

MISSISSIPPI STATE BOARD OF CHIROPRACTIC EXAMINERS

MINUTES

JULY 11, 2024

HYATT PLACE, 1016 HIGHLAND COLONY PARKWAY, RIDGELAND, MS 39157

In Accordance with MISS. CODE ANN. § 25-41-11 (1)

I. CALL TO ORDER

Dr. Allen, chair, called the meeting to order at 8:30 a.m.

II. ROLL CALL

Yvonne Laird provided a roll call with the following present.

David Allen, D.C.

Mary G. Armstrong, M.D.

S. Neely Berry, D.C.

Desmond Hoda, D.C.

B. Tripp Henderson, D.C.

Felicia F. King, D.C.

A quorum was present for voting purposes.

Others present were:

Catherine Bell, Special Assistant Attorney General / Counsel for the Board

Chad Brown, DC # 917, President – MS Chiropractic Association

Denise DeRossette, Cornerstone Consulting Group

Yvonne Laird, Executive Secretary

Rem MacNealy, Owner – The Joint Chiropractic

Debbie Moore, D.C. – Moore Chiropractic Clinic

Vickie Webb, Executive Director – MS Chiropractic Association

Willie Webb, DC # 523

III. APPROVAL OF THE AGENDA

Dr. King motioned, with a second by Dr. Armstrong, to add the following items to the agenda:

a. IV. E. 2020-5

b. X. C.1.b. Chiropractic Colleges CE Procedures for CE Approvals

c. XII. F. CE Approval Request Update – Ad Hoc Committee Report

d. XIV. A MS Chiropractic Association – Vickie Webb

The vote was unanimous. Motion carried.

IV. Hearing / Executive Session

CLOSED DETERMINATION / EXECUTIVE SESSION

Dr. Henderson moved to go into a closed session to determine whether an Executive Session was needed. The vote was unanimous. Motion carried.

Dr. Henderson moved, seconded by Dr. Hoda, that the Board had reason to go into Executive Session pursuant to MISS. CODE ANN. § 25-41-7 (d) investigative proceedings regarding allegations of misconduct or violation of law. The vote was unanimous. Motion carried.

Within Executive Session the following action was taken:

A. 2023-8

The April 9, 2024, minutes reflected that due to advertising violations with an option to pay a \$500 fine for the first violation and \$1000 for a subsequent violation. A hearing was set for July 11, 2024, and was subsequently postponed pending further investigation. The motion was made by Dr. Hoda to reschedule the hearing for September 19, 2024, at 1:00 p.m. pending conference room availability. Dr. King will serve as investigator. Dr. Armstrong provided a second. The vote was unanimous. Motion carried.

B. Unlicensed Practice – License Number 655

MSBCE received notification from licensee 655 indicating that he would not be renewing his license as he was closing his practice. The motion was made by Dr. King to set for hearing on January 9, 2025, and to extend authority for a possible Consent Agreement to Catherine Bell. A second was provided by Dr. Hoda. The vote was unanimous. Motion carried.

C. 2020-4 and 2023-2

Dr. Hoda moved to pass to the file complaint 2020-4. A second was provided by Dr. Berry. The vote was, as follows:

Nay - David Allen, D.C.	Aye -Desmond Hoda, D.C.
Aye - B. Tripp Henderson, D.C.	Aye - Felicia F. King, D.C.
Aye - S. Neely Berry, D.C.	Aye -Mary Gayle Armstrong, M.D.

Motion carried.

Dr. Henderson moved to dismiss complaint 2023-2. Dr. King provided a second. The vote was, as follows:

Nay - David Allen, D.C.	Aye -Desmond Hoda, D.C.
Aye - B. Tripp Henderson, D.C.	Aye - Felicia F. King, D.C.
Aye - S. Neely Berry, D.C.	Aye -Mary Gayle Armstrong, M.D.

Motion carried.

D. Late Fees Due to Payment Errors

The motion was made by Dr. Hoda to reimburse two (2) licensees who had attempted to renew on June 25, 2024; however, due to a reported payment portal issue the licensees were charged a \$300 late fee due to renewal on July 1. A second was provided by Dr. Henderson. The vote was unanimous. Motion carried.

E. 2020-5

Dr. Henderson moved with a second by Dr. Berry, to open as a new case, and hire a non-board member as an investigator. The vote was unanimous. Motion carried.

Dr. Henderson moved to exit Executive Session and return to Open Session. The second was provided by Dr.Hoda. The vote was unanimous. Motion carried.

Catherine Bell provided the Executive Meeting action taken.

V. Election of Officers

Motion made by Dr. Allen to nominate Dr. Hoda as Chairman. Dr. Armstrong provided a second. Dr. Berry moved that the nomination for Chairman be closed. Dr. King provided a second. The vote was, as follows to elect Dr. Hoda as Chairman:

Aye - David Allen, D.C.	Recused -Desmond Hoda, D.C.
Aye - B. Tripp Henderson, D.C.	Aye - Felicia F. King, D.C.
Aye - S. Neely Berry, D.C.	Aye -Mary Gayle Armstrong, M.D.

Motion made by Dr. Hoda to nominate Dr. Henderson as Vice-Chairman. Dr. Berry provided a second. Dr. Armstrong made the motion that the nomination for Vice-Chairman be closed. Dr. King provided a second. The vote was, as follows to elect Dr. Henderson as Vice-Chairman:

Aye - David Allen, D.C.	Aye -Desmond Hoda, D.C.
Recused - B. Tripp Henderson, D.C.	Aye - Felicia F. King, D.C.
Aye - S. Neely Berry, D.C.	Aye -Mary Gayle Armstrong, M.D.

Committee Assignments were made, as follows:

Continuing Education – Dr. King
Rules and Regulations – Dr. Allen
Examination – Dr. Berry
Legislation – Dr. Henderson

VI. Senate Confirmation of Board Members

Dr. Allen advised receipt of SN 4 appointing Dr. Tripp Henderson for a period April 21, 2023, through April 20, 2028; and SN 5 and SN 6 appointing Dr. Felicia King for the period July 1, 2023, through April 20, 2029. For informational purposes Dr. Allen's term shall expire April 20, 2025; Dr. Berry's term shall expire April 20, 2026, and Dr. Hoda's term shall expire April 20, 2027. No board action required.

VII. Agenda Request / Inquiries Requiring Board Consideration

A. Agenda Request for Reconsideration of Chapter 17 Rule 101 (4) Extern Program

Dr. Armstrong moved, with a second by Dr. King, to stand by the previous decision of the Board at the April 9, 2024, meeting requiring all four (4) parts of the National Board must be passed prior to granting a 6-month extern application. Dr. Allen appointed Dr. Berry to clear any extern application upon receipt for the extern to begin employment as well as intern, emergency and travel to treat applications. This clearance will go before the Board at the next regular scheduled meeting for full board approval. The vote was unanimous. Motion carried.

B. Request by DC #1015 for Extension of CA #3131

Dr. Hoda moved, with a second by Dr. Henderson, that DC #1015's request for an extension for CA #3131 until September 30, 2024, be denied. The vote was unanimous. Motion carried.

C. CE Requirements for Out-Of-State Chiropractors

Dr. Berry moved, with a second by Dr. Henderson, that all chiropractors who hold a Mississippi license must complete Mississippi board approved twelve (12) total CE hours with three (3) hours of risk management as part of the twelve (12) hour requirement and complete the office information sheet prior to renewal. The vote was unanimous. Motion carried.

VIII. Approval of the Minutes

- A. Dr. Hoda moved, with a second by Dr. Armstrong, to accept the minutes of April 9, 2024, as submitted. The vote was unanimous. Motion carried.
- B. Dr. Hoda moved, with a second by Dr. Armstrong, to accept the minutes of June 26, 2024, as revised. The vote was unanimous. Motion carried.

IX. Financial Report

- A. Dr. Armstrong moved to accept the financial report, pending audit. Dr. King provided a second. The vote was unanimous. Motion carried.
- B. SB 3033 was signed by the Governor on April 19, 2024, indicating appropriations granted for FY2025 in the amount of \$134,145, which reflected an increase of \$27,684. in spending authority over the FY2024 appropriations of \$106,461. No board action required.
- C. Denise DeRossette, Cornerstone Consulting Group, presented the FY2026 budget for consideration. Dr. Henderson moved, with a second by Dr. Berry to approve the FY2026 budget of \$134,145 (level funding). The vote was unanimous. Motion carried.

X. Report of Officers

- A. Chairman
Dr. Allen had no report.
- B. Vice-Chairman
Dr. Hoda had no report.
- C. Committee Reports

1. Continuing Education

- a. Dr. Henderson moved, with a second by Dr. Hoda, to accept the recommendations of Dr. King and approve the following continuing education submittals:

Spine Extremity Technique Refresher Seminar; 15 hours (3 hrs. Risk Mgmt); Chiropractic Association of Louisiana; 6/22-23/2024
CBP Basic Certification Series; 70 hours; LIFE University; 9/21-27/2024
Acoustic Wave/Shockwave Masterclass: Levels I and II - 13 hours; Northeast College of Health Sciences; 4/6-7/2024
ACC-RAC 2024 30th Annual Educational & Research Agenda: The Healthcare Evolution; 13 individual hours; Northeast College of Health Sciences; 3/21-23/2024
Life Vision Extravaganza 2023; 63.5 hours; LIFE University; 9/28-30/2023
ABCA National Convention; 12 hours; LIFE University; 6/28-29/2024
2024 Southern Chiropractic Conference; 24 individual hours (3 hrs. Risk Mgmt; 12 hrs. for CAs); Tennessee Chiropractic Association; 8/23-25/2024
NeuroTonal Pediatrics; 20 hours; LIFE University; 1/26-27/2024, 3/7-8/2024, 6/20-21/2024, 10/4-5/2024, 11/7-8/2024
46th CBP Annual Conference; 18 hours; LIFE University; 9/6-8/2024
Life Vision Extravaganza 2024; 92 hours; LIFE University; 10/3-5/2024

CBP Drop Table Adjusting & Scoliosis Bracing; 18 hours; LIFE University; 11/17-19/2024
Research Meets Chiropractic Application; 20 hours; Logan University; 6/21-23/2024
The Golfer and Their Spine; 12 hours; Logan University; 9/28/2024
Chiropractic Homeostasis/Lower Extremity Adjusting; 24 hours; Arkansas Chiropractic Society; 12/2-3, 2023
Practical Considerations in Chiropractic Imaging; 6 hours (x-ray hours); Northwestern Health Sciences University; 9/17/2024
The Best of Dan Murphy, DC - In Person Event; 14 hours; Logan University; 9/6-8/2024
Important Considerations in Clinical Practice: Focusing on Risk Management, Ethics Recordkeeping, Documentation and Coding; 6 hours (3 hrs. Risk Mgmt); Northwestern Health Sciences University; 4/18/2024
Adjusting for Birth: Maternal Biomechanics and the Effects of Fetal Positioning; 8 hours; Cleveland University Kansas City; 5/4/2024
Chiro Expo'24; 21 hours individual (3 hrs. Risk Mgmt); Texas Chiropractic Association
Functional Health: Regeneration to Rehab/Human Trafficking; 8 hours (4 hrs. Risk Mgmt); MS Chiropractic Association; 9/28-29/2024
Human Trafficking 101: The Role of the Health Care Provider; 6 hours; MS Chiropractic Association; 9/28/2024
CAL's Annual Convention; 46 hours (risk mgmt and CAs); Chiropractic Association of Louisiana; 8/23-25/2024
2024 Chiropractic Homecoming Symposium; 20 hours; Northwestern Health Sciences University; 2/1-3/2024
Overview of Autism Spectrum Disorder; 8 hours; Logan University; 6/15/2024
Active Release Technique – Upper Extremity Level 1; 12/6-8/2024; Northeast College of Health Sciences; 15 hours w/ 0 risk management
Active Release Technique – Spine Level 2; 12/5-8/2024; Northeast College of Health Sciences; 22.5 hours w/ 0 risk management
Advanced Herbal Solutions for the Modern Patients; 9/7/2024; Bahan Consulting/Northeast College of Health Sciences; 8 hours w/ 0 risk management
Mile High Chiro; 9/21-24/2024; Sherman College of Chiropractic; 15 hours
Alumni Weekend 2024: Learn, Connect, Lead; 9/20-22/2024; Northeast College of Health Science; 38 hours w/16 individual w/ 0 risk management

The vote was unanimous. Motion carried.

Dr. Henderson moved, with a second by Dr. Hoda, to contingently approve the following continuing education submittals upon review by CE Reviewer, Dr. King:

Hands-on Documentation Self-Audit to Build Success; 9/14-15/2024; Oklahoma Chiropractic Association; Oklahoma BCE pending; 16 hours for claims reviewers
Endocrine Mastery: Thyroid, Adrenals & Blood Sugar; 10/12/2024; Bahan Consulting/Northeast College of Health Sciences; 8 hours w/ 0 risk management

The vote was unanimous. Motion carried.

b. Chiropractic Colleges CE Procedures for CE Approval

David Allen moved, with a second by Dr. Henderson, to set forth procedures for chiropractic colleges to file multiple CE programs. The Ad Hoc

Committee will develop this protocol in conjunction with new rule filings. The vote was unanimous. Motion carried.

D. Rules and Regulations

a. Draft Rules

1. Renewal Procedures for New Chiropractic Licensees

Dr. Armstrong moved, with a second by Dr. King to exempt new chiropractic licensees who were licensed in January or April of the renewal year from meeting the CE requirement for their June 30th renewal. The vote was unanimous. Motion carried.

2. Refundable Fees

Dr. King moved, with a second by Dr. Armstrong, to not allow a chiropractor who has paid the fee for one (1) employee to be able to receive credit in the amount of the fee to then be applied as the fee for another/replacement employee. The vote was unanimous. Motion carried.

3. Clarification Re Reinstatement for CA's

Dr. Henderson moved, with a second by Dr. Hoda to accept the application for reinstatement for all licensees, as presented. The vote was unanimous. Motion carried.

4. Determination for CA Renewal Requirements

Dr. Henderson moved, with a second by Dr. Berry, to require chiropractors to submit the CE documentation on behalf of the CA prior to renewal. The vote was unanimous. Motion carried.

5. CE Rollover Provision Discussion

Dr. Armstrong moved, with a second by Dr. Henderson, to allow for rollover of unused CE hours for two (2) renewal periods (current and next). The vote was unanimous. Motion carried.

6. Establish Date/Time/Place for Oral Proceedings Meeting

Dr. Henderson moved that the Public Hearing on the Rules and Regulations be scheduled for Thursday, September 19, 2024, beginning at 8:00 a.m. pending conference room availability.

7. Chiropractic Mobile Practice

Dr. Henderson moved, with a second by Dr. King to initiate a rule that will allow for a chiropractor to offer mobile chiropractic services if they follow Mississippi statute and rules. The vote was unanimous. Motion carried.

E. Examination

Dr. Berry moved, with a second by Dr. Henderson to approve for licensure three (3) individuals who had taken and passed the MSBCE jurisprudence examination and met all requirements for licensure:

Chastity Black

David Rounsavell

Rasheeda Purnell

The vote was unanimous. Motion carried.

F. Legislation

No information to come before the Board at this time.

XI. FCLB / NBCE

- A. EBAS Test Development Committee Meeting, Greely, Colorado
Dr. Armstrong moved, with a second by Dr. Henderson to approve per diem for Dr. King for her attendance at the Ethics and Boundaries Assessment meeting in Colorado June 20 – 23, 2024. The vote was unanimous. Motion carried.
- B. District Meeting 2024 – District V, Ashville, NC, September 12-15, 2024
Dr. Armstrong moved, with a second by Dr. Berry to cover expenses not covered by FCLB for Dr. Allen, Dr. Hoda, Dr. Henderson and Dr. King to attend. The vote was unanimous. Motion carried.

XII. Report of Counsel

- A. Claims Reviewers – MS Chiropractic License Requirements
Counsel advised that pursuant to MISS. CODE ANN. 73-6-34 and the Board’s Rules in Chapter 12, if the claims review is adverse to a patient or chiropractor (denial, reduction, partial denial, etc.) the claim reviewer making the adverse determination must hold a Mississippi license to practice chiropractic. Dr. Berry moved, with a second by Dr. Henderson that this be the official position of the board. The vote was unanimous. Motion carried.
- B. Request for Expert Advice – Physiotherapy
Counsel advised that DC # 1219 had filed an incorrect request for declaratory opinion. No action taken by the Board.
- C. FCLB’s Recognized Chiropractic Specialty Programs
Counsel disseminated this information at the request of FCLB for reviewing purposes. No action taken by the Board.
- D. AT&T Charges – Letter to RW
Pursuant to the minutes of April 9, 2024, the board will not seek other avenues as it would be cost prohibited and not an effective use of MSBCE funds. No further action required by the Board.
- E. Response – National American Veterinary Chiropractic Association Training
Nancy Christiansen, Mississippi Board of Veterinary Medicine has confirmed that after consultation with the MBVM, they have agreed with the proposed rule 12.4 [MISS. CODE ANN. § 73-6-1 (8)]. No further action required by the Board.
- F. Counsel provided an update of the work of the Ad Hoc Committee in setting forth protocol for continuing education. This will be reviewed at the October 17, 2024, board meeting.

XIII. Executive Director’s Report

- A. License Approvals
Dr. Berry moved, with a second by Dr. Hoda, to approve the following:
 1. Preceptor – Kalena Wells, #1202 / Intern Alyssa Faler
 2. Preceptor – Brandon Hardin, #1219 / Intern Leland Elchos
 3. Preceptor – Dena Granger-Turner # 1340 / Intern Shanalia Gumbs
 4. Temporary Practice Permit [UROLA] – Amanda Mowery, Louisiana
 5. Chiropractic Assistants New - 48
 6. Chiropractor Renewals - 283
 7. Chiropractic Assistant Renewals - 335
 8. Chiropractic Claims Reviewer Renewals - 3

9. Chiropractic Radiologic Technologist Renewals - 23
The vote was unanimous. Motion carried.

XIV. Old Business

A. Dr. Allen recognized Vickie Webb, Executive Director, Mississippi Chiropractic Association. Mrs. Webb provided board members with a listing of eleven (11) state chiropractic associations and their respective thoughts regarding online continuing education. No action required by the Board.

XV. New Business

A. 2025 Scheduled Board Meetings

Dr. Hoda moved, with a second by Dr. Henderson, to table the 2025 board meeting schedule for 2025. The vote was unanimous. Motion carried.

B. 2026-2030 Five-year Strategic Plan

Dr. Berry moved, with a second by Dr. Henderson, to accept the 2026-2030 Five-Year Strategic Plan as presented. The vote was unanimous. Motion carried.

XVI. Approval of Expenses

After review, Dr. Berry moved, with a second by Dr. Henderson, to approve the following expenses:

A. April 9, 2024, through July 11, 2024

Vendor	Period	Total Amount
ITS (\$178.02, \$5.00, \$128.95, \$5.00, \$22.57 & \$5.00)	April (x2), May (x2) & June (x2), 2024	\$344.54
J-Bar and Associates, Inc.	April 1, 2024, thru June 30, 2024	\$12,000.00
J-Bar and Associates, Inc. Reimbursable Expenses	April 1, 2024, thru June 30, 2024	
Postage (\$277.08 & \$21.27)	April, May, and June 2024	\$298.35
Office Supplies Unique to the MSBCE	April (Annual for Adobe)	\$94.18
CSpire Bill (\$53.08 per month)	April, May, and June 2024	\$159.24
Hyatt Conference Room Expense	July 11, 2024	\$550.00
Bond for Executive Secretary (73-6-7)	Annual	\$100.00
Board Meeting Expense (Lunch)	July 11, 2024	\$94.10
BOARD MEMBER EXPENSE		
Allen, David	Thursday, July 11, 2024	\$240.80 plus hotel
Berry, Neely	Thursday, July 11, 2024	\$132.46

Henderson, Tripp	Thursday, July 11, 2024	\$238.32 plus hotel
Hoda, Desmond	Thursday, July 11, 2024	\$274.50 plus hotel
King, Felicia	Thursday, July 11, 2024; CE Review and Case Investigation	\$998.59

B. LMS Support Services Contract

Dr. Hoda moved, with a second by Dr. Henderson, to approve a contract for database management/maintenance of \$5,400 annually; services performed outside scope of agreement \$125 per hour. The vote was unanimous. Motion carried.

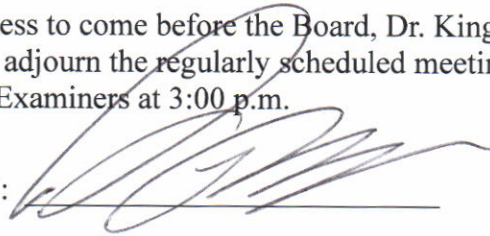
C. U.S. Next Contract

Dr. Hoda moved, with a second by Dr. Henderson, to provide monitoring, maintenance, security, vulnerability, and penetration testing and reporting services on computer system at the rate of \$140 per month with an outside scope rate of \$125 per hour. The vote was unanimous. Motion carried.

XVII. ADJOURNMENT

There being no further business to come before the Board, Dr. King moved, with a second by Dr. Armstrong, to adjourn the regularly scheduled meeting of the Mississippi State Board of Chiropractic Examiners at 3:00 p.m.

APPROVED BY THE BOARD ON:



By and on behalf of the Board OCTOBER 17, 2024