

**SOUTH CAROLINA BOARD OF CHIROPRACTIC EXAMINERS  
BOARD MEETING MINUTES  
110 CENTERVIEW DRIVE, ROOM 108, COLUMBIA, SC  
THURSDAY, April 2, 2009 – 9:30 A.M.**

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

**MEMBERS PRESENT:** Michael L. Coon, D.C., Chairman; W. Dean Banks, D.C., Vice-Chairman; Joseph Carew, D.C.; Beth R. Ehlich, D.C.; Harvey Garcia, D.C.; Mark G. Kimble, D.C.; Richard D. Lacey, D.C.; E.J. Mercer, Esquire.

**MEMBERS ABSENT:** none

**OTHERS PRESENT:** Patricia Glenn, Board Administrator; Sheliah Jones, Administrative Assistant; Sharon Dantzler, LLR Legal Counsel; Pat Hanks, LLR Legal Counsel; Suzanne Hawkins, LLR Legal Counsel; Jocelyn Andino, LLR Legal Counsel; Kathy Meadows, LLR OIE; Larry Atkins, OIE; David Christian, III, OL&C; Dwight Hayes, OL&C; Sherry Wilson, OL&C; Pam Dunkin, OL&C; Annette Disher, OL&C; Ros Bailey-Glover, OL&C; Dr. Steven Jones, Dr. Michael Tillman and Dr. Henry Hulteen.

Dr. Coon called the meeting to order and noted that a quorum was present to conduct business.

**OVERVIEW OF OFFICE OF LICENSURE & COMPLIANCE:**

David Christian, III, Director of LLR's Office of Licensure and Compliance introduced his staff to the Board and gave an overview of the LLR Office of Licensure and Compliance.

**PRESENTATION:**

Steven Jones, DC presented a book of historical importance to the Board. This book lists the first chiropractors licensed in the state of SC when chiropractic licensure began in 1953.

**APPROVAL OF MINUTES:** The minutes for the November 4, 2008 Board Meeting were approved.

**IRC REPORT:** The Board voted to accept the recommendation of the IRC and approve the February 5, 2009 IRC Report:

**The Board voted to dismiss the following complaints:**

- Complaint #1 –**
- Complaint #2**
- Complaint #3**
- Complaint #4 .**

**The Board voted to proceed with a Formal Complaint for the following complaints:**

- Complaint #5-**
- Complaint #6 –**
- Complaint #8 –**

**Complaint #9-**  
**Complaint #10-**  
**Complaint #11**  
**Complaint # 12-**  
**Complaint #13-**  
**Complaint # 14-**  
**Complaint #15-**  
**Complaint #16**

**The Board voted to issue a Letter of Concern for the following complaints:**

**Complaint # 17**  
**Complaint #.18**  
**Complaint #19**  
**Complaint #20**  
**Complaint #21**  
**Complaint #22**  
**Complaint #23**  
**Complaint # 24**  
**Complaint #25**

Dr. Banks made the motion to accept the IRC Report. Dr. Ehlich seconded the motion. The motion carried.

**APPLICATION HEARING:**

Nicholas A. McCoy, DC an applicant for licensure appeared before the Board to discuss his “yes” answer to question number five on the application, “Have you ever been arrested, charged or convicted, including nolo contendere plea or guilty plea in any State or Federal Court other than minor traffic violation, whether or not sentence was imposed or suspended?”

After his testimony and review of the information he presented, the Board unanimously voted to approve Dr. McCoy’s application and to grant him a Chiropractic license.

**DISCUSSION TOPICS:**

**DECOMPRESSION VS. TRACTION-** Dr. Michael Tillman and Dr. Henry Hulteen discussed whether Decompression and Traction are the same or different modalities. Following the discussion, Dr. Carew made the motion that the existing regulations address all issues raised by Drs. Tillman and Hulteen in that decompression is not inconsistent with traction as already approved and moved that the Board not open the regulations to name decompression as a separate modality until there is more empirical evidence to support the position. The Board voted in favor.

**FCLB/NCBE SPRING MEETING-**Dr. Coon and Dr. Banks briefed the Board on their upcoming attendance at the May 2009 FCLB/NCBE Spring Meeting. They noted the importance of participation and networking with other state’s Board members because of the similar issues faced.

**LEGISLATIVE UPDATE-** Chiropractic Board Regulations S462 which streamline the application, continuing education, ethics and disciplinary process passed the Senate Medical Affairs and House 3M Committees. It will take effect and become law April 24, 2009.

**CONSENT AGREEMENT:**

**2006-15** -Ms. Hawkins, LLR Attorney presented a Consent Agreement signed by Dr. William M. Decken acknowledging failure to document records, failure to maintain records and failure to improve record keeping. The Board voted to accept the signed Consent Agreement to allow respondent's license to be placed on probation for 3 years, obtain 10 hours of c.e. in codes/billing and pay a monetary fine.

**FINAL ORDER HEARING:**

Dr. Coon gave the Hearing Opening Statement. The meeting proceeded with Case# 2007-22 & 2007-28.

**# 2007-22 & 2007-28**

Mr. Hanks, LLR Legal Counsel summarized Case # 2007-22 & 2007-28 and presented a Memorandum of Agreement signed by the respondent Dr. Justin James. The Board reviewed arguments by Mr. Hanks, LLR Attorney and respondent's attorney, Mr. John Koon and found the respondent, Justin James, DC, to be in violation of the SC Code of Laws, Chapter 9 & Regulations Chapter 25 for engaging in a relationship with a female patient and having a domestic dispute with his former wife. An Order was issued by the Board for a Public Reprimand, monetary fines/court costs and 8 hours of Board approved coursework in risk management.. See attached Order.

\*\*\*\*The next meeting of the South Carolina Board of Chiropractic Examiners will be held on Thursday, November 5, 2009.

The Board adjourned at 2:00 PM.

Respectfully Submitted,

Patricia F. Glenn, Administrator

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(Administrator)

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(date)