

**RHODE ISLAND BOARD OF EXAMINERS IN CHIROPRACTIC
MINUTES OF OPEN MEETING**

10 April 2008

A meeting of the Board of Chiropractic Physicians was held on the above date in the RI Department of Health, 3 Capitol Hill, Conference Room 104, Providence, Rhode Island.

A quorum was established and Dr. Bruno called the meeting to order at 8:30 am.

Board members in attendance:

David Bruno, DC, Chairman

Donald Murphy, DC

Ronald Marsh, DC

Louis Marciano, M.Ed.

Robert Ricci, Ph.D.

Staff members in attendance were:

Gail Giuliano, Board Administrator

After reviewing the open minutes of the 7 February 2008 meeting, upon motion of Dr. Murphy, seconded by Dr. Marsh, it was unanimously voted by the Board to approve the minutes as

presented.

The Administrator advised that the following individuals had been issued licenses since the last meeting:

Stanley Czaplak DC

Esther Kollars, DC

At this time, Mr. Marciano questioned whether RI had a cap on the number of chiropractic physicians that could be licensed. The Administrator advised him that there are currently 281 licensed chiropractic physicians in Rhode Island and there is no limitation on the number of licenses that can be issued.

Dr. Bruno stated that he had been contacted by Jennifer Welch who had applied for licensure and been told that she was ineligible. Mrs. Giuliano advised that in reviewing Dr. Welch's application it was determined that she had not earned a bachelor of science degree before commencing the study of chiropractic medicine as required in Section 3 of the Rules and Regulations of all graduates of chiropractic schools after July 5, 1999.

The Administrator suggested that the Board should consider amending the Rules & Regulations to allow licensure to graduates of chiropractic schools who possess a bachelor's degree regardless of

when it was earned.. It was the consensus of the members that the Regulations should not be amended.

Dr. Bruno called for a motion to adjourn the “Open Session” and enter into “Closed Executive Session” for the purpose of discussing disciplinary matters pursuant to the applicable exceptions of the “Open Meeting Law”, so called of Chapter 42-46-5 sub-division (1) and (4) of the General Laws.

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Upon motion by Dr. Ricci, seconded by Dr. Marsh, the Board voted unanimously to enter into “Executive Session” at 8:59 a.m.

The Board returned to “Open Session” at 10:00 am.

Dr. Bruno requested that any decisions ratified during the “Closed Executive Session” be made public for the record, as well as, any business discussed which should be disclosed in the “Open Meeting.”

DC 01-08 – Closed with a finding of No Unprofessional Conduct

DC 03-08 – Closed with a finding of No Unprofessional Conduct

The Board had no further business to disclose.

Dr. Bruno called for a motion to seal the minutes of the “Closed Executive Session” of 7 February 2008 meeting pursuant to Section 42-46 (1) and (2). Upon motion of Dr. Murphy, seconded by Dr. Marsh, the Board Voted unanimously to seal the minutes of that meeting.

Dr. Bruno addressed the Board regarding correspondence (attached) he had received from the American Chiropractic Association (ACA) relating to proposed federal legislation that would enable chiropractic physicians to expand their authority and the range of services they are allowed to provide within the federal Medicare program. However, the enactment of such legislation has been seriously threatened by the unacceptable high claims error rates submitted by chiropractors within Medicare as determined by Centers for Medicare and Medicaid Services and the federal Department of Health and Human Services, Office of the Inspector General. Therefore the ACA and the Federation of Chiropractic Licensing Boards are encouraging member boards to require approved continuing education in documentation and recordkeeping as a condition for renewal of licensure in order to further the passage of such legislation.

The Administrator advised, historically, when a continuing education course is mandated its purpose is to protect the patient. It was the opinion of Dr. Bruno and Dr. Murphy that the passage of this

legislation would protect the public, as mandating such courses would enhance the possibility of passage of the federal bill thereby allowing chiropractic physicians to expand the services they are allowed to provide to patients.

After a lengthy discussion, the Board proposed that the Rules and Regulations be amended to require courses in documentation and recordkeeping as a condition for license renewal. The Administrator will discuss this with Mr. Charles Alexandre and Elizabeth Shelov to determine the Department's position on this matter.

Miscellaneous

Inquiry regarding "Electrodiagnostic Procedures"

It was determined that such procedures are within the scope of chiropractic practice as there is nothing in the Rules and Regulation that would prohibit this practice.

Inquiry as to who can provide "Physical Therapy" in the Chiropractic Office

It is the opinion of the Board that the chiropractor, a licensed physical therapist, or anyone working under the direct supervision of the chiropractor can provide physical therapy.

Inquiry regarding "Scope of Practice" relating to laboratory blood

work

Section 8.0 of the Rules and Regulations allows Chiropractor's to order laboratory blood work

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Inquiry regarding whether a chiropractor is considered a primary healthcare physician

No, the Chiropractor is not considered to a primary healthcare physician, however, the Board further stated that it would depend upon the definition of "primary healthcare physician". .

The next regularly scheduled meeting will be held on 12 June 2008 at the Department of Health, Conference Room 104.

Dr. Marsh advised that he would not be in attendance at the next meeting.

Upon motion of Mr. Marciano, seconded by Dr. Ricci, it was unanimously VOTED by the Board to adjourn the meeting at 10:35 am.

Respectfully submitted,

Gail Giuliano, Board Administrator