

**BOARD OF CHIROPRACTIC EXAMINERS  
MINUTES**

DATE: February 27, 2017

TIME: 12:30 PM CST

LOCATION: Poplar Conference Room  
665 Mainstream Drive, 1st Floor  
Nashville, TN 37243

MEMBERS PRESENT: Chris Alexander, D.C., President  
Cole Hosenfeld, D.C., Vice-President  
Sheila Fitzgerald, Consumer Member, Secretary  
Curtis Damien, D.C., Board Member  
Andrea Selby, D.C., Board Member  
Joseph Amato, D.C., Board Member

MEMBERS ABSENT:

STAFF PRESENT: Michael Sobowale, Unit Director  
Jared W. Smith, Unit Manager  
Marcina Egedegbe, Board Administrator  
Mark Cole, Assistant General Counsel  
Crystal Bloom, Board Staff

**Call to Order**

The Special Meeting convened telephonically via conference call. A roll call of the Board members and board staff present was initiated by Michael Sobowale, Unit Director.

**Necessity of Meeting**

Mr. Sobowale informed the staff that prior to proceeding with the Special Meeting; the statutory criteria for continuing with an electronic meeting must be met. To ensure the meeting proceeded according to guidelines, Mr. Sobowale requested that each board member confirm they were able to hear the board staff as well as each other on the teleconference call. Mr. Sobowale read the Statement of Necessity for the Special Board Meeting into the record and informed the Board of the objective for the Special Meeting.

The Special Meeting was convened to discuss and/or take action on the board's newly ratified Amended Policy Statement on Continued Education (CE) and to provide more clarity and

guidance to the board's licensees, the board administrative staff, continuing education course providers and the general public on Rule 0260-02-.12 on the General Rules and Regulations governing continuing education. In order to bring more clarity to the process of approving continuing education courses, an amended CE Policy statement was ratified at the January 26, 2017 board meeting. On February 9, 2017, Board Vice Chair, Dr. Cole Hosenfeld, submitted additional revisions to the CE Policy Statement and requested a board vote to address the immediate concerns and provide clarification to all stakeholders on the amended policy prior to the next regularly scheduled board meeting. Mr. Sobowale explained that, pursuant to the statute, T.C.A. § 8-44-108 (b) (2), an electronic meeting was necessary because the Board had determined that the subject matter required timely action; that the physical presence of all members was not possible considering the period of time required for action; and that the participation of some or all of the members of the Board by electronic or other means was necessary. After establishing the criteria for holding an electronic meeting, Mr. Sobowale requested the board to indicate by a motion and a vote, whether to proceed with the meeting. Dr. Amato made a motion, seconded by Dr. Hosenfeld, to proceed with the electronic meeting. The motion passed with all members voting yes by a roll call vote. Mr. Sobowale then asked the Board to vote on whether they are in agreement that the reasons outlined for holding this electronic meeting had met the statutory criteria for establishing an electronic meeting. Ms. Fitzgerald made a motion, seconded by Dr. Damien and Dr. Amato, to proceed with the meeting in accordance with the three (3) outlined criteria. The motion passed with all members voting yes by a roll call vote. With a quorum and uniform agreement established as to the necessity to proceed with the electronic meeting, Dr. Alexander called the meeting to order at 12:41 PM.

### **Amended Policy Statement on Continuing Education Discussion**

Board Chair, Dr. Chris Alexander, read the Amended Policy Statement on Continuing Education and opened discussion for comments and suggestions on revisions to the policy statement. Mr. Cole advised that the policy statement would be clearer to understand if the sentence order of the third paragraph in the proposed amended policy statement was rearranged. Mr. Cole also suggested additional language be added to the policy statement in order to clarify the time frame in which courses are to be posted on the PACE website. Dr. Alexander suggested the second paragraph be moved to the end of the third paragraph of the proposed amended policy statement so it reads more clearly. Dr. Alexander added that the thirty-day notice for courses to be posted on the PACE website criteria in the proposed amended policy statement is stated so that chiropractic physicians have a fair opportunity to locate the course offerings in advance of the course date. After discussion of the need to provide additional guidance to licensees and course providers in the proposed policy statement regarding board requirements for documentation and submission of continuing education certificates for approval as referenced in Tenn. Comp. R. & Regs. Rule section 0260-02-.12, Ms. Fitzgerald made a motion, seconded by Dr. Hosenfeld, to

accept the policy statement revisions as suggested by Mr. Cole and Dr. Alexander. A roll call vote was conducted to affirm the motion. The motion passed with all members voting yes.

#### Fetterman Events Continuing Education Course Discussion

Mr. Sobowale opened discussion about those chiropractic physicians who submitted Fetterman Events courses for continuing education credit and have yet to receive credit for those submissions. Ms. Egedegbe discussed with the board the results of the 2016 CE Audit. The chiropractic physicians CE submission compliance rate was 74%. Out of the 123 non-compliant CE chiropractic physicians, 60% of those chiropractic physicians submitted courses conducted by course provider, Fetterman Events.

Ms. Egedegbe noted that although Fetterman Events had previous affiliation with Texas Chiropractic College, that affiliation had expired. The chiropractic physicians who submitted courses completed through Fetterman Events had credit for acupuncture course completion certificate although they were not endorsed with the acupuncture qualification. Ms. Egedegbe clarified that, pursuant to board rule, only those chiropractic physicians who hold an acupuncture endorsement are able to take and submit up to six (6) acupuncture continuing education hours for credit.

The board discussed the implication of the revisions to the amended CE Policy and the continuing education provider Fetterman Events. Ms. Bloom addressed the board to clarify the data gathered during the 2016 CE Audit. The data showed that the certificate of attendance letters from Fetterman Events attendees did not have the necessary credit vouchers from Texas Chiropractic College. Upon contacting the licensees, Ms. Bloom was informed that the chiropractic physicians were not made aware of the acupuncture course offering in advance of registering for the course offered by Fetterman Events. Ms. Egedegbe clarified to the meeting attendees that a maximum of six (6) credit hours of acupuncture may only be given to those chiropractic physicians who hold the acupuncture qualification. Due to the significant number of chiropractic physicians who submitted unacceptable courses during the 2016 CE Audit, the Board Administrative office authorized the acceptance of Credit Vouchers as PACE-approved continuing education credit hours. Ms. Bloom instructed the licensees that a replacement of those six (6) acupuncture hours would need to be submitted to be in compliance with the 2016 CE Audit. Ms. Egedegbe informed the board that letters were sent to all chiropractic physicians who attended the Fetterman Events courses and also indicated acupuncture on both certificates from Texas Chiropractic College would need to replace six (6) hours of continuing education and submit all certificates and documentation before the ninety (90) day deadline of May 12, 2017. The Board agreed upon the course of action set forth by the Administrative office.

The meeting concluded with Dr. Selby making a motion to adjourn, seconded by Ms. Fitzgerald.  
The motion passed.

**Adjournment**

There being no other business, the meeting adjourned at 1:27 pm.

**These minutes were ratified by the Board on April 27, 2017.**