete all eighteen (18) hours online, including the six (6) mandated hours.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

#### **OUT OF EXECUTIVE SESSION:**

Motion was made by Jeff Summers to dismiss Executive Session.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

Motion was made by Jeff Summers to approve Chad Robinson's request for one (1) hour CE credit for "Legislative Process 101" presented at the 2018 WVCS Chiropractic Day held on January 25, 2018.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

Update on FARB Conference and State Auditor's Required Annual Seminar for Chapter 30 Licensing Boards was given by Barbara. The Board will hold election of officers annually in August. The Board discussed with new Assistant Attorney General, Michael Bevers, Chapter 30, Article 16, and explained the complaint process. The Board also reviewed Barbara's letter, dated November 27, 2017, addressed to Senator Ed Gaunch and Delegate Gary Howell in response to their letter, dated October 31, 2017, requesting a brief description regarding the Board's complaint process, as well as responding to SB 619.

The Board reviewed the FCLB Power Poll regarding temporary licensure, §30-16-9, for vacation relief. Motion was made by Jeff Summers to draft a position statement for temporary licensure for vacation relief. To commence immediately, a temporary license for vacation relief will be active for 30 calendar days and a fee of \$100 will incur. After the 30 calendar days, the doctor must renew the temporary license.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

The Board discussed manipulation being done by physical therapists and massage therapists. No motion needed.

Appeal of the Texas Medical Association lawsuit against the Texas Board of Chiropractic's Scope of Practice (removed diagnosis) was discussed. To date, the appeal is still pending. No motion needed.

Jeff Summers made motion to approve purchasing card transactions for September, October, November, December 2017.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

Board discussed the FCLB Annual Congress scheduled for May 2-6, 2018 in Dallas TX. Motion was made by Jeff Summers to elect Holly Harvey as the Voting Delegate for the FCLB Conference, as well as the Voting Delegate for the NBCE luncheon to be held on Friday, May 4, 2018 at the Hyatt Regency Dallas in Dallas, TX.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

Motion was made by Geoff Mohn to elect Jeff Summers as the Alternate Voting Delegate for the FCLB Conference, as well as the Alternate Voting Delegate for the NBCE luncheon to be held on Friday, May 4, 2018 at the Hyatt Regency Dallas in Dallas, TX.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

Motion was made by Jeff Summers for Barry Stowers to attend the FARB (Federation of Associations of Regulatory Boards) Conference; The Regulatory Law Seminar, scheduled for September 27-30, 2018 in Portland, OR.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

Michael Bevers updated the Board with Bill Status for the 2018 Regular Session. Barbara provided the Board with Bills that could impact Chapter 30 Boards.

May Board Meeting was scheduled for Thursday, May 17, 2018.

Meeting was adjourned at 1:00 p.m. by Barry Stowers.

Signed & Dated:



Barry A. Stowers, D.C.  
Chairman

**WV BOARD OF CHIROPRACTIC  
MEETING AGENDA  
Conference Call  
April 10, 2018 - 2:00 p.m.  
415 ½ D Street, Suite B  
South Charleston, WV 25303**

**Agenda Topics:**

**Call to Order**

- **FCLB PowerPoll - Malpractice Procedures**
  
- **Policy Statement for Malpractice Procedures**

**Adjourn**

**MINUTES**  
**WV BOARD OF CHIROPRACTIC**  
**April 10, 2018**  
**Conference Call**  
**415 ½ D Street, Suite B**  
**South Charleston, WV 25303**

**MEMBERS:**

Barry A. Stowers, Chairman  
Geoffrey R. Mohn, Vice Chairman  
Jeffrey L. Summers, D.C., Secretary  
Holly L. Harvey, D.C., Investigative Officer  
H. Jarrett Walker, Public Member

**PRESENT:**

Barry A. Stowers  
Geoffrey R. Mohn  
Jeffrey L. Summers  
Holly L. Harvey

**ALSO IN ATTENDANCE:**

Barbara L. Johnson, Executive Secretary  
No member from the public was present

**CALL TO ORDER:**

Barry Stowers called the meeting to order at 2:00 p.m.

**EXECUTIVE SESSION:**

Motion was made by Geoff Mohn to enter Executive Session to discuss FCLB PowerPoll for Malpractice Procedures.

- Jeff Summers - 2<sup>nd</sup> Motion
- Motion carried.

**OUT OF EXECUTIVE SESSION:**

Motion was made by Holly Harvey to dismiss Executive Session.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

Barry Stowers presented report, during Executive Session, regarding the FCLB PowerPoll. Motion was made by Jeff Summers to accept Chairman's recommendation to draft a letter to the licensee to request information regarding a medical malpractice payment report.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.



**ADJOURN:**

Jeff Summers made motion to adjourn at 2:30 p.m.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

Signed & Dated:

A handwritten signature in black ink, appearing to read "Barry A. Stowers, D.C.", written over a horizontal line.

Barry A. Stowers, D.C.  
Chairman

**WV BOARD OF CHIROPRACTIC  
MEETING AGENDA**

**May 17, 2018 - 9:00 a.m.**

**Wingate by Wyndham (converting to Fairfield Inn & Suites by Marriott)  
402 Second Avenue  
South Charleston, WV 25303**

**Agenda Topics:**

**Call to Order**

**Meeting with Dr. Steven Lint, and his attorney, to discuss Medical Malpractice Payment Report**

**Approval of Minutes from Board Meeting held on February 1, 2018; and Conference Call held on April 10, 2018**

**Investigative Officer's Report**

- **Complaint #2017-172 (tabled from February 1, 2018 Board meeting)**

**Old Business**

- **FAA BasicMed Exam for Private Pilots (letter mailed to Michael Bevers dated February 27, 2018); and information received from Dr. Terry Chambers regarding the FAA Basic Med Exam**
- **Approval process for a PLLC and/or Corporation; and Cathy Boyd Physical Medicine, PLLC (letter mailed to Michael Bevers dated February 15, 2018)**
- **United HealthCare Insurance (letter mailed to Michael Bevers dated February 27, 2018)**
- **Review of current list of Board approved PLLCs and Corporations by licensees (Barry Stowers)**
- **Temporary Licensure for vacation relief - Position Statement drafted and to be distributed to Board members**

**New Business**

- **Letter received from Dr. Jason A. Moore regarding Dry Needling**
- **Request from Dr. Mark Calfee (email dated April 10, 2018)**
- **Request from Dr. William Jordan for PLLC approval**
- **Email received from Dr. Lawrence Burdette regarding Acute vs. Maintenance vs. Symptomatic Care**

- Request from WVU Medicine for approval of 4.6 continuing education hours to be held on October 26, 2018 in Morgantown
- Request from Fetterman Events - PACE Provider for approval of 12 CE hours to be held on May 19-20, 2018, and June 23-24, 2018 in Charleston
- Email from Richard Saporito, DC, DABCO, of ChiroCredit.com, asking if courses such as Opioid Management 201: Manual Therapies for Chronic Pain Management of Patients During Opioid Crisis; and Medical Marijuana 201: Eligibility and Use, are acceptable topics for continuing education in WV.
- Request from licensees to receive credit, as an instructor, for continuing education sponsored by an accredited chiropractic college. Dr. John Bennett is an instructor for Standard Process/Texas CC, and Dr. Janet Lintala is an instructor for Logan CC. Many hours are spent gathering information and preparing for the course.
- Email received from Dr. Workman (licensed in PA) - interpreting ultrasound images from WV; and email received from Kesner & Kesner, Attorneys At Law
- Request from Dr. Emily Mallon to use acronym CFMP (Certified Functional Medicine Practitioner)
- Request from Dr. Jarod Adlington to advertise "Internal Health Specialist"
- Discuss drafting a Position Statement regarding Medical Malpractice Payment Reports
- Discuss drafting a Position Statement for continuing education requests involving twelve (12) CE hours, to be completed in one day, in WV; as well as CE request must be received six (6) weeks prior to the event.
- FY 2019 Budget Review, Cash Balance Report, and Across-the-Board increase (all eligible full-time employees shall receive an increase in their annual salary of \$2,160)
- Consideration of Annual Employee Performance Appraisal (Barbara)
- Approval of P-Card (purchasing card) expenditure for January, February, March, April 2018
- FCLB Annual Congress; May 2-6, 2018 (brief synopsis from Holly)

Adjourn

**MINUTES**  
**WV BOARD OF CHIROPRACTIC**  
**May 17, 2018**  
**Wingate by Wyndham**  
**402 Second Avenue, South Charleston, WV 25303**

**MEMBERS:**

Barry A. Stowers, Chairman  
Geoffrey R. Mohn, Vice Chairman  
Jeffrey L. Summers, D.C., Secretary  
Holly L. Harvey, D.C., Investigative Officer  
H. Jarrett Walker, Public Member

**PRESENT:**

Barry A. Stowers  
Geoffrey R. Mohn  
Jeffrey L. Summers  
Holly L. Harvey  
Jerry Walker

**ALSO IN ATTENDANCE:**

Barbara L. Johnson, Executive Secretary  
Anthony D. Eates, II, Deputy Attorney General

**CALL TO ORDER:**

Barry Stowers called the meeting to order at 9:00 a.m.

**APPROVAL OF MINUTES:**

Jeff Summers moved that the Minutes for the February 1, 2018 Board meeting, and Conference Call held on April 10, 2018 be approved.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

**EXECUTIVE SESSION:**

Motion was made by Holly Harvey to enter Executive Session to meet with Dr. Steven Lint, and his Attorney, Charles F. Johns, regarding Medical Malpractice Payment Report.

- Jerry Walker - 2<sup>nd</sup> Motion
- Motion carried.

**OUT OF EXECUTIVE SESSION:**

Motion was made by Jeff Summers to dismiss Executive Session.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

After meeting with Dr. Steven Lint, and his Attorney, Charles F. Johns, the Board agrees that standards of care were met.

#### **EXECUTIVE SESSION:**

Motion was made by Jeff Summers to enter Executive Session to discuss disciplinary matters.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

#### **INVESTIGATIVE OFFICER'S REPORT:**

Report was presented to the Board during Executive Session and Barry Stowers called to accept Report presented as follows:

##### ***Complaint #2017-172***

Jeff Summers made motion to accept Investigative Officer's Report finding no probable cause.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

#### **OUT OF EXECUTIVE SESSION:**

Motion was made by Jeff Summers to dismiss Executive Session.

- Jerry Walker - 2<sup>nd</sup> Motion
- Motion carried.

#### **OLD BUSINESS:**

The FAA BasicMed Exam for Private Pilots, and information received from Dr. Terry Chambers regarding same, were reviewed and discussed by the Board. Geoff Mohn made motion that, because practicing doctors in our state are considered chiropractic physicians, the FAA Basic MedExam is within the chiropractic scope of practice in West Virginia. Anthony Eates will draft an email for responding to Dr. Michael Megehee, President, TeamCME National Network of DOT Certified Medical Examiners, as well as Dr. Terry Chambers, and send to Barbara for distribution.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

Approval process for a PLLC and/or Corporation; and Cathy Boyd Physical Medicine, PLLC was discussed by the Board. Anthony will contact the WV Board of Medicine to see if the licensee received any type of approval from that Board. This matter was tabled until the August 2, 2018 Board meeting. No motion needed!

Board reviewed and discussed current list of Board approved PLLC's and Corporations by licensees. No complaint; Board will not pursue. No motion needed!

United HealthCare Insurance has listed on its website that "x-rays must be ordered by a physician in order to be covered; because chiropractors are not physicians, x-rays ordered by chiropractors are not covered". The Board discussed this matter with Anthony and it was determined this is a matter for the Insurance Commissioner. No motion needed!

Position Statement for "Temporary Licensure for Vacation Relief" was distributed to Board members. No motion needed!

### **NEW BUSINESS:**

Letter received from Dr. Jason A. Moore requesting the Board change its position on Dry Needling was discussed. Geoff Mohn made motion to maintain policy as is; a licensee must have Acupuncture Certification to perform Dry Needling.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

Request from Dr. Mark Calfee to complete 6 additional CE hours online due to shoulder injury was discussed. Jeff Summers made motion to allow Dr. Calfee to complete the 6 additional hours online due to his injury.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

Request from Dr. William Jordan for PLLC approval was reviewed by the Board. No motion needed!

Email received from Dr. Lawrence Burdette regarding Acute vs. Maintenance vs. Symptomatic Care was reviewed and discussed by the Board. The Board determined this is not a Board issue; however, a personal decision Dr. Burdette needs to make regarding his judgment of Acute vs. Maintenance vs. Symptomatic Care. No motion needed!

Request from WVU Medicine for approval of 4.6 CE hours to be held on October 26, 2018 in Morgantown was reviewed by the Board. Motion was made by Jeff Summers to approve 4.6 CE hours.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

Request from Fetterman Events - PACE Provider for approval of 12 CE hours to be held on May 19-20, 2018, and June 23-24, 2018 in Charleston. Motion was made by Jeff Summers to approve the June 23-24, 2018 seminar; however, will not approve the May 19-20, 2018 seminar due to timing. The Board will permit all 12 CE hours to be completed in one day if desired by the sponsor.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

Request from licensees, Drs. John Bennett, and Janet Lintala, to receive continuing education credit for serving as instructors for chiropractic college continuing education courses. The Board will not approve as continuing education hours. No motion needed!

The Board reviewed and discussed email received from Richard Saporito, DC, DABCO, of ChiroCredit.com (Bridgeport College of Chiropractic), asking if courses such as Opioid Management 201; Manual Therapies for Chronic Pain Management of Patients During Opioid Crisis; and Medical Marijuana 201: Eligibility and Use, are acceptable topics for continuing education in WV. The Board determined these courses are acceptable in WV. No motion needed!

The Board reviewed and discussed a telephone call received from Dr. William H. Wertman, licensed in PA, and interpreting EMGs from WV; as well as email received from Kesner & Kesner, Attorneys At Law, regarding same. The Board instructed Barbara to email Dr. Wertman informing him that he doesn't have to be licensed in WV to interpret EMGs from WV. The Board asked Barbara to email Kesner & Kesner for clarification of the following - who performed the EMG; in what state was the EMG performed and does the doctor have a chiropractic license in that state and is the doctor certified to perform an EMG; who interpreted the EMG; and in what state was the EMG interpreted and does the doctor have a chiropractic license in that state and is the doctor certified to interpret an EMG. No motion needed!

Request from Dr. Emily Mallon to use the acronym CFMP (Certified Functional Medicine Practitioner) was reviewed and discussed by the Board. The Board does not recognize CFMP as a certification and will notify Dr. Mallon. No motion needed!

Request from Dr. Jarod Adlington to advertise "Internal Health Specialist". Dr. Adlington completed a 72-hour course through Logan College of Chiropractic in Internal Health Diagnosis and Treatment and was certified as an Internal Health Specialist on December 10, 2008. Barbara will contact Logan College of Chiropractic to request an outline of requirements for Internal Health Specialist. This matter was tabled until the August 2, 2018 Board meeting.

Drafting a position statement regarding Medical Malpractice Payment Reports was discussed by the Board. Since this is listed in statute, no statement is needed.

Drafting a position statement regarding continuing education requests involving 12 CE hours to be completed in one day, in WV, was discussed. The Board will allow 12 CE hours in WV to be completed in one day. No statement is needed.

Drafting a position statement that CE requests must be received 6 weeks prior to the event was discussed. No statement is needed. Barbara will add to the Board's website.

Jeff Summers made motion to approve the FY 2019 Budget.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

Consideration of Annual Employee Performance Appraisal for Barbara was completed by Barry Stowers and reviewed with the Board. No motion needed!

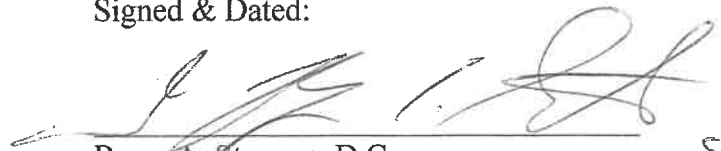
Jeff Summers made motion to approve p-card expenditures for January, February, March, and April 2018.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

Holly Harvey gave brief synopsis of FCLB Annual Congress she attended on May 2-6, 2018 in Dallas, TX.

Adjourn

Signed & Dated:

A handwritten signature in black ink, appearing to read 'Barry A. Stowers', is written over a horizontal line. The signature is stylized and cursive.

Barry A. Stowers, D.C.  
Chairman



**WV BOARD OF CHIROPRACTIC  
MEETING AGENDA  
August 2, 2018 - 8:00 a.m.  
Fairfield Inn & Suites by Marriott (formerly Wingate by Wyndham)  
402 Second Avenue  
South Charleston, WV 25303**

Agenda Topics:

Call to Order

Approval of Minutes from Board Meeting held on May 17, 2018

WVCS (Chiropractic Society) Board Members meet with Applicants for Licensure

Jurisprudence Exam (7 applicants for licensure)

Investigative Officer's Report

- No complaints to report

Old Business

- Approved by Board on May 17, 2018 and scheduled for October 26, 2018 in Morgantown, WVU Medicine is asking approval for 6.25 CE hours rather than 4.6.
- Update to FAA BasicMed Exam for Private Pilots
- Update to email from Kesner & Kesner, Attorneys at Law, regarding Dr. William H. Wertman, licensed in PA, and interpreting EMGs from WV
- Cathy Boyd Physical Medicine, PLLC (tabled from May 17, 2018 Board meeting)
- Request from Dr. Jarod Adlington to advertise "Internal Health Specialist" (tabled from May 17, 2018 Board meeting)

New Business

- CE request for approval from the WV Chiropractic Society  
Six (6) hours for 2018 Billing Seminar scheduled for August 17, 2018
- Email received from Clyde Moxley, D.O., VA Medical Center, Clarksburg, regarding Battlefield Acupuncture (Stephen Toth, D.C.)
- Email received from Jean Hesson, D.C., regarding Chiropractic care for post-op Ankyloglossia (tongue-tie) babies

**New Business - Continued:**

- **Mississippi Governor signs major licensing reform  
Senator Ed Gaunch Daily Mail Opinion**
- **Approval of P-Card (purchasing card) expenditures for May, June, July 2018**
- **Renewal/Revenue Update from Barbara  
Barbara successfully completed and passed the CLEAR National Certified  
Investigators/Inspectors Training Basic Program and Exam.**
- **Election of Officers**
- **FCLB District Meeting; September 13-16, 2018; Palm Beach, FL**
- **Schedule Fall Board Meeting**

**Adjourn**

**MINUTES**  
**WV BOARD OF CHIROPRACTIC**  
**August 2, 2018**  
**Fairfield Inn & Suites by Marriott**  
**402 Second Avenue, South Charleston, WV 25303**

**MEMBERS:**

Barry A. Stowers, Chairman  
Geoffrey R. Mohn, Vice Chairman  
Jeffrey L. Summers, D.C., Secretary  
Holly L. Harvey, D.C., Investigative Officer  
H. Jarrett Walker, Public Member

**PRESENT:**

Barry A. Stowers  
Geoffrey R. Mohn  
Jeffrey L. Summers  
Holly L. Harvey  
Jerry Walker

**ALSO IN ATTENDANCE:**

Barbara L. Johnson, Executive Director

**CALL TO ORDER:**

Barry Stowers called the meeting to order at 8:00 a.m.

**APPROVAL OF MINUTES:**

Jeff Summers moved that the Minutes for the May 17, 2018 Board meeting be approved.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

WVCS (Chiropractic Society) Board members met with applicants for licensure.

Todd Anderson, Guy Galluzzo, Todd Gewant, Robert Knapp, Alix Lilly, Andrea Pinkstaff, and Franklin Short, completed the Jurisprudence Exam and all received a license to practice chiropractic in the State of West Virginia.

**EXECUTIVE SESSION:**

Motion was made by Jeff Summers to enter Executive Session to discuss possible disciplinary matter.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

## **OUT OF EXECUTIVE SESSION:**

Motion was made by Jeff Summers to dismiss Executive Session.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

Barry Stowers presented report, during Executive Session, regarding Cathy Boyd Physical Medicine, PLLC. Motion was made by Jeff Summers to (a) contact Dr. Chris Grose and request he dissolve the PLLC; (b) contact the SOS's office regarding the PLLC; (c) Board will file a complaint regarding the PLLC and reasons behind it. Barry Stowers will contact Dr. Grose and request he dissolve the PLLC. If Dr. Grose does not comply, the Board will proceed with aforementioned.

- Jerry Walker - 2<sup>nd</sup> Motion
- Motion carried.

## **INVESTIGATIVE OFFICER'S REPORT**

No complaints to report. No motion needed.

## **OLD BUSINESS:**

Approved by Board on May 17, 2018 and scheduled for October 26, 2018 in Morgantown, WVU Medicine is asking approval for 6.25 hours rather than 4.6. Motion was made by Jeff Summers to approve 6.25 CE hours.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

Update to FAA BasicMed Exam for Private Pilots - Barbara notified Dr. Michael Megehee, President, Team CME National Network of DOT Certified Medical Examiners, and Dr. Terry Chambers, that the FAA Basic MedExam is within the chiropractic scope of practice in West Virginia, as approved by the Board at its May 17, 2018 meeting. No motion needed.

Update to email from Kesner & Kesner - Barbara notified Kesner & Kesner, Attorneys At Law, that Dr. William Wertman, licensed in PA, was permitted to interpret EMG's from WV, as discussed by the Board at its May 17, 2018 meeting. No motion needed.

Tabled from May 17, 2018, motion was made by Jeff Summers for Barry Stowers to contact Dr. Jarod Adlington to notify him that he isn't permitted to advertise "Internal Health Specialist".

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

**NEW BUSINESS:**

Geoff Mohn made motion to approve the continuing education request received from the WV Chiropractic Society for six (6) hours for the 2018 Billing Seminar scheduled for August 17, 2018.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

Jerry Walker made motion to table the email received from Clyde Moxley, D.O., VA Medical Center, Clarksburg, regarding Battlefield Acupuncture (Stephen Toth, D.C.) to the next scheduled Board meeting on November 8, 2018.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

Board discussed email received from Dr. Jean Hesson regarding chiropractic care for post-op Ankyloglossia (tongue-tie) babies. Barry Stowers spoke to Dr. Hesson prior to the meeting. No motion needed.

Board discussed licensing reform signed by the Governor of Mississippi, as well as Daily Mail Opinion from Senator Ed Gaunch. No motion needed.

Jerry Walker made motion to approve p-card expenditures for May, June, July 2018.

- Jeff Summers - 2<sup>nd</sup> Motion
- Motion carried.

Board reviewed renewal/revenue update by Barbara. Barbara also successfully completed and passed the CLEAR National Certified Investigators/Inspectors Training Basic Program and Exam held in May 2018.

Election of Officers - Jerry Walker made motion for each Board member to retain their current position.


- Jeff Summers - 2<sup>nd</sup> Motion
- Motion carried.

Information was distributed to each Board member regarding the FCLB District Meeting scheduled for September 13-16, 2018.

Fall Board Meeting was scheduled for November 8, 2018.

Adjourn

Signed & Dated:

  
Barry A. Stowers, D.C.  
Chairman

**WV BOARD OF CHIROPRACTIC  
MEETING AGENDA  
November 8, 2018 - 9:00 a.m.  
Fairfield Inn & Suites by Marriott  
402 Second Avenue  
South Charleston, WV 25303**

**Agenda Topics:**

**Call to Order**

**Approval of Minutes from Board Meeting held on August 2, 2018**

**Investigative Officer's Report**

- No complaints to report

**Old Business**

- Cathy Boyd Physical Medicine, PLLC (update)
- Email received from Clyde Moxley, D.O., VA Medical Center, Clarksburg, regarding Battlefield Acupuncture (Stephen Toth, D.C.) - Tabled from August 2, 2018 Board meeting

**New Business**

- Update to Executive Order No. 3-18/Regulatory Review Proclamation (Rule-making agencies shall submit a Regulatory Review Report to the Governor and the Legislative-Rule Making Review Committee on or before November 1, 2018)
- Letter received from Dr. Byron Folwell, dated July 30, 2018, regarding S8990 Coding
- Letter received from Dr. Jarod Adlington regarding Veterans Administration
- CE Request from Dr. Steve Thaxton/Nutri-West Shenandoah and Life West scheduled for January 4-6, 2019 at the Charleston Civic Center
- CE Request from Standard Process of Ohio scheduled for February 9, 2019 in Bridgeport, WV
- CE Request from Northwestern Health Sciences University scheduled for January 19-20, 2019 in Charleston, WV
- Email from Dr. Steven Lint, dated September 25, 2018, regarding NCMIC Conditional Renewal

**Agenda Topics - Continued:**

- **Consent Agreement received from Dr. Gregory M. McDonnell and the Ohio State Chiropractic Board**
- **Email received from Dr. Holly Garrison, dated August 3, 2018, regarding Webster Technique**
- **Email received from Dr. Holly Garrison, dated August 11, 2018, regarding medical exemption to vaccines for daycares**
- **Approval of P-Card (purchasing card) expenditures for August, September, October 2018**
- **Synopsis by Barry Stowers on FARB Regulatory Law Seminar, Portland, OR**
- **FARB (Federation of Associations of Regulatory Boards) Forum; January 24-27, 2019; New Orleans, LA**

**Adjourn**

**MINUTES**  
**WV BOARD OF CHIROPRACTIC**  
**November 8, 2018**  
**Fairfield Inn & Suites by Marriott**  
**402 Second Avenue, South Charleston, WV 25303**

**MEMBERS:**

Barry A. Stowers, Chairman  
Geoffrey R. Mohn, Vice Chairman  
Jeffrey L. Summers, D.C., Secretary  
Holly L. Harvey, D.C., Investigative Officer  
H. Jarrett Walker, Public Member

**PRESENT:**

Barry A. Stowers  
Geoffrey R. Mohn  
Jeffrey L. Summers  
Holly L. Harvey

**ALSO, IN ATTENDANCE:**

Barbara L. Johnson, Executive Director  
Anthony D. Eates, II, Deputy Attorney General

**CALL TO ORDER:**

Barry Stowers called the meeting to order at 9:00 a.m.

**APPROVAL OF MINUTES:**

Geoff Mohn moved that the Minutes for the August 2, 2018 Board meeting be approved.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

**INVESTIGATIVE OFFICER'S REPORT**

No complaints to report. No motion required.

**OLD BUSINESS:**

Barry Stowers contacted Dr. Grose regarding Cathy Boyd Physical Medicine, PLLC and requested Dr. Grose dissolve the PLLC and delete the website and Facebook for Cathy Boyd Physical Medicine. Per Barbara, when retrieving the website and Facebook, content has been removed and is no longer accessible. No action required.



Board reviewed and discussed email from Clyde Moxley, D.O., regarding Battlefield Acupuncture (tabled from August 2, 2018 Board meeting). Geoff Mohn made motion, at this time, for a licensed chiropractor to perform Battlefield Acupuncture in the VA Hospital, he/she must have completed Acupuncture Certification of 100 hours.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

#### **NEW BUSINESS:**

Barbara presented the Board with a copy (drafted by Barry Stowers) of the Regulatory Review Report (Executive Order No. 3-18) due November 1, 2018 to the Governor and the Legislative Rule-Making Review Committee. No motion required.

Board reviewed and discussed Dr. Byron Folwell's letter, dated July 30, 2018, regarding S8990 Coding. Holly Harvey made motion for Barbara to contact Dr. Folwell to advise him that this is not a matter the Board will entertain and will not address.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

Board reviewed and discussed Dr. Jarod Adlington's letter regarding the Veterans Administration, signed release forms, and HIPAA violations. Holly Harvey made motion for Barbara to contact Dr. Adlington to advise him that this is not a matter the Board will entertain and will not address. The Board did suggest that Dr. Adlington direct his question to legal counsel regarding HIPAA violations. Inasmuch as his question relates to HIPAA, the Board will also suggest he contact Sally Hunt, HIPAA Chief Privacy Officer, DHHR at (304) 558-0684.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

Geoff Mohn made motion to approve the continuing education request received from Nutri-West Shenandoah and Life West scheduled for January 4-6, 2019 at the Charleston Civic Center for 18 hours.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

Geoff Mohn made motion to approve the continuing education request received from Standard Process of Ohio scheduled for February 9, 2019 in Bridgeport, WV for 8 hours.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

Geoff Mohn made motion to approve the continuing education request received from Northwestern Health Sciences University scheduled for January 19-20, 2019 in Charleston, WV for 12 hours.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

Board reviewed and discussed email received from Dr. Steven Lint, dated September 25, 2018, regarding his NCMIC Conditional Renewal. Holly Harvey made motion for Barbara to mail Dr. Lint a copy of the Minutes from the May 2018 Board meeting.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

Board reviewed and discussed Consent Agreement mailed by Dr. Gregory M. McDonnell and the Ohio State Chiropractic Board as part of his reporting requirement. No action required.

Board reviewed and discussed email, dated August 3, 2018, regarding Webster Technique from Dr. Holly Garrison. No action required.

Board reviewed and discussed email, dated August 11, 2018, regarding Medical Exemption to Vaccines for Daycares (Title 78, Series 1, Child Care Center Licensing effective July 1, 2016). No action required.

Geoff Mohn made motion to approve p-card expenditures for August 15, September 17, October 15, 2018 statements.

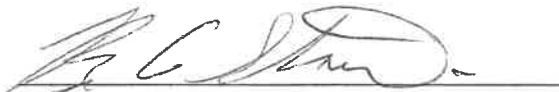
- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

Barry Stowers gave brief synopsis on FARB (Federation of Association of Regulatory Boards) Regulatory Law Seminar held in Portland OR in September 2018.

The FARB Forum will be held on January 24-27, 2019 in New Orleans, LA.

Adjourn

Signed & Dated:



Barry A. Stowers, D.C.  
Chairman

**WV BOARD OF CHIROPRACTIC  
MEETING AGENDA  
February 7, 2019 - 8:00 a.m.  
Fairfield Inn & Suites by Marriott  
402 Second Avenue  
South Charleston, WV 25303**

**Agenda Topics:**

**Call to Order**

**Welcome New Members**

- Terry W. Chambers, D.C. (succeeds Jeffrey Summers) - appointed November 5, 2018 with term ending June 30, 2021
  
- Ruth R. Lemmon (succeeds H. Jarrett Walker) - appointed November 5, 2018 with term ending June 30, 2021

**Approval of Minutes from Board Meeting held on November 8, 2018**

**Jurisprudence Exam - 5 Applicants Scheduled for Licensure**

**Investigative Officer's Report**

- Complaint 2018-173

**Old Business**

- Stephen D. Herto - Update
  
- Cathy Boyd Physical Medicine, PLLC
  
- Update - Texas Medical Association lawsuit against the Texas Board of Chiropractic Examiners (removed "diagnosis" from chiropractic scope of practice)

**New Business**

- Legislative Updates
  
- Quorum of a Governing Body – Review
  
- Question Regarding Licensure without NBCE Exams  
Dr. Michele Broadhurst - Licensed in Maine - Requesting Licensure in WV  
Dr. Antony Angus - Licensed in Maine - Requesting Licensure in WV
  
- Question on Advertising

**New Business - Continued:**

- Letter received from Dr. Byron R. Folwell, dated November 27, 2018, regarding upcoming mandatory course for 2019-2020
- Cox Technic and Croft Whiplash Treatment Guidelines - Dr. Terry Chambers
- Approval of P-Card (purchasing card) expenditures for November, December 2018 and January 2019
- Synopsis - Holly Harvey attended FCLB District II Regional Meeting on November 29-December 2, 2018 in Fort Walton Beach, FL
- FCLB 2019 Annual Educational Congress; May 1-5, 2019; Mission Bay, CA May 1 (arrive); May 5 (depart) - see draft schedule included in folder
- FCLB and NBCE Delegate & Alternate Voting Designation

**Adjourn**

**MINUTES**  
**WV BOARD OF CHIROPRACTIC**  
**February 7, 2019**  
**Fairfield Inn & Suites by Marriott**  
**402 Second Avenue, South Charleston, WV 25303**

**MEMBERS:**

Barry A. Stowers, D.C., Chairman  
Geoffrey R. Mohn, D.C., Vice Chairman  
Terry W. Chambers, D.C., Secretary  
Holly L. Harvey, D.C., Investigative Officer  
Ruth R. Lemmon, Public Member

**PRESENT:**

Barry A. Stowers  
Geoffrey R. Mohn  
Terry W. Chambers  
Holly L. Harvey  
Ruth R. Lemmon

**ALSO, IN ATTENDANCE:**

Barbara L. Johnson, Executive Director  
Anthony D. Eates, II, Deputy Attorney General

**CALL TO ORDER:**

Barry Stowers called the meeting to order at 8:00 a.m. and welcomed new Board members Terry W. Chambers and Ruth R. Lemmon, appointed to the Board on November 5, 2018 with term ending June 30, 2021.

**APPROVAL OF MINUTES:**

Geoff Mohn moved that the Minutes for the November 8, 2018 Board meeting be approved.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

**EXECUTIVE SESSION:**

Motion was made by Terry Chambers to enter Executive Session to administer jurisprudence exam, receive Investigative Officer's recommendation for Complaint 2018-173, and to consider matters pertaining to licensees.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

## **OUT OF EXECUTIVE SESSION:**

Motion was made by Geoff Mohn to exit Executive Session.

- Terry Chambers - 2<sup>nd</sup> Motion
- Motion carried.

Five (5) applicants for licensure completed and passed the Jurisprudence Exam as follows; David A. Bannister, Brent V. Bertschinger, Dylan T. Drinkard, Gretchen M. Silver, and Teal Tritapoe.

Geoff Mohn made motion to accept the Investigative Officer's report for Complaint 2018-173 as no probable cause.

- Terry Chambers - 2<sup>nd</sup> Motion
- Motion carried.

## **OLD BUSINESS:**

Board reviewed and discussed Stephen D. Herto (registered sex offender) update. No action required.

Board reviewed and discussed Cathy Boyd Physical Medicine, PLLC. No action required. Board reviewed and discussed email and fax received regarding Dr. Christopher Grose. Motion was made to initiate a complaint from the Board based on information received.

- Terry Chambers - 2<sup>nd</sup> Motion
- Motion carried.

Board discussed update on Texas Medical Association lawsuit against the Texas Board of Chiropractic Examiners (removed "diagnosis" from chiropractic scope of practice). No action required.

## **NEW BUSINESS:**

Board reviewed legislative updates for 2019. The Board requested that chiropractors be removed from House Bill 2324, Authorizing the Acupuncture Board to issue certificates to perform auricular acudetox therapy. Barbara contacted Linda Lyter with the Massage Therapy Board to make this request. Linda contacted Senate Gov Org to make the change before it was put on the Agenda. Chiropractors were successfully removed from the bill.

Board reviewed Quorum of a Governing Body. No action required.

Board discussed licensees from Maine, Drs. Michele Broadhurst and Antony Angus, requesting licensure in West Virginia without having completed the required National Board Exams. Geoff Mohn made motion that in order to receive chiropractic licensure, both doctors must complete and pass all parts of the National Board Exams. Barbara will notify the doctors of the Board's decision.

- Terry Chambers - 2<sup>nd</sup> Motion
- Motion carried.

Board reviewed question on advertising. No motion required.

Barry Stowers discussed letter received from Dr. Byron Folwell, dated November 27, 2018, regarding a mandatory course for 2019-2020. Board will review mandatory hours at its May 2019 meeting. No action required.

Barry Stowers discussed Cox Technic and Croft Whiplash Treatment Guidelines by Dr. Terry Chambers. No action required.

Geoff Mohn made motion to approve p-card expenditures for November, December 2018 and January 2019 statements.

- Terry Chambers - 2<sup>nd</sup> Motion
- Motion carried.

Holly Harvey gave brief synopsis on FCLB District II Regional Meeting she attended on November 29 - December 2, 2018 in Fort Walton Beach, FL. No action required.

Board discussed FCLB 2019 Annual Educational Congress scheduled for May 1-5, 2019 in Mission Bay, CA. No motion required.

Terry Chambers made motion to elect Holly Harvey as the FCLB and NBCE Delegate and Barry Stowers as the Alternate Voting Designation for the FCLB 2019 Annual Educational Congress scheduled for May 1-5, 2019 in Mission Bay, CA.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

Barry Stowers held training session with new member, Terry Chambers.

Adjourn

Signed & Dated:



Barry A. Stowers, D.C.  
Chairman

**WV BOARD OF CHIROPRACTIC  
MEETING AGENDA  
May 16, 2019 - 9:00 a.m.  
Fairfield Inn & Suites by Marriott  
402 Second Avenue, South Charleston, WV 25303**

**Agenda Topics:**

**Call to Order**

**Approval of Minutes from Board Meeting held on February 7, 2019**

**Investigative Officer's Report**

- **Complaint 2018-174**
- **Complaint 2018-175**
- **Complaint 2019-176**

**Old Business**

- **Complaint 2019-177 (Barry Stowers)**
  
- **Request from licensees to receive credit, as an instructor, for continuing education sponsored by an accredited chiropractic college. This was addressed at a Board meeting held on May 17, 2018 and, at the request of Holly Harvey, would like to address again.**

**New Business**

- **Discuss the Conduct of a Licensee Received by the Board on April 22, 2019 (Barry Stowers)**
  
- **Legislative Updates**
  - **Senate Bill 396 - Review and Approve Language for New Rule Series**
  
- **Review and Approve Budget for FY2020 - Review Cash Balance - Review Across the Board Increase (\$2370 Annually) for all State Employees**
  
- **CE Request for Approval - WVU Medicine Pain Conference scheduled for September 20, 2019 - Requesting 6.25 Hours Approval**
  
- **Email received from Dr. Deana Morrison Fernandez regarding UltraSlim (LED red light therapy) and UltraSmooth (LED which promotes fat loss)**
  
- **Open Meetings Clarification (Complaints)**



## **New Business - Continued**

- **WV State Treasurer Cash Handling Conference - April 30 - May 2, 2019**  
**Stress Less: Successful Tips for Managing Stress**  
**Presented by Kevin Osborne, D.C.**
- **Approval of P-Card (purchasing card) expenditures for February, March, and April 2019**
- **Maintaining Confidentiality of Board Records (Meeting Folders)**
- **Synopsis - Ruth Lemmon attended FCLB 2019 Annual Educational Congress in Mission Bay, CA on May 1-5, 2019**

**Adjourn**

**MINUTES**  
**WV BOARD OF CHIROPRACTIC**  
**May 16, 2019**  
**Fairfield Inn & Suites by Marriott**  
**402 Second Avenue, South Charleston, WV 25303**

**MEMBERS:**

Barry A. Stowers, D.C., Chairman  
Geoffrey R. Mohn, D.C., Vice Chairman  
Terry W. Chambers, D.C., Secretary  
Holly L. Harvey, D.C., Investigative Officer  
Ruth R. Lemmon, Public Member

**PRESENT:**

Barry A. Stowers  
Geoffrey R. Mohn  
Terry W. Chambers  
Holly L. Harvey  
Ruth R. Lemmon

**ALSO, IN ATTENDANCE:**

Barbara L. Johnson, Executive Director  
Anthony D. Eates, II, Deputy Attorney General

**CALL TO ORDER:**

Barry Stowers called the meeting to order at 9:00 a.m.

**APPROVAL OF MINUTES:**

Geoff Mohn moved that the Minutes for the May 16, 2019 Board meeting be approved.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

**EXECUTIVE SESSION:**

Motion was made by Terry Chambers to enter Executive Session to receive Investigative Officer's recommendations for Complaint #2018-174, Complaint #2018-175, Complaint #2019-176, and Complaint #2019-177; and to consider matter pertaining to licensee, Dr. Justin McCarter, received by the Board on April 22, 2019.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

## **OUT OF EXECUTIVE SESSION:**

Motion was made by Geoff Mohn to exit Executive Session.

- Terry Chambers - 2<sup>nd</sup> Motion
- Motion carried.

Terry Chambers made motion to accept the Investigative Officer's recommendation for Complaint #2018-174 and Barry Stowers' recommendation for Complaint #2019-177, regarding Dr. Christopher Grose, of probable cause for violating scope of practice, pre-payment plan, and rules & regulations. The two complaints were consolidated and referred to the Board's counsel for drafting a Consent Agreement.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

Geoff Mohn made motion to accept the Investigative Officer's recommendation of no probable cause for Complaint #2018-175.

- Terry Chambers - 2<sup>nd</sup> Motion
- Motion carried.

Geoff Mohn made motion to accept the Investigative Officer's recommendation of no probable cause for Complaint #2019-176.

- Terry Chambers - 2<sup>nd</sup> Motion
- Motion carried.

Terry Chambers made motion to accept Barry Stowers' recommendation regarding conduct of licensee, Dr. Justin McCarter, received by the Board on April 22, 2019, to initiate a complaint based on his March 14, 2019 arrest and information received in Trooper J.D. Ferguson's letter outlining statement of facts involving the arrest. The Board voted to issue a Summary Suspension Order based on imminent danger to the public.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

## **OLD BUSINESS:**

The Board reviewed and discussed request from licensee to receive credit, as an instructor, for continuing education. Terry Chambers made motion for the Board's continuing education standards to remain the same and the Board voted to deny the licensee's request.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

## **NEW BUSINESS:**

Legislative updates for 2019 were reviewed. Holly Harvey made motion to approve draft of proposed rules and new series; Title 4, Series 7, Application for Waiver of Initial Licensing Fees for Certain Individuals, for legislative approval, and to implement the provisions included in Senate Bill 396 passed on March 8, 2019.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

Board reviewed Budget for FY2020, Board's cash balance, and reviewed across the board increase for all state employees (\$2370 annually). Ruth Lemmon made motion to approve the Budget for FY2020.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

Geoff Mohn made motion to approve the continuing education request for the WVU Medicine Pain Conference scheduled for September 20, 2019 for 6.25 hours.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

Board reviewed email received from Dr. Deana Morrison Fernandez regarding two new FDA cleared machines for her practice; UltraSlim red light therapy and UltraSmooth promoting fat loss. Terry Chambers made motion to approve the UltraSlim machine; however, the Board will not approve the UltraSmooth machine.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

Board reviewed open meetings act. No motion needed.

A presentation by licensee, Dr. Kevin Osborne, was presented at the WV State Treasurer's Cash Handling Conference on May 2, 2019 entitled Stress Less: Successful Tips for Managing Stress. A letter of appreciation will be mailed from the Board. No motion needed.

Geoff Mohn made motion to approve p-card expenditures for February, March, April 2019 statements.

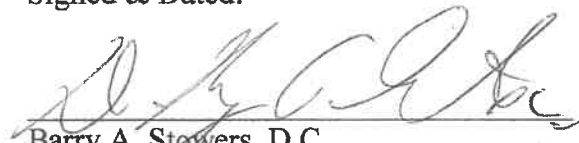
- Terry Chambers - 2<sup>nd</sup> Motion
- Motion carried.

Maintaining confidentiality of Board records was discussed. No motion needed.

Synopsis by Ruth Lemmon representing the Board at the FCLB 2019 Annual Educational Congress in Mission Bay, CA on May 1-5, 2019.

Adjourn

Signed & Dated:



Barry A. Stowers, D.C.  
Chairman

**WV BOARD OF CHIROPRACTIC  
MEETING AGENDA  
June 6, 2019 - 11:00 a.m.  
Conference Call  
West Virginia Board of Chiropractic  
415 ½ D Street, Suite B  
South Charleston, WV 25303**

**Agenda Topics:**

**Call to Order**

**Current Issues**

- **Consider the continuation and/or resolution of the Summary Suspension Order in Complaint #2019-179**

**Adjourn**

**MINUTES**  
**WV BOARD OF CHIROPRACTIC**  
**June 6, 2019 - 11:00 a.m.**  
**Conference Call**  
**415 ½ D Street, Suite B**  
**South Charleston, WV 25303**

**MEMBERS:**

Barry A. Stowers, D.C., Chairman  
Geoffrey R. Mohn, D.C., Vice Chairman  
Holly L. Harvey, D.C., Investigative Officer  
Terry W. Chambers, D.C., Secretary  
Ruth R. Lemmon, Public Member

**PRESENT:**

Barry A. Stowers  
  
Holly L. Harvey  
Terry W. Chambers  
Ruth R. Lemmon

**ALSO IN ATTENDANCE:**

Barbara L. Johnson, Executive Director  
Anthony D. Eates, II, Deputy Attorney General  
No member from the public was present

**CALL TO ORDER:**

Barry Stowers called the meeting to order at 11:00 a.m.

**EXECUTIVE SESSION:**

Motion was made by Terry Chambers to enter Executive Session to discuss W. Va. Board of Chiropractic Examiners v. McCarter, Complaint No. 2019-179, and to review and discuss Consent Agreement drafted by the Board's Attorney General, Anthony D. Eates.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

**OUT OF EXECUTIVE SESSION:**

Motion was made by Terry Chambers to dismiss Executive Session.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

Motion was made by Terry Chambers to accept the Consent Agreement as drafted.

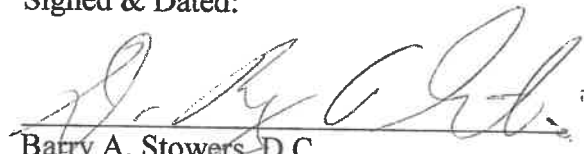
- Ruth Lemmon - 2<sup>nd</sup> Motion
- Motion carried.

**ADJOURN:**

Terry Chambers made motion to adjourn at 11:30 a.m.

- Ruth Lemmon - 2<sup>nd</sup> Motion
- Motion carried.

Signed & Dated:

  
Barry A. Stowers, D.C.  
Chairman