

MINUTES
WV BOARD OF CHIROPRACTIC
February 3, 2022 - - 9:00 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
Terry W. Chambers, D.C., Investigative Officer
Karl C. Boone, D.C., Secretary
Ruth R. Lemmon, Public Member

PRESENT:

Barry A. Stowers
Geoffrey R. Mohn
Terry W. Chambers
Karl C. Boone
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:

Ruth Lemmon moved that the Minutes for the November 18, 2021, Board meeting be approved.

- Terry Chambers - 2nd Motion
- Motion carried.

JURISPRUDENCE EXAM:

Due to a rise in COVID cases, nine (9) applicants completed a take-home exam for licensure as follows:

Josephine (Josie) Ball, D.C.
Allen R. Bastecki, D.C.
Katie Cunningham, D.C.
Zachary Cunningham, D.C.
Stefan M. Getzik, D.C.
Justin Klein, D.C.
Ali S. Rezaian, D.C.
Scott A. Ricciardi, D.C.
Lyndsey Thompson, D.C.

EXECUTIVE SESSION:

Motion was made by Terry Chambers to enter Executive Session to report his recommendations for Complaint #2021-189.

- Geoff Mohn - 2nd Motion
- Motion carried.

DISMISS EXECUTIVE SESSION:

Geoff Mohn made motion to exit Executive Session.

- Karl Boone - 2nd Motion
- Motion carried.

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

Geoff Mohn made motion to accept the Investigative Officer's recommendation for Complaint No. 2021-189 as no probable cause.

- Karl Boone - 2nd Motion
- Motion carried.

OLD BUSINESS:

Update was given regarding licensee, Justin McCarter - - State of Ohio v. J. McCarter - - Justin served his ten days jail time beginning November 19, 2021, and he was released on November 29, 2021. He received two years' probation beginning September 8, 2021 through September 8, 2023. He will submit to random drug screenings. Barbara received his probation officer's name and tried contacting her; however, she was in court and did not get to speak to her. Barbara will try contacting her at a later date.

No motion needed.

Temporary License - - W. Va. Code §30-16-9(c)(d) - - Barry Stowers drafted new language for temporary license requirements and distributed to the Board for review. Motion was made by Terry Chambers to accept the new language as presented and update the Policy & Procedures Manual.

- Geoff Mohn - 2nd Motion
- Motion carried.

NEW BUSINESS:

The Board reviewed an email received from Shayla Klein, Reporter, WBOY12, regarding Neurofeedback Therapy. Terry Chambers made motion to notify Shayla of the following; I'm getting back to you regarding your question about Todd Woodward/Greenbrier Academy for Girls. On December 15, 2021, you asked if neurofeedback therapy is within the scope of practice for a licensed chiropractor in West Virginia. Based on the Board's review of the information you sent, it does not appear

that neurofeedback therapy is within the scope of practice set forth in West Virginia Code §30-16-3(3) and (4), and §30-16-18.

- Geoff Mohn - 2nd Motion
- Motion carried.

The Board reviewed an email received from Dr. James Leonette requesting Fellowship approval in Functional Neurology and/or Neurodevelopment Disorders. Terry Chambers made motion to notify Dr. Leonette that his request is not in the Board's criteria and not within the chiropractic scope of practice.

- Geoff Mohn - 2nd Motion
- Motion carried.

The Board reviewed a letter received from Dr. Randy Maxwell, dated January 22, 2022, regarding telehealth services. Barry Stowers contacted Dr. Maxwell and spoke to him about his concerns prior to the Board meeting.

No motion needed.

The Board reviewed a request for continuing education approval sponsored by National University for a seminar entitled "Pain Management & Mobility" scheduled for April 23, 2022, in Morgantown, WV for twelve continuing education hours. Motion was made by Terry Chambers to approve the request for approval.

- Geoff Mohn - 2nd Motion
- Motion carried.

Update on 4CSR9, Chiropractic Telehealth Practice - - Chiropractic Telehealth Practice rules went before the Legislative Rule-Making Review Committee on December 8 and were approved and adopted as modified. 4CSR9 also passed Senate Judiciary on January 19, 2022.

No motion needed.

Review of Annual Report - - July 1, 2019 through June 30, 2021

No motion needed.

The Board discussed attending the FCLB's 95th Annual Educational Congress; May 4-7, 2022 in Denver, CO. Motion was made by Karl Boone to elect Terry Chambers as the Voting Delegate for the FCLB Conference, as well as the voting delegate for the NBCE, and Barry Stowers as the Alternate Delegate for the FCLB and NBCE.

- Terry Chambers - 2nd Motion
- Motion carried.

Chapter 30 State Licensing Board Seminar 2021 - - Board members will receive six continuing education hours for review of material emailed to registrants on November 5, 2021, from Nancy Pennington, Executive Assistant to the Chief of Staff, Office of the State Auditor.

No motion needed.

Geoff Mohn made motion to accept and approve P-card (purchasing card expenditures) for November and December 2021, and January 2022. The Board's cash balance was also reviewed.

- Terry Chambers - 2nd Motion
- Motion carried.

Board discussed with Anthony Eates the meaning of Sunset Provision - - the law will automatically be terminated on a specific date unless the legislature extends it. Barbara will prepare a sunset schedule for Board members.


Motion was made by Terry Chambers for Barbara to purchase a new desktop and laptop for the Board. The last purchase was in 2017.

- Ruth Lemmon - 2nd Motion
- Motion carried.

The next meeting was scheduled for Thursday, May 19, 2022.

Adjourn

Signed & Dated:

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

Barry A. Stowers, D.C.
Chairman