

**SOUTH CAROLINA BOARD OF CHIROPRACTIC EXAMINERS
BOARD MEETING MINUTES
110 CENTERVIEW DRIVE, ROOM 108, COLUMBIA, SC
THURSDAY, AUGUST 11, 2005, 9:30 A.M.**

MEMBERS PRESENT: Dr. Norman E. Ouzts, Jr., Chair, Dr. Farrel I. Grossman, Vice Chair, Dr. Evan M. Cohen, Dr. Michael L. Coon, Dr. M. Beth Ehlich, Dr. Mark G. Kimble, Dr. Dean Banks, Mr. E. J. Mercer

MEMBERS ABSENT: None

OTHERS PRESENT: Mr. Donald W. Hayden, Administrator, Ruby McClain, Assistant Deputy Director, Sharon Dantzler, Esq., Board Legal Advisor, Mag Moton, Administrative Specialist, Debra P. Wade, Administrative Specialist, Dr. Bill Decken, Dr. Scott L. Brand, Dr. Trace Palmer, Dr. Natalie Kurylo, Dr. David B. Towery, Dr. Steven A. Jones, Dr. Myron Brown, Dr. Jerry Hardee, Dr. Robert L. Irvin, Dr. Michael T. Clusserath, and Dr. Thomas A. Gelardi

Public Notice of this meeting was properly posted at the Board office and provided to any requesting persons, organizations, or news media in compliance with Section 30-4-80 of the S. C. Freedom of Information Act.

The chairman called the meeting to order and noted that a quorum was present to conduct Board business.

APPROVAL OF MINUTES: The minutes for the May 12, 2005 meeting were approved as amended.

PRACTICE ACT: Dr. Myron Brown, Dr. Michael T. Clusserath, and Dr. Robert L. Irvin, all educators representing Sherman College of Straight Chiropractic. These educators spoke to address the Board regarding proposed changes to the Practice Act – a verbatim copy of their responses is attached.

The Board entered executive session to hear complaints and receive legal advice. After leaving executive session the Board voted in open session.

Complaints -

2004-16 – Dismiss – a motion was made with a second, that the Board accepts the IRC recommendations and the motion passed.

2004-51 – Dismiss – a motion was made with a second, that the Board accepts the IRC recommendations and the motion passed.

2005-06 – Dismiss – a motion was made with a second, that the Board accepts the IRC recommendations and the motion passed.

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A motion was made the motion that the Board approve all the above actions and they were unanimously approved.

Dr. Ouzts read Mrs. Alana Holmes thank you letter to the Board.

Mr. Donald Hayden introduced Debra P. Wade, and Mag Moton, Administrative Specialists who assist the Administrator to the Board.

Applications review:

David Basil Towery – The Board heard Dr. Towery's explanation of the events concerning his criminal record and the subsequent surrender of his licensed in 1999 to practice Chiropractic in Georgia as settlement of a disciplinary action in that State. Both of Dr. Towery's criminal record and subsequent disciplinary action by the Georgia Board rose from the same underlying circumstance.

A motion was made with a second, that the Board enter into executive session to receive legal advice and consider the application.

Upon return to open session, a motion was made with a second that the Board approve the application with conditions of probation for a period of two (2) years, submission of SLED report at yearly intervals during the two (2) year period, and submission of satisfactory evidence that Applicant has completed all required continuing education. A motion was made with a second, and the motion passed unanimously. Counsel for the Board will prepare an Order, which will more fully express the Board's conclusions.

Trace Thomas Palmer – The Board heard Dr. Palmer's explanation of the events concerning his DUI in 1999.

A motion was made with a second, that the Board entered executive session to receive legal advice and consider the application.

Upon return to open session, a motion was made with a second that Dr. Palmer's application be accepted with no restrictions. The motion passed unanimously.

Jeffrey Vibar Reyes – Dr. Reyes's application was reviewed and a motion was made with a second that his application be accepted with no restrictions. The motion passed.

Henry Walter Latter, Jr. – Dr. Latter's application was reviewed and a motion was made with a second that his application be accepted with no restrictions. The motion passed.

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Jurisprudence Exam – Dr. Ouzts acknowledged this topic would be discussed at the next Board meeting scheduled for November 17, 2005.

Rules & Regulations – The PowerPoint presentation that was created for and reviewed by the Board. On-line completion regarding the two (2) hours needed for Rules and Regulations. A motion was made with a second, that the Board approve the on-line presentation, and the motion passed unanimously.

University of Bridgeport, College of Chiropractic – Dr. Paul Powers, D.C., Authorized Representative for the University of Bridgeport, College of Chiropractic, requested, by letter, a continuance regarding reconsideration for the denial of their online continuing education program titled “South Carolina Board Rules 101”, Dr. Ouzts granted a Continuance for the next Board meeting scheduled for November 17, 2005.

Data Trace Publishing Company – submitted a request for approval regarding their On-line version of home study programs. This request was referred to the Education Committee for approval.

Beverly K. Lawrence, D.C. – requested for a waiver of her Continuing Education requirements from her nursing school transcript, which was submitted for review and approval. A motion was made with a second, that the Board accept twenty-two (22) hours from the Nursing transcript. Dr. Lawrence would still need to complete two (2) hours for S.C. Rules and Regulations. The motion passed unanimously.

G. A. Williams Seminars – requested a speaker for the two (2) hours for S.C. Rules and Regulations to be held on March 25 & 26, 2006. Dr. Ouzts appointed Dr. Cohen to be the speaker for this seminar.

Legislation H.3108 (Engine Bill) & H.3781 – **This bill, initiated outside the Board**, Donald W. Hayden presented the Engine Bill to the Board members for awareness. Ruby McClain clarified the purpose of the Engine bill and requested Board members to review this bill and address any and/or all concerns to her attention. She addressed the proposed discussion to change the renewal dates. She addressed the public members concern to add more public members to the Board(s). The Board will be adding two (2) additional public members to the Board, which will be addressed later during the year. She addressed financial issues with the Board members to advise what changes the Board members can make regarding fees, investigations and fines, etc. with approval from the Board.

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Medical Records – Definition for Practice Act – Donald W. Hayden offered the State of South Carolina Pharmacy Medical records, the S.C. Medical Board records, along with the State of Minnesota recordkeeping guidelines, as examples of what constitutes Medical records. Mr. Hayden made a recommendation to the Board to develop model language for inclusion in the practice act. Dr. Coon stated that he would Chair this committee. Mr. Hayden volunteered to assist Dr. Coon with this committee upon request. Dr. Coon is to have more information for the Board to review at the next Board meeting.

Mr. Hayden presented an article titled ***“Openness just one change needed in discipline law”*** and the recently enacted Legislative Bill H.3108 dealing with complaints, investigations and public information of Formal Complaints.

U. S. Will Offer Doctors Free electronic Records System – Mr. Hayden shared information with the Board about the free electronic record system Medicaid is offering to all doctors a software to computerize their medical practices.

Provider Wide Exception Orders by Chiropractors – Dr. Ouzts asked for a recommendation to accept the listing of applicable procedures – PWE (Chiropractic Orders) that was provided to the Board by DHEC, as the diagnostic radiology standards. A motion was made with a second, that the Board approves the provider wide exception order.

Practice Act – Dr. Ouzts reminded the Board that the Chiropractic Board’s practice act is at a stand still until January 2006 when the Legislator’s reconvene.

There being no further business, the Board adjourned at 12:30 p.m.

Minutes prepared by _____
Debra P. Wade, Administrative Specialist

Date

Donald W. Hayden
Administrator