

**MINUTES**  
**WV BOARD OF CHIROPRACTIC**  
**November 14, 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:**

Ruth Lemmon moved that the Minutes for the August 1, 2019 Board meeting be approved.

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

**EXECUTIVE SESSION:**

Motion was made by Holly Harvey to enter Executive Session to receive recommendations regarding Complaint #2018-174 and Complaint #2019-177 (Dr. Christopher Grose); Complaint #2019-179 (Dr. Justin McCarter); and consider matter pertaining to licensee, Dr. Dustin Wright.

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

**DISMISS EXECUTIVE SESSION:**

Motion was made by Geoff Mohn to dismiss Executive Session.

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

Reports were presented during Executive Session and Barry Stowers called to accept reports presented to the Board as follows:

Complaint #2018-174 and Complaint #2019-177 - Dr. Christopher Grose - - Anthony will contact Dr. Grose' attorney to inform him the Board will notice a hearing for possible disciplinary action if the Board doesn't hear from him by November 22, 2019. No motion needed.

Barbara updated Board regarding Dr. Justin McCarter (Complaint #2019-179). The Board lifted Dr. McCarter's summary suspension effective October 15, 2019. The Board received documentation that Dr. McCarter enrolled and continues to participate in a substance abuse treatment program with weekly supervised drug screens. No motion needed.

Geoff Mohn made motion to file a Board-initiated complaint against Dr. Dustin Wright based upon his conduct evidenced by a Settlement Agreement and Release entered between Dr. Wright and the Commonwealth of Kentucky in or around September of 2019 for Medicaid fraud. While practicing full-time in the State of West Virginia from approximately 2011 through late 2015, Dr. Wright purported to treat patients in the Commonwealth of Kentucky and fraudulently billed Kentucky Medicaid for these services without personally examining, treating, or otherwise providing chiropractic services to these patients.

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

#### **OLD BUSINESS:**

Update on Senate Bill 396 - - New Rule Series 7, Application for Waiver of Initial Licensing Fees for Certain Individuals - Agency approved rule filing completed on July 10, 2019 - Approved as Modified on September 25, 2019 and Filed as Modified on October 4, 2019. No motion needed.

Update on House Bill 118 - New Rule Series 8, Consideration of Prior Criminal Convictions in Initial Licensure Determinations - Pending for review by Legislative Rule Making Review Committee on November 19 or 20, 2019. No motion needed.

#### **NEW BUSINESS:**

The Board discussed Dr. Byron Folwell's letter, dated September 19, 2019, regarding Electrodiagnostic (EDX) Studies. Barry Stowers called and discussed the letter with Dr. Folwell. No motion needed.

Geoff Mohn made motion to approve the continuing education request submitted by Dr. Steve Thaxton. The continuing education seminar is scheduled for January 3-4, 2020 in Charleston entitled "Innate Nutrition for the Practicing Chiropractor and Optimum Patient Care" for 18 hours.

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

The Board discussed diversity in completing continuing education hours. Barry Stowers will draft a notice from the Board stating courses must be a different topic every year for consideration from the Board for approval.

Motion was made by Holly Harvey to accept and approve P-card (purchasing card expenditures) for August, September, and October 2019. Barbara also presented Board with Board's cash balance.

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

Barbara provided the Board with a copy of the Purchasing Inspection completed for the period of July 1, 2018 through June 30, 2019. Notice of the inspection was provided on September 13, 2019, and the inspection commenced on September 24, 2019. There were no material findings from this inspection and the Board received a score of 100% on the inspection. No motion needed.


Barbara discussed cancellation of the inLumon presentation with the Board. Our current budget will not allow the cost associated with the contract and, at this time, it isn't feasible for the Board to proceed. inLumon is a software solution for State Licensing Boards, Commissions and Government Regulatory Agencies. No motion needed.

A brief synopsis was given by Barry Stowers, Holly Harvey, and Ruth Lemmon for attending the FCLB Districts III & V Meeting in Jersey City, NJ on October 3-6, 2019. No motion needed.

A brief synopsis was given by Barry Stowers, Geoff Mohn, and Barbara for attending the required (State Auditor) Annual Seminar for Chapter 30 Licensing Board on October 29, 2019 in Charleston. No motion needed.

Adjourn

Signed & Dated:

  
Barry A. Stowers, D.C.  
Chairman