

MISSISSIPPI STATE BOARD OF CHIROPRACTIC EXAMINERS

MINUTES

APRIL 9, 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 8:00 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

Yvonne Laird, Executive Secretary

Debbie Moore, D.C. – Moore Chiropractic Clinic

Barbara Silveira, Extern Applicant – Moore Chiropractic Clinic

III. APPROVAL OF THE AGENDA

The motion was made by Dr. Armstrong to approve the Agenda as submitted.

Dr. Hoda provided a second. The vote was unanimous. Motion carried.

IV. AMENDMENT OF PREVIOUS ACTION / APPROVAL OF THE MINUTES OF JANUARY 11, 2024, AS REVISED

A. Consideration of Amendment of Previous Action, Item XI. New Business

Dr. Henderson moved to amend the Minutes in accordance with MCA 73-6-34(2)(d). Dr. Hoda provided a second. The vote was unanimous. Motion carried.

B. The motion was made by Dr. Berry to approve the Minutes, as amended. Dr.

Armstrong provided a second. The vote was unanimous. Motion carried.

V. FINANCIAL REPORT

Dr. Hoda moved to accept the financial report, pending audit. Dr. King provided a second. The vote was unanimous. Motion carried.

VI. REPORT OF OFFICERS

A. CHAIRMAN

Dr. Allen had no report.

B. VICE-CHAIRPERSON

Dr. Hoda had no report.

C. COMMITTEE REPORTS

1. Continuing Education

The motion was made by Dr. Berry, with a second by Dr. Hoda, to accept the recommendations of Dr. King and approve the following continuing education submittals:

NBCE March 8-9, 2024 Part IV Examination Preparation, Greeley, Colorado – 12 hours inclusive of 3 hours ethics (Desmond Hoda)
FCLB District 5 Meeting, Boston, Massachusetts, September 21-24, 2023 - 12 hours inclusive of 3 hours of ethics (Tripp Henderson)
The Essentials of Chiropractic: Adjusting the Infant and Child – 8 hours; DC's; Cleveland University – Kansas City – 2/24/2024; 5/4/2024; and 6/1/2024;
The Essentials of Chiropractic: Education in the Perinatal Period – 4 hours; DC's; Cleveland University, Kansas City; 2/25/2024; 5/5/2024; and 6/2/2024
Unlocking the Secrets of Billing & Coding Mastery – 6 hours for DC's and CA's; Fetterman Events / National University of Health Sciences; 5/4/2024; 5/18/2024
The Importance of Workplace Ergonomics – 6 hours for DC's w/ 3 hrs Risk Mgmt included; 6 hours for CA's – Fetterman Events / National University of Health Sciences; 5/4/2024; 5/18/2024
Foundations of Functional Medicine with a Focus on Inflammation and the Thyroid; 12 hours for DC's; 6 hours for CA's; Fetterman Events; National University of Health Sciences; 4/13/2024;
Non-Surgical Spinal Decompression; 12 DC hours w/ 3 hrs Risk Mgmt included; 6 CA hours; Fetterman Events; National University of Health Sciences; 4/13/2024;
The Role of Chiropractic Care in Managing Demetia; 12 DC hours; 6 CA hours; Fetterman Events / National University of Health Sciences; 5/16/2024;
Taping Techniques & Sports Chiropractic; 12 DC hours w/ 3 Risk Mgmt included; Fetterman Events; National University of Health Sciences; 4/20/024;
The Science of Whiplash & Other Person Injuries; 12 DC hours w/ 3 Risk Mgmt included; Fetterman Events; National University of Health Sciences; 6/1/2024;
2024 Chiropractic Sports Sciences Symposium; 47 DC hours; University of Western States; 4/3 – 7, 2024
2024 West Seminar; 12 DC hours; 6 CA hours; Tennessee Chiropractic Association / Foot Levelers; 1/27 – 28/2024
2024 Logan University Symposium; 15 hours w / 3 hrs Risk Mgmt included; Logan University; April 12-13, 2024
Exponential Clinical Outcomes; 15.75 hours; Logan University; May 2-4, 2024
Personal Injury; 16 hours; Texas Chiropractic Association; May 17-18, 2024

2. RULES AND REGULATIONS

a. Draft Rules

The final draft of the rules and regulations were prepared by Catherine Bell and distributed on March 11, 2024 and again with the release of the agenda on April 2, 2024. After discussion and review, Dr. Hoda moved to accept the rules, as corrected. A second was provided by Dr. Henderson. The vote was unanimous. Motion carried.

b. Online CE's

Dr. Allen appointed an Ad Hoc Committee to continue to research all factors as it relates to online continuing education in the development of a Protocol for board consideration and approval. The committee members appointed were Dr. Henderson and Dr. King, with legal interpretation by board counsel and CE application development by the Executive Secretary.

3. EXAMINATION

Dr. Berry advised that three (3) individuals had taken and passed the MSBCE jurisprudence examination, and Dr. Armstrong moved to grant licensure to the following applicants who had met all the licensing requirements:

Carson Jordan
Joshua Hardin
Megan Jourdan

A second was provided by Dr. Hoda. The vote was unanimous. Motion carried.

4. LEGISLATION

Catherine Bell reviewed SB2799 and HB1303 which was distributed with the Agenda on April 2, 2024. The Board took no official action in this matter.

VII. FCLB DELEGATES / NBCE NOMINEES

- A. FCLB delegates have been named as David Allen with Tripp Henderson as alternate for 2024.
- B. NBCE delegates have been named as David Allen with Tripp Henderson as alternate for 2024.
- C. NBCE Part IV Test Development Committee for the November 2024 and May 2025 Examinations are Felicia King with Desmond Hoda as alternate.
- D. NBCE proposed amendments were distributed on April 2, 2024 for review and discussion by the Board. No action will be taken in opposition of these amendments.

VIII. REPORT OF COUNSEL

- A. Conflict of Interest Statements were developed and approved at the January 11, 2024 meeting. These were signed by Board members and filed accordingly.
- B. FCLB Scholarship
Catherine Bell advised that she had received a scholarship to attend FCLB Annual Meeting in Phoenix, Arizona, May 3 – 5, 2024. Ms. Bell will also serve as a speaker. No further action required by the Board.

IX. EXECUTIVE DIRECTOR'S REPORT

- A. License Approvals
Dr. Berry moved, with a second by Dr. King, to approve the following:
 - 1. Preceptor – Dr. Jeremy Coleman
 - 2. Intern – Kourtney Bell
 - 3. Twenty-six (26) Chiropractic Assistants as detailed on Attachment A, Page 4, 5, and 6.The vote was unanimous. Motion carried.
Dr. King moved, with a second by Dr. Henderson, to contingently approve an extern application for Barbara Silveira pending passage of NBCE, Part II.
The vote was unanimous. Motion carried.
- B. Regions Bank Fees
The Board was advised that Regions Bank had charged the MSBCE Clearing Account a total of \$358.60 in bank fees which is an average of \$25.61 per month with a total of seven (7) transactions during the same period; averaging \$51.23 per transaction. Priority Bank is offering a “no monthly fee” on any business account. The motion was made by Dr. Henderson, with a second provided by Dr. Armstrong to close the existing Regions Bank account and open a new clearing account with Priority Bank upon approval by DFA. The vote was unanimous. Motion carried.

CLOSED DETERMINATION / EXECUTIVE SESSION

Dr. Hoda 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. Armstrong, 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:

X. COMPLAINTS

- A. 2023-8
Upon the recommendation of Dr. King, investigating board member, Dr. Armstrong moved, with a second by Dr. Berry to recommend a hearing

due to advertising violations with an option to pay a \$500 fine for the first violation and \$1000 for a subsequent violation. The vote was unanimous. Motion carried.

B. 2024-1

After a review by Catherine Bell, Dr. Berry moved to dismiss this case as it was outside the jurisdiction of MSBCE. A second was provided by Dr. Armstrong. The vote was unanimous. Motion carried.

Dr. Berry motioned to exit Executive Session and return to Open Session. The second was provided by Dr. Armstrong. The vote was unanimous. Motion carried.

Dr. Allen provided the Executive Meeting action taken.

XI. OLD BUSINESS

A. Catherine Bell provided an update regarding MCA 73-6-1(8) requirements and discussions the Mississippi Board of Veterinary Medicine and information received from the National American Veterinary Chiropractic Association and their respective training.

Yvonne Laird advised that we had received a response from chiropractor license number 1252. She advised that she had graduated from the Animal Chiropractic Education Source in Meridian, Texas and had passed the examination given by the National American Veterinary Chiropractic Association which is accepted by the MS Board of Veterinary Medicine. She has maintained her allowed CE requirements and has affiliation with six (6) licensed veterinarians in Mississippi. Yvonne Laird further advised that a question had been added to the Office Information Sheet which is required at license renewal wherein the licensee must advise if they are currently conducting animal practice and who serves as the veterinarian of record.

No further action required by the Board at this time.

B. AT & T Charges

Catherine Bell advised that a letter was released on February 21, 2024 to RW requesting reimbursement to the Board in the amount of \$735.54 for AT & T charges for the period August 1 through October 1, 2023. No response has been received. The motion was made by Dr. Armstrong with a second by Dr. Berry to release a second notification in an attempt to collect. Should this not be collected by the July 11, 2024 board meeting, the Board shall not seek other avenues as it would be cost prohibited and not a good use of MBCE funds. The vote was unanimous. Motion carried.

XII. NEW BUSINESS

A. Texas Board Inquiry

Patrick Fortner, Executive Director of the Texas Board of Chiropractic Examiners made an inquiry to MSBCE – *can a chiropractor use a technique for something within scope if that technique was not taught at a chiropractic school? No specific technique provided – it is a question about the qualifications of the person, school, or entity teaching the technique.* Due to lack of information

provided, the Board determined that the State of Texas Board of Chiropractic Examiners could request a Declaratory Opinion under the conditions set forth by statute.

- B. Rule 2.2 Public Records Request – Timetable for Processing
After review of the rule, Dr. Henderson moved, with a second by Dr. Berry, to grant the Executive Secretary the authority, with advice and consent of counsel, to respond within the seven (7) day requirement set by statute. The vote was unanimous. Motion carried.
- C. Upon motion by Dr. Berry with a second by Dr. Henderson, the board meeting schedule has been changed to reflect testing time of 7:30 a.m. and board meeting beginning at 8:00 a.m. The vote was unanimous. Motion carried.

CLOSED DETERMINATION / EXECUTIVE SESSION

Dr. Armstrong 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. King, 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:

- D. Consideration of Violation
Dr. Armstrong made the motion to open an investigative case in this matter. A second was provided by Dr. King. The vote was unanimous. Motion carried. Dr. Henderson was assigned as the investigating board member.

Dr. Armstrong motioned to exit Executive Session and return to Open Session. The second was provided by Dr. King. The vote was unanimous. Motion carried.

Dr. Allen provided the Executive Meeting action taken.

XIII. APPROVAL OF EXPENSES

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

- A. FY 2024

Vendor	Period	Total Amount
Cornerstone Consulting Group (Contract)	January, 2024 thru June 30, 2024	\$4,500.00
Cornerstone Consulting Group (Monthly Services and Budget Services)	January and February, 2024	\$1,590.00

DFA MMRS (\$1,033.75 & \$2,067.50)	October - December, 2023 & January - June, 2024	\$3,101.25
U.S. Next	Security Assessment	\$50.00 per month
Federation of Chiropractic Licensing Boards	Annual Dues	\$1,290.00
ITS (\$162.97, \$164.97, \$166.18 & \$5.00)	January, February & March (x2) 2024	\$499.12
J-Bar and Associates, Inc.	January 1, 2024 thru March 31, 2024	\$12,000.00
J-Bar and Associates, Inc. Reimbursable Expenses	January 1, 2024 thru March 31, 2024	
Postage (\$93.00 & \$136.00)	January & March, 2024	\$229.00
Office Supplies Unique to the MSBCE	March, 2024	\$38.91
CSpire Bill (\$53.08 per month)	January, February & March 2024	\$159.24
J-Bar and Associates, Inc. Reimbursable Expenses	April 1 - 9, 2024	
Hyatt Conference Room Expense	April 9, 2024	\$550.00
Board Meeting Expense (Chicken Salad Chick)	April 9, 2024	\$75.74
Travel, per diem, hotel accommodations, and meal expense for MSBCE board members		
Allen, David	Tuesday, April 9, 2024	\$240.80 plus hotel
Berry, Neely	Tuesday, April 9, 2024	\$132.46
Henderson, Tripp	Tuesday, April 9, 2024	\$238.32 plus hotel
Hoda, Desmond	Tuesday, April 9, 2024	\$274.50 plus hotel
King, Felicia	Tuesday, April 9, 2024; CE Review and Case Investigation	\$518.59

B. FY 2025

1. Cornerstone Consulting Group
2. J-Bar and Associates, Inc.
3. U.S. Next – 3rd Party Mandatory Security Assessment - \$300 annually

The motion was made by Dr. Berry with a second by Dr. Hoda to approve FY2025 contract without change. The vote was unanimous. Motion carried.

XIV. ADJOURNMENT

There being no further business to come before the Board, Dr. Barry moved, with a second by Dr. Henderson, to adjourn the regular scheduled meeting of the Mississippi State Board of Chiropractic Examiners at 12:07 p.m.

APPROVED BY THE BOARD ON: July 11, 2024

By and on behalf of the Board David Bell