

MINUTES
WV BOARD OF CHIROPRACTIC
November 5, 2020 - Conference Call
WV Board of Chiropractic
415 ½ D Street, Suite B
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
No member from the public was present!

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 6, 2020 Board meeting be approved.

- Terry Chambers - 2nd Motion
- Motion carried.

EXECUTIVE SESSION:

Motion was made by Terry Chambers to enter Executive Session to consider Complaint Nos. 2020-184 and 2020-185.

- Holly Harvey - 2nd Motion
- Motion carried.

DISMISS EXECUTIVE SESSION:

Motion was made by Terry Chambers to dismiss Executive Session.

- Geoff Mohn - 2nd Motion
- Motion carried.

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

Motion was made by Terry Chambers to accept the Investigative Officer's recommendation for Complaint #2020-184 as no probable cause.

- Geoff Mohn - 2nd Motion
- Motion carried.

Motion was made by Terry Chambers to move Complaint #2020-185 to the next scheduled Board meeting on February 4, 2021.

- Geoff Mohn - 2nd Motion
- Motion carried.

OLD BUSINESS:

Update was given regarding licensee, Justin McCarter. Per the letter received on March 23, 2020 from the U.S. Department of Transportation regarding Justin, the Board is awaiting on proof of exams from the WV State Driver's Licensing Agency. Also, State of Ohio v. J. McCarter is currently pending on outcome of appeals process - - Marietta Municipal Court update on October 6, 2020. Terry Chambers made motion to discuss again at the February 4, 2021 Board meeting.

- Holly Harvey - 2nd Motion
- Motion carried.

NEW BUSINESS:

The Board reviewed and discussed an email received from Dr. Janet Lintala, dated August 28, 2020, regarding Telemedicine. The Board asked Dr. Lintala to provide the Board with an outline of what she means by "consulting" with her patients. The Board did not receive a reply from Dr. Lintala. Therefore, motion was made by Terry Chambers to table her question to the next scheduled Board meeting on February 4, 2021 and will contact Dr. Lintala that the Board cannot consider her question until she provides the Board with an outline of what she means by "consulting".

- Geoff Mohn - 2nd Motion
- Motion carried.

The Board discussed a question received from Dr. Michael Kominsky regarding COVID-19 testing in his office for staff and patients. Terry Chambers made motion for Barry Stowers to draft a statement to send to Dr. Kominsky stating that COVID-19 testing, as well as any other diagnostic testing "Not Treatment", is permissible by doctors of chiropractic as long as the doctor has been trained in the procedure and the testing procedure used is approved by state and local health officials as an accepted standard of care for the public.

- Geoff Mohn - 2nd Motion
- Motion carried.

The Board reviewed and discussed the continuing education request received from Dr. Stephen Thaxton and Nutri-West. The name of the course is entitled "Recent Advances in the Science of Chiropractic and Associated Nutrition 2021" and is scheduled for January 8-9, 2021 for twelve (12) hours via Live Webinar. The course is sponsored by Life West. Motion was made by Geoff Mohn to approve this course.

- Terry Chambers - 2nd Motion
- Motion carried.

The Board reviewed and discussed the Athletic Trainers proposed rule allowing Dry Needling; Title 16 (WV Board of Physical Therapy), Series 5.
No motion needed!

Motion was made by Holly Harvey to accept and approve P-card (purchasing card expenditures) for August, September, and October 2020. The Board's cash balance was also reviewed.

- Geoff Mohn - 2nd Motion
- Motion carried.

A brief synopsis of the FCLB 2020 Virtual District Meeting held on October 7-8, 2020 was discussed and attended by Barry Stowers, Holly Harvey, Ruth Lemmon, and Barbara Johnson.
No motion needed!

Ruth Lemmon made motion to adjourn meeting at 10:30 a.m.

- Holly Harvey - 2nd Motion
- Motion carried.

Signed & Dated:



Barry A. Stowers, D.C.
Chairman