






State of Alaska  
Board of Chiropractic  
Examiners  
April 26, 2019  
Board Packet

State Office Building  
333 Willoughby Avenue,  
9th Floor  
Conference Room A  
Juneau, Alaska

# Roll Call

**Alaska Board of Chiropractic Examiners**  
**Board Roster (As of 03/01/2018)**

Board Member	Appointed	Reappointed	Term Expires
Brian Larson, <i>Chiropractor</i> <i>Chair</i> 	03/01/2017		03/01/2021
Jeffrey Reinhardt, <i>Chiropractor</i> <i>Vice Chair</i> 	03/01/2016		03/01/2020
Jonathan Vito, <i>Chiropractor</i> <i>Secretary</i> 	03/01/2017		03/01/2021
James Morris, <i>Chiropractor</i> 	03/01/2018		03/01/2022
John Aderhold, <i>Public Member</i> 	03/01/2016		03/01/2020

# Review of Agenda

Meeting Name: Alaska Board of Chiropractic Examiners  
Meeting Start Time: 10:00 AM GMT-08:00  
Meeting Start Date: 04/26/2019  
Meeting End Time: 5:00 PM GMT-08:00  
Meeting End Date: 04/26/2019  
Meeting Location: Video Conference Originating from Juneau

State Office Building  
333 Willoughby Avenue,  
9th Floor  
Conference Room A

Agenda:

1. 10:00 a.m. - Call to Order/Roll Call
2. 10:05 a.m. - Review/Approve Agenda
3. 10:10 a.m. - Review/Approve Meeting Minutes
  - A. Board Meeting: February 01, 2019
4. 10:15 a.m. - Board Business
  - A. Ethics Reporting
  - B. Review Goals & Objectives
    - i. Ideas for Legislation
  - C. Annual Report
  - D. Ratify New Licenses
    - i. Monica Allen
    - ii. Tapiwa Chiwawa
    - iii. Anton Keller
    - iv. Michael Martin
    - v. Anthony Odney-Pacheco
    - vi. Jordan Oslan
    - vii. Karlee Simkowski
    - viii. William Voges
    - ix. Jake Walden
    - x. Brent Wise
  - E. Position Statements
5. 11:15 a.m. - FCLB/NBCE/CCE Updates
6. 11:30 a.m. - Investigative Report

7. 12:00 p.m. - Lunch
8. 1:00 p.m. - Old Business
  - A. Scope of Practice
    - i. Injectable Nutrients
  - B. SB 69 Regulations Project Update
  - C. Seat on Professional Panel for Drug Addiction
9. 1:30 p.m. - ACS Update
10. 2:00 p.m. - Budget Report/Division Updates
  - A. FY19 3rd Quarter Fiscal Review
11. 2:30 p.m. - New Business
  - A. Postgraduate Preceptorships While Waiting for Board Exam Scores
12. 3:00 p.m. - Public Comment/Correspondence
  - A. Dr. Walter Campbell's Letter to Board
13. 3:15 p.m. - Administrative Business
  - A. Set Next Meeting Date/Board Travel
  - B. Task List
14. 3:30 p.m. - Adjourn

# Review of Meeting Minutes

State of Alaska  
Department of Commerce, Community and Economic Development  
Division of Corporations, Business and Professional Licensing

**BOARD OF CHIROPRACTIC EXAMINERS**

**MINUTES OF THE MEETING**

**Friday, February 1<sup>st</sup>, 2019**

*These are DRAFT minutes prepared by the staff of the Division of Corporations, Business and Professional Licensing. These minutes have not been reviewed or approved by the Board.*

By authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the Board of Chiropractic Examiners was held in Conference Room B in the State Office Building, 333 Willoughby Avenue, 9<sup>th</sup> Floor, Juneau, Alaska.

**Friday, February 1<sup>st</sup>, 2019**

**Agenda Item 1**

**Call to Order/Roll Call**

**Time: 10:43 a.m.**

The meeting was called to order by Chair, Brian Larson at 10:43 a.m. Jeffrey Reinhardt was not present at the time of roll call; however the rest of the board was present, constituting a quorum.

Board Members present, constituting a quorum:

Brian Larson, Doctor of Chiropractic (*Via Videoconference*)  
Jeffrey Reinhardt, Doctor of Chiropractic (present at 10:53)  
Jonathan Vito, Doctor of Chiropractic (*Via Videoconference*)  
James Morris, Doctor of Chiropractic (*Via Teleconference*)  
John Wayne Aderhold, Public Member (*Via Videoconference*)

Division Staff present were:

Thomas Bay, Licensing Examiner  
Dawn Hannasch, Records and Licensing Supervisor  
Renee Hoffard, Records and Licensing Supervisor  
Jasmin Bautista, Investigator (*Via Videoconference*)  
Harriet Milks, Senior Assistant Attorney General, Department of Law  
Melissa Dumas, Administrative Officer  
Marylene Wales, Accountant

Present from the Public:

Debbie Ryan, Chief Executive Officer, Alaska Chiropractic Society (*Via Teleconference*)  
Sheri Ryan, Chief Operating Officer, Alaska Chiropractic Society (*Via Teleconference*)



**Agenda Item 2****Review Agenda****Time: 10:45 a.m.**

After the Roll Call, Chair, Dr. Larson asked the board to review the agenda. The board began a motion on the agenda when Dawn Hannasch, a records and licensing supervisor for the Division, interjected, suggesting that board members say their name when voting because not everybody was in the same room.

**On a motion duly made by Jonathan Vito, seconded by John Wayne Aderhold, and approved unanimously without any objections, it was**

**RESOLVED to approve the agenda as written.**

**Agenda Item 3****Review/Approve Meeting Minutes****Time: 10:48 a.m.**

The board reviewed the meeting minutes from September 28<sup>th</sup>, 2018.

**On a motion duly made by Jonathan Vito, seconded by James Morris, and approved unanimously without any objections, it was**

**RESOLVED to approve the meeting minutes for September 28<sup>th</sup>, 2018, as written.**

**Agenda Item 4****Board Business****Time: 10:49 a.m.****Ethics Report**

Dr. Larson addressed ethics reporting. There were no ethical violations to report.

**Review Goals and Objectives**

With no ethical issues to report, the board's Chair, Brian Larson, began conversation with the board on their goals and objectives. Mr. Bay reminded the board that one of their goals was to be included into AS 12.62.400 for national criminal history record checks regarding applicants who will be taking the jurisprudence examination in the future. Mr. Bay was tasked, from the last board meeting, to find out what the steps and costs would be for the board's inclusion. Mr. Bay, citing her experience with AS 12.62.400, had Mrs. Hannasch explain the process. She explained that the process would be an additional cost to applicants as well as the board, and that there would be a delay in applications because there is a one to three month wait for results.

Dr. Larson paused conversation to address that Jeffrey Reinhardt had joined the meeting.

*Jeffrey Reinhardt, Doctor of Chiropractic, joined the meeting at 10:53 a.m.*

Dr. Vito continued conversation regarding inclusion into AS 12.62.400. He stated that he did not think there was a benefit of national criminal history record checks versus the current system, which is to get a record check from each state where the applicant has ever held a license, their current state of residence, and Alaska. Dr. Larson asked Mr. Bay what his thoughts on the topic were. Mr. Bay acknowledged that the current system is efficient, citing that it is quicker than the proposed inclusion into AS 12.62.400 and that all applicants are already screened in a national search through the Federation of Chiropractic Licensing Boards reporting system, the Chiropractic Information Network/Board Action Databank (CIN-BAD). Mr. Bay explained that national criminal history record checks would likely delay applicants in getting licensed because of the one to three month wait for results, which is an issue because there

are only four exams throughout the year and all of them have a 45-day deadline for complete applications to be turned in prior to being allowed to sit for the subsequent exam. John Wayne Aderhold commented that, as the public board member, he did not have concern with keeping the current system because there have been no issues with it in the past. With nothing left to address, the board decided to no longer pursue inclusion into AS12.62.400.

**On a motion duly made by Brian Larson, seconded by Jonathan Vito, it was**

**APPROVED to table discussion on inclusion into national criminal history record checks pending further information.**

Mr. Bay asked Dr. Larson if he intended to table the discussion. Dr. Larson replied that he did not intend to table the discussion, but wanted to make a motion to take no further action on the topic.

**On a motion duly made by Brian Larson, seconded by Jonathan Vito, and approved unanimously without any objections, it was**

**RESOLVED to rescind the previous motion to table national criminal history record checks, and rephrase the motion to be that the board is done with the discussion on inclusion into AS 12.62.400, as they find no benefit to pursue fingerprinting.**

#### Ratify Licenses

Hearing nothing further on goals and objectives, Jonathan Vito moved to address the ratification of licensees for applicants who sat for the September 28<sup>th</sup>, 2018, examination.

**On a motion duly made by Jonathan Vito, requesting unanimous consent, and approved unanimously without any objections, it was**

**RESOLVED to ratify the licenses for Ryan Fordt and Eric Ortman.**

#### Position Statements

With no other applications to review, the board was prompted by Chairman Larson to discuss position statements.

James Morris disconnected from the teleconference phone line.

*James Morris, Doctor of Chiropractic, left the meeting at 11:12 a.m.*

Dr. Larson acknowledged that there were still four board members in attendance, constituting a quorum. He continued conversation on position statements.

James Morris reconnected to the teleconference phone line

*James Morris, Doctor of Chiropractic, joined the meeting at 11:14 a.m.*

- Diagnosis and Management of Concussion

Mr. Bay reminded the board that Dr. Larson had been tasked with writing a position statement regarding the diagnosis and management of concussion. Having read the position statement, and with no further discussion on the topic, the board approved the position statement.

**On a motion duly made by Jonathan Vito, seconded by Jeffrey Reinhardt, and approved unanimously without any objections, it was**

**RESOLVED to approve and post on the board website the board's position statement regarding diagnosis and management of concussion.**

- CBD Oil

Dr. Larson began conversation on the topic of CBD oil and its use in chiropractic. He explained that he had heard about chiropractors using it in their clinics, and that it is, to his knowledge, still a DEA schedule one drug. Dr. Larson explained that he had reached out to the Division to ask what their stance on the topic was. The Division, shortly after Dr. Larson's request, as well as requests from other licensing programs, provided all licensing programs with a memorandum. The Division reminded all licensing programs that neither SB6 nor the recently signed Farm Bill of 2018 addresses the use of CBD oil on patients, and for that reason encouraged licensees to use caution and patience until regulations from the Alaska Department of Natural Substances, Division of Agriculture, have issued regulations that will create an industrial hemp pilot program. The program is intended, in part, to verify all product marketed as CBD oil in Alaska does not exceed the permissible THC threshold of .3 percent.

*Jasmin Bautista, Investigator, joined the meeting at 11:24 a.m.*

Mr. Bay and Mrs. Hannasch recommended that the board not take a position on the topic because there was not enough information, at that time, to make an educated determination. The board was hesitant on posting anything regarding a stance on topic to their website. Mr. Bay reminded the board that the memorandum mentioned earlier was the Division's stance on the topic of CBD oil, and that it had gone through the Department of Law, but that it was not the Alaska Board of Chiropractic Examiners' stance. For that reason, Mr. Bay suggested that they could post it on their website as the Division's stance, separating the board from the memorandum, but still getting the information out to license holders.

**On a motion duly made by John Wayne Aderhold, seconded by Jonathan Vito, and approved unanimously without any objections, it was**

**RESOLVED to post the Division memorandum to the Alaska Board of Chiropractors' website.**

**TASK:**

**Mr. Bay will post the Division's memorandum regarding CBD oil to the Alaska Board of Chiropractors' website.**

**On a motion duly made by Jonathan Vito, requesting unanimous consent, and approved unanimously without any objections, it was**

**RESOLVED to amend the agenda by moving agenda item 6 before 5.**

**Agenda Item 6****Investigative Report****Time: 11:38 a.m.**

Dr. Vito began discussion on the board's investigative report by giving the floor to the board's investigator, Jasmin Bautista. Ms. Bautista presented to the board their investigative report, which is dated from September 18<sup>th</sup>, 2018, through January 25<sup>th</sup>, 2019. She informed the board that she opened three matters, closed three matters, and that one matter remained ongoing. Dr. Vito asked if the board was allowed to hear about open cases. Ms. Bautista reminded the board that she could not speak about open cases, but that she would share information with the board when she was allowed to. Ms. Bautista asked the board if they had any other questions, which they did not. With nothing left to discuss, Ms. Bautista left the meeting.

*Jasmin Bautista, Investigator, left the meeting at 11:41 a.m.*

**Agenda Item 5****FCLB/NBCE/CCE Update****Time: 11:41 a.m.**

*Renee Hoffard, Records and Licensing Supervisor, joined the meeting at 11:42 a.m.*

Mr. Bay explained to the board that they needed to provide delegates for the upcoming FCLB and NBCE conference, which will be held May 1<sup>st</sup>-5<sup>th</sup>, 2019, in Mission Bay, California. Renee Hoffard recommended that the board chair or chair designee draft a letter in support of travel to the conference, specifically listing out reasons why the board needs two board members and their licensing examiner to attend. With nothing left to speak to the board about Ms. Hoffard left the meeting.

**TASK:**

**Dr. Larson will write a letter in support of travel to the FCLB/NBCE conference.**

*Renee Hoffard, Records and Licensing Supervisor, left the meeting at 11:45 a.m.*

Mr. Bay began discussion on the NBCE Part IV exams and test committee schedule. Dr. Larson reminded the board that the State of Alaska does not permit board members, and is the only state that does not, to receive honorariums, which is the only cost-effective way of attending the exam and/or committee schedule. Dr. Vito explained that the NBCE will only reimburse for flights and hotel. Dr. Larson stated that board members could attend the exams and receive the honorarium, but could not attend as a board member if they did so. Citing the amount of time it would take to attend the NBCE Part IV exams and test committee schedule, no board members elected to attend either.

Mr. Bay asked the board who would be the primary and alternate delegates for the upcoming FCLB/NBCE meeting. Dr. Larson said he would again be the primary delegate and Dr. Reinhardt said he would be the alternate delegate.

With nothing left on the agenda before lunch, Dr. Larson asked if the Senior Assistant Attorney General, Harriet Milks, was going to make it to the board meeting. Mr. Bay asked the board to wait a few minutes while he tried to confirm that Mrs. Milks was going to attend the board meeting after lunch.

*Mr. Bay, Licensing Examiner, left the meeting at 11:55 a.m.*

*Mr. Bay, Licensing Examiner, joined the meeting at 11:59 a.m.*

Mr. Bay, upon his return to the office, confirmed that Harriet Milks would be in attendance following lunch.

**Dr. Larson called recess for lunch at 12:00 p.m.**

*Off Record at 12:00 p.m.*

*On Record at 1:12 p.m.*

*Harriet Milks, Senior Assistant Attorney General, Department of Law, joined the meeting at 1:12 p.m.*

*Debbie Ryan, CEO, Alaska Chiropractic Society, joined the meeting at 1:12 p.m.*

*Sheri Ryan, COO, Alaska Chiropractic Society, joined the meeting at 1:12 p.m.*

**Agenda Item 8**

**Old Business**

**Time: 1:12 p.m.**

**Scope of Practice**

Dr. Larson began discussion on scope of practice. He explained that the Senior Assistant Attorney General, from the Department of Law, Harriet Milks was in attendance at the request of the board, to explain and answer questions about their scope of practice, which she had made an earlier determination on. Dr. Larson stated that he differed somewhat on her opinion and went into detail about the training chiropractors receive in school. He stated that chiropractors are trained in minor surgeries. He gave an example of an athlete who splits his shin or has a split lip that crosses the vermilion border, and how he is currently required to send him to an urgent care center or nurse practitioner/physician's assistant that is at the sporting event, in order to get the athlete to continue to participate. Dr. Larson explained that chiropractors are extraordinarily qualified to do many of the same things that nurse practitioners, physician assistants, doctors of osteopathic medicine, and doctors of medicine do, but that chiropractors have limited themselves. He referenced the following statutes:

**Sec. 08.20.100. Practice of chiropractic.** (a) A person may not practice chiropractic or use chiropractic core methodology in the state without a license.

(b) A person licensed under this chapter may

(1) analyze, diagnose, or treat the chiropractic condition of a patient by chiropractic core methodology or by ancillary methodology;

**Sec. 08.20.230. Practice of chiropractic.** The practice of chiropractic

(1) addresses ramifications of health and disease with a special emphasis on biomechanical analysis, interpretation and treatment of the structural and functional integrity of skeletal joint structures, and the physiological efficiency of the nervous system as these matters relate to subluxation complex; and

(2) involves the diagnosis, analysis, or formulation of a chiropractic diagnostic impression regarding the chiropractic conditions of the patient to determine the appropriate method of chiropractic treatment.

**Sec. 08.20.900. Definitions.** In this chapter,

(1) "ancillary methodology" means employing within the scope of chiropractic practice, with appropriate training and education, those methods, procedures, modalities, devices, and measures commonly used by trained and licensed health care providers and includes

(A) physiological therapeutics; and

(B) counseling on dietary regimen, sanitary measures, physical and mental attitudes affecting health, personal hygiene, occupational safety, lifestyle habits, posture, rest, and work habits that enhance the effects of chiropractic adjustment;

(3) "chiropractic" is the clinical science of human health and disease that focuses on the detection, correction, and prevention of the subluxation complex and the employment of physiological therapeutic procedures preparatory to and complementary with the correction of the subluxation complex for the purpose of enhancing the body's inherent recuperative powers, without the use of surgery or prescription drugs; the primary therapeutic vehicle of chiropractic is chiropractic adjustment;

(6) "chiropractic core methodology" means the treatment and prevention of subluxation complex by chiropractic adjustment as indicated by a chiropractic diagnosis and includes the determination of contra-indications to chiropractic adjustment, the normal regimen and rehabilitation of the patient, and patient education procedures; chiropractic core methodology does not incorporate the use of prescription drugs, surgery, needle acupuncture, obstetrics, or x-rays used for therapeutic purposes;

Dr. Larson asked the Department of Law to consider that chiropractors are trained to diagnose all conditions of the human body, not just chiropractic subluxations. He referred back to Sec. 08.20.100(b)(1), which states that chiropractors, "may analyze, diagnose, or treat the chiropractic condition of a patient by chiropractic core methodology or ancillary methodology." In the definitions above, Sec. 08.20.900(1) states, "ancillary methodologies' means employing within the scope of chiropractic practice, with appropriate training and education, those methods, procedures, modalities, devices, and measures commonly used by trained and licensed health care providers and includes..." Dr. Larson goes on to say that the definition does not limit chiropractors only to what is included in the definition, to which Mrs. Milks agreed. He then asked the Department of Law to consider that there are many types of therapies that are used, commonly among all healthcare providers, that tend to exclude chiropractors. Dr. Larson explained that chiropractors have identical training in a lot of the same areas as medical doctors, but that they have almost twice the amount of hours of clinical diagnosis. In retrospect, he also explained that there are some areas where medical doctors have a lot more hours of training than chiropractors, such as pharmacology and toxicology. To sum up his explanation and request, Dr. Larson asked for the Department of Law to consider the opportunity to expand the scope of practice for chiropractors, that includes appropriate training and education that is consistent with their formal training and training that is available to them through certification and diplomate programs.

Harriet Milks commented that Dr. Larson had raised very important policy arguments, but that she was not the proper audience. She reminded the board that she was in attendance to provide a legal analysis of the scope of practice for chiropractors. She explained that a legal analysis of their scope of practice precedes from the statute, and that the training they have received does not determine their scope of practice. Mrs. Milks suggested that if the board wanted to expand their scope of practice that they go to the legislature and explain to them what they had explained to her. She went on to say that, as of right now, the statute does not permit surgery, and that she did not think it permitted the injection of nutrients. She mentioned that she would need to look at the injections of nutrients more carefully in order to make a determination. She also mentioned that the statute is fairly limited and does not permit many of the things that Dr. Larson described. Mrs. Milks brought up Dr. Larson's explanation from earlier that the definition of ancillary methodologies was not only limited to what is in the definition. As mentioned before, she agreed with this, but explained that when attorneys look at an open-ended list like this they apply what are called canons of statutory interpretation, and that one of them says that such a list is open to interpretation to include things that are like the list. Mrs. Milks provided an example of keeping animals in your backyard that included donkeys, horses, and pigs, but that probably did not mean you could keep alligators. She again reminded the board that their training did not define their scope of practice and advised them to speak to the legislature if they really wanted to expand it.

Dr. Larson asked everybody to look at the following definitions:

**12 AAC 16.990. DEFINITIONS.** (b) In AS 08.20.900,

(1) "prescription drug" means a drug that

(A) under federal law, before being dispensed or delivered, is required to be labeled with either of the following statements:

(i) "Caution: Federal law prohibits dispensing without prescription";

(ii) "Caution: Federal law restricts this drug to use by, or on the order of, a licensed veterinarian"; or

(B) is required by an applicable federal or state law or regulation to be dispensed only under a prescription drug order or is restricted to use by practitioners only;

(2) "surgery"

(A) means the use of a scalpel, sharp cutting instrument, laser, electrical current, or other device to incise or remove living tissue;

(B) does not include venipuncture or the removal of foreign objects from external tissue.

Dr. Larson read the definition of surgery and asked if it would be an acceptable interpretation for a chiropractor, who has the proper training, to close a wound, without it constituting being surgery. Harriet Milks clarified that an attorney would look at the definition by looking at the verbs "incise" and "remove." Her opinion, at first glance, regarding the closing of a wound, is that the closing of a wound constitutes using a device to incise living tissue, which is by definition surgery. Mrs. Milks stated that this definition is a regulation and that the board has the authority to change it if they wanted to.

Dr. Larson asked if the definition of "prescription drug" (see above), creates a problem for chiropractors if their clinics carry nutritional substances that have a label that says, "for professional use only." Mrs. Milks said that the issue between what is considered dietary supplements and vitamins and things that are called drugs is a very sensitive issue right now and she did not feel comfortable with providing the board a legal opinion at this time. She said that she may be able to look at it and get an informal first take on the topic, but again stated that she is not prepared to speak authoritatively on the subject.

Jonathan Vito asked Mrs. Milks how the board would go about changing their current statutes with the legislature. Mrs. Milks explained that the board would need to go through their legislative liaison, Fred Parady. She suggested that the board meet with Mr. Parady and provide him with a list of the things they want to change or add, and write out arguments in support of them. The board thanked Mrs. Milks for attending the meeting, and that they very much appreciated her taking the time out of her schedule to answer their questions.

*Harriet Milks, Senior Assistant Attorney General, Department of Law, left the meeting at 1:53 p.m.*

**Agenda Item 9**

**ACS Update**

**Time: 1:53 p.m.**

Dr. Larson asked Sheri Ryan if she would like to move the Alaska Chiropractic Society update to a later time on the agenda because the board only had seven minutes before they were required to address their budget report and any Division updates. Sheri said that seven minutes would be enough time because she really did not have much to talk about. She asked if there was anything ACS could do to help out legislatively. The board acknowledged that they would need help at some point to deal with their scope of practice, but that they had to speak with their legislative liaison and go through the proper channels first. Sheri said that ACS's legislative meeting was held the prior night and that they

were formulating a plan for the next two years. She mentioned that the board should address any needs with them at their earliest convenience. She also mentioned that ACS is looking at providing educational needs for dry needling, and specifically referred to the board's position statement on dry needling.

*Debbie Ryan, CEO, Alaska Chiropractic Society, left the meeting at 1:59 p.m.*

*Sheri Ryan, COO, Alaska Chiropractic Society, left the meeting at 1:59 p.m.*

*Melissa Dumas, Administrative Officer, joined the meeting at 2:00 p.m.*

*Marylene Wales, Accountant, joined the meeting at 2:00 p.m.*

## **Agenda Item 10**

### **Budget Report/Division Updates**

**Time: 2:00 p.m.**

Chairman Larson thanked Melissa Dumas and Marylene Wales for being present at the meeting and asked them to proceed with the budget report. Mrs. Dumas began with the board's budget report from the 4<sup>th</sup> quarter of FY18. She broke down total revenue and total expenditures, which ultimately came to a deficit. Ms. Dumas reminded the board that the board had just went through renewals and that the 1<sup>st</sup> and 2<sup>nd</sup> quarter would be in a surplus. The board meeting paused while Mr. Bay changed out the batteries in the recorder.

*Off the record at 2:10 p.m.*

*On the record at 2:11 p.m.*

After answering questions regarding indirect and direct expenses, Ms. Dumas began the board's budget report for the 1<sup>st</sup> and 2<sup>nd</sup> quarters of FY19. After breaking down the total revenue and total expenditures, Ms. Dumas showed the board that they are currently in a surplus. She assured the board that they were right at where they were supposed to be, financially. Ms. Dumas asked the board if they had any questions, to which they did not. Having nothing left to discuss Ms. Wales and Ms. Dumas left the meeting.

*Melissa Dumas, Administrative Officer, left the meeting at 2:17 p.m.*

*Marylene Wales, Accountant, left the meeting at 2:17p.m.*

## **Agenda Item 11**

### **New Business**

**Time: 2:17 p.m.**

#### **Proposed Regulations for Injectable Nutrients**

Dr. Larson began discussion on the topic of proposed regulations for injectable nutrients. He explained that Idaho had passed laws allowing for injectable nutrients, and provided a copy of Idaho's regulations pertaining to it. After a thorough explanation and break down of Idaho's regulations the board decided to work on this topic by committee, to which Dr. Larson and Dr. Reinhardt had previously been approved for.

Mr. Bay reminded the board that they had a position statement on their website in support of injectable nutrients and that they may want to remove it because Harriet Milks did not think it was allowed under their scope of practice.



**On a motion duly made by Jonathan Vito, seconded by James Morris, and approved unanimously without any objections, it was**

**RESOLVED to remove the board's position statement on injectable nutrients, citing advice from the Department of Law.**

Mr. Bay reminded the board that Dr. Larson had written a letter to liberty mutual, in support of a chiropractor who had been using billing codes for injectable nutrients, and that they may want to write a retraction.

**Agenda Item 8** **Old Business** **Time: 3:12 p.m.**

Advanced Chiropractic Practice

Dr. Larson brought up advanced chiropractic practice and the board spoke about different ideas they could present to Division's legislative liaison, Fred Parady.

**Agenda Item 11** **New Business** **Time: 3:20 p.m.**

Seat on Professional Panel for Drug Addiction

Dr. Larson informed the board that the past governor, Bill Walker, had a task force that was comprised of health care professionals, but that there was no chiropractor on that task force. Dr. Larson, citing that 70% of people that get addicted to opioids start because of pharmaceutical treatments for lower back pain, explained to the board that they should try to get a chiropractor on the task force because they could be of great assistance due to their knowledge in treating people without prescription drugs. Dr. Larson asked Mr. Bay and Mrs. Hannasch what the proper channels would be for getting on the task force. Mrs. Hannasch explained that they would likely have to go through the Office of Boards and Commissions, and they would need someone to submit an application for the position. Also, Mrs. Hannasch suggested that the board write a position letter regarding the reasons they believe a chiropractor should be on the task force, and to submit that letter with the application.

**On a motion duly made by Jeffrey Reinhardt, seconded by Jonathan Vito, and approved unanimously without any objections, it was**

**RESOLVED that, in the event that the board finds it appropriate to have their profession represented on a panel for opioid addiction, Dr. Reinhardt and Dr. Larson draft a letter to present to the Office of Boards and Commissions for inclusion.**

**Agenda Item 15** **Public Comment/Correspondence** **Time: 3:30 p.m.**

Public Comment

There was no one present for public comment. Dr. Larson closed public comment at 3:35 p.m.

**Agenda Item 16** **Administrative Business** **Time: 4:06 p.m.**

Set Meeting Dates

The board proceeded to set their next meeting date. The board decided to set a hard date of April 26<sup>th</sup>, 2019, for their next board meeting. They also set a tentative date for August 23<sup>rd</sup>, 2019, for the following meeting.

Mr. Bay reminded the board to keep their receipts for travel, and to get them to Mr. Bay. Ms. Hannasch reminded them that they need to submit any taxi and hotel receipts.

**Agenda Item 17**

**Adjourn**

**Time: 3:48 p.m.**

**Having nothing left to address, the Alaska Board of Chiropractic Examiners’s Chair, Brian Larson, adjourned the meeting at 3:48 p.m.**

Respectfully Submitted by:

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Thomas Bay  
Licensing Examiner

Date

Approved by:

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Dr. Brian Larson     Date  
Alaska State Board of Chiropractic Examiners

# Board Business

- A. Ethics
- B. Review Goals & Objectives
- C. Annual Report
- D. Ratify New Licenses
- E. Position Statements

# A. Ethics

State of Alaska  
DEPARTMENT OF LAW

# ETHICS ACT PROCEDURES FOR BOARDS & COMMISSIONS

All board and commission members and staff should be familiar with the Executive Branch Ethics Act procedures outlined below.

## Who Is My Designated Ethics Supervisor (DES)?

Every board or commission subject to the Ethics Act<sup>1</sup> has several ethics supervisors designated by statute.

- The chair serves as DES for board or commission members.
- The chair serves as DES for the executive director.
- The executive director serves as DES for the staff.
- The governor is the DES for a chair.<sup>2</sup>

## What Do I Have To Disclose?

The Ethics Act requires members of boards and commissions to disclose:

- Any matter that is a potential conflict of interest with actions that the member may take when serving on the board or commission.
- Any circumstance that may result in a violation of the Ethics Act.
- Any personal or financial interest (or that of an immediate family member) in a state grant, contract, lease or loan that is awarded or administered by the member's board or commission.
- The receipt of certain gifts.

The executive director of the board or commission and its staff, as state employees, must also disclose:

- Compensated outside employment or services.
- Volunteer service, if any compensation, including travel and meals, is paid or there is a potential conflict with state duties.

- For more information regarding the types of matters that may result in violations of the Ethics Act, board or commission members should refer to the guide, *“Ethics Information for Members of Boards and Commissions.”* The executive director and staff should refer to the guide, *Ethics Information for Public Employees.* Both guides and disclosure forms may be found on the [Department of Law’s ethics website](#).

## How Do I Avoid Violations of the Ethics Act?

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- Make timely disclosures!
- Follow required procedures!
- Provide all information necessary to a correct evaluation of the matter!<sup>3</sup>
- When in doubt, disclose and seek advice!
- Follow the advice of your DES!

## What Are The Disclosure Procedures for Board and Commission Members?

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The procedural requirements for disclosures by members are set out in AS 39.52.220 and 9 AAC 52.120. One goal of these provisions is to help members avoid violations of the Ethics Act. The procedures provide the opportunity for members to seek review of matters in advance of taking action to ensure that actions taken will be consistent with the Act.

### Procedure for declaring actual or potential conflicts.

Members must declare potential conflicts and other matters that may violate the Ethics Act **on the public record and in writing to the chair**.

*Disclosure on the public record.* Members must identify actual and potential conflicts orally at the board or commission’s public meeting **in advance** of participating in deliberations or taking any official action on the matter.

- A member must always declare a conflict and may choose to refrain from voting, deliberations or other participation regarding a matter.<sup>4</sup>
- If a member is uncertain whether participation would result in a violation of the Act, the member should disclose the circumstances and seek a determination from the chair.

*Disclosure in writing at a public meeting.* In addition to an oral disclosure at a board or commission meeting, members’ disclosures must be made in writing.

- If the meeting is recorded, a tape or transcript of the meeting is preserved **and** there is a method for identifying the declaration in the record, an oral disclosure may serve as the written disclosure.
- Alternatively, the member must note the disclosure on the Notice of Potential Violation disclosure form and the chair must record the determination.

*Confidential disclosure in advance of public meeting.* Potential conflicts may be partially addressed in advance of a board or commission's public meeting based on the published meeting agenda or other board or commission activity.

- A member identifying a conflict or potential conflict submits a Notice of Potential Violation to the chair, as DES, in advance of the public meeting.
- This written disclosure is considered confidential.
- The chair may seek advice from the Attorney General.
- The chair makes a written determination, also confidential, whether the disclosed matter represents a conflict that will result in a violation of the Ethics Act if the member participates in official action addressing the matter.<sup>5</sup>
- If so, the chair directs the member to refrain from participating in the matter that is the subject of the disclosure.
- An oral report of the notice of potential violation and the determination that the member must refrain from participating is put on the record at a public meeting.<sup>6</sup>

*Determinations at the public meeting.* When a potential conflict is declared by a member for the public record, the following procedure must be followed:

- The chair states his or her determination regarding whether the member may participate.
- Any member may then object to the chair's determination.
- If an objection is made, the members present, excluding the member who made the disclosure, vote on the matter.
- *Exception:* A chair's determination that is made consistent with advice provided by the Attorney General may not be overruled.
- If the chair, or the members by majority vote, determines that a violation will exist if the disclosing member continues to participate, the member must refrain from voting, deliberating or participating in the matter.<sup>7</sup>

*If the chair identifies a potential conflict,* the same procedures are followed. If possible, the chair should forward a confidential written notice of potential violation to the Office of the Governor for a determination in advance of the board or commission meeting. If the declaration is first

made at the public meeting during which the matter will be addressed, the members present, except for the chair, vote on the matter. If a majority determines that a violation of the Ethics Act will occur if the chair continues to participate, the chair shall refrain from voting, deliberating or participating in the matter. A written disclosure or copy of the public record regarding the oral disclosure should be forwarded to the Office of the Governor for review by the chair's DES.

## Procedures for Other Member Disclosures

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A member's interest in a state grant, contract, lease or loan and receipt of gifts are disclosed by filling out the appropriate disclosure form and submitting the form to the chair for approval. The disclosure forms are found on the [Department of Law's ethics website](#).

## What Are The Disclosure Procedures for Executive Directors and Staff?

---

Ethics disclosures of the executive director or staff are made in writing to the appropriate DES (chair for the executive director and the executive director for staff).

- Disclosure forms are found on the ethics website, noted above.

*Notices of Potential Violations.* Following receipt of a written notice of potential violation, the DES investigates, if necessary, and makes a written determination whether a violation of the Ethics Act could exist or will occur. A DES may seek advice from the Attorney General. If feasible, the DES shall reassign duties to cure a potential violation or direct divestiture or removal by the employee of the personal or financial interests giving rise to the potential violation.

- These disclosures are not required to be made part of the public record.
- A copy of a determination is provided to the employee.
- Both the notice and determination are confidential.

*Other Disclosures.* The DES also reviews other ethics disclosures and either approves them or determines what action must be taken to avoid a violation of the Act. In addition to the disclosures of certain gifts and interests in the listed state matters, state employees must disclose all outside employment or services for compensation.

- The DES must provide a copy of an approved disclosure or other determination the employee.

## How Are Third Party Reports of Potential Violations or Complaints Handled?

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Any person may report a potential violation of the Ethics Act by a board or commission member or its staff to the appropriate DES or file a complaint alleging actual violations with the Attorney General.

- Notices of potential violations and complaints must be submitted in **writing** and **under oath**.
- Notices of potential violations are investigated by the appropriate DES who makes a written determination whether a violation may exist.<sup>8</sup>
- Complaints are addressed by the Attorney General under separate procedures outlined in the Ethics Act.
- **These matters are confidential**, unless the subject waives confidentiality or the matter results in a public accusation.

## What Are The Procedures for Quarterly Reports?

---

Designated ethics supervisors must submit copies of notices of potential violations received and the corresponding determinations to the Attorney General for review by the state ethics attorney as part of the quarterly report required by the Ethics Act.

- Reports are due in April, July, October and January for the preceding quarter.
- A sample report may be found on the Department of Law's ethics website.
- An executive director may file a quarterly report on behalf of the chair and combine it with his or her own report.
- If a board or commission does not meet during a quarter and there is no other reportable activity, the DES advises the Department of Law Ethics Attorney by e-mail at [ethicsreporting@alaska.gov](mailto:ethicsreporting@alaska.gov) and no other report is required.

If the state ethics attorney disagrees with a reported determination, the attorney will advise the DES of that finding. If the ethics attorney finds that there was a violation, the member who committed the violation is not liable if he or she fully disclosed all relevant facts reasonably necessary to the ethics supervisor's or commission's determination and acted consistent with the determination.

## How Does A DES or Board or Commission Get Ethics Advice?

---

A DES or board or commission may make a **written request** to the Attorney General for an opinion regarding the application of the Ethics Act. In practice, the Attorney General, through the state ethics attorney, also provides **advice by phone or e-mail** to designated ethics supervisors, especially when time constraints prevent the preparation of timely written opinions.

- A request for advice and the advisory opinion are confidential.
- The ethics attorney endeavors to provide prompt assistance, although that may not always be possible.
- The DES must make his or her determination addressing the potential violation based on the opinion provided.

It is the obligation of each board or commission member, as well as the staff, to ensure that the public's business is conducted in a manner that is consistent with the standards set out in the Ethics Act. We hope this summary assists you in ensuring that your obligations are met.

<sup>1</sup> The Act covers a board, commission, authority, or board of directors of a public or quasi-public corporation, established by statute in the executive branch of state government.

<sup>2</sup> The governor has delegated the DES responsibility to Guy Bell, Administrative Director of the Office of the Governor.

<sup>3</sup> You may supplement the disclosure form with other written explanation as necessary. Your signature on a disclosure certifies that, to the best of your knowledge, the statements made are true, correct and complete. False statements are punishable.

<sup>4</sup> In most, but not all, situations, refraining from participation ensures that a violation of the Ethics Act does not occur. Abstention does not cure a conflict with respect to a significant direct personal or financial interest in a state grant, contract, lease or loan because the Ethics Act prohibition applies whether or not the public officer actually takes official action.

<sup>5</sup> The chair must give a copy of the written determination to the disclosing member. There is a determination form available on the Department of Law's ethics web page. The ethics supervisor may also write a separate memorandum.

<sup>6</sup> In this manner, a member's detailed personal and financial information may be protected from public disclosure.

<sup>7</sup> When a matter of particular sensitivity is raised and the ramifications of continuing without an advisory opinion from the Attorney General may affect the validity of the board or commission's action, the members should consider tabling the matter so that an opinion may be obtained.

<sup>8</sup> The DES provides a copy of the notice to the employee who is the subject of the notice and may seek input from the employee, his or her supervisor and others. The DES may seek advice from the Attorney General. A copy of the DES' written determination is provided to the subject employee and the complaining party. The DES submits a copy of both the notice and the determination to the Attorney General for review as part of the DES' quarterly report. If feasible,

the DES shall reassign duties to cure a potential violation or direct divestiture or removal by the employee of the personal or financial interests giving rise to the potential violation.

6/14

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The Attorney General and Department of Law staff may not provide legal advice to private citizens or organizations. Please contact an attorney if you need legal advice. The [Alaska Lawyer Referral Service](#) or your local bar association may be able to assist you in locating a lawyer.

Alaska Department of Law

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Anchorage, AK 99501

[attorney.general@alaska.gov](mailto:attorney.general@alaska.gov)

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TTY: 907-258-9161

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## Ethics Disclosure Form

<p style="text-align: center;"><b>CONFIDENTIAL</b> <b>REQUEST FOR ETHICS DETERMINATION</b></p>
--

TO: \_\_\_\_\_, Designated Ethics Supervisor

\_\_\_\_\_  
*(Identify Your Department, Agency, Public Corporation, Board, Commission)*

I request advice regarding the application of the Executive Branch Ethics Act (AS 39.52.010 - .960) to my situation. The situation involves the following:

I have provided additional information in the attached document(s).

I believe the following provisions of the Ethics Act may apply to my situation:

- AS 39.52.120, Misuse of Official Position
- AS 39.52.130, Improper Gifts
- AS 39.52.140, Improper Use or Disclosure of Information
- AS 39.52.150, Improper Influence in State Grants, Contracts, Leases or Loans
- AS 39.52.160, Improper Representation
- AS 39.52.170, Outside Employment Restricted
- AS 39.52.180, Restrictions on Employment after Leaving State Service
- AS 39.52.190, Aiding a Violation Prohibited

**I understand that I should refrain from taking any official action relating to this matter until I receive your advice.** If the circumstances I described above may result in a violation of AS 39.52.110 - .190, I intend that this request serve as my disclosure of the matter in accordance with AS 39.52.210 or AS 39.52.220.

I certify to the best of my knowledge that my statement is true, correct, and complete. In addition to any other penalty or punishment that may apply, the submission of a false statement is punishable under AS 11.56.200 - AS 11.56.240.

\_\_\_\_\_  
*(Signature)*

\_\_\_\_\_  
*(Date)*

\_\_\_\_\_  
*(Printed Name)*

\_\_\_\_\_  
*(Division, Board, Commission)*

\_\_\_\_\_  
*(Position Title)*

\_\_\_\_\_  
*(Location)*

*Designated Ethics Supervisor: Provide a copy of your written determination to the employee advising whether action is necessary under AS 39.52.210 or AS 39.52.220, and send a copy of the determination and disclosure to the attorney general with your quarterly report.*

**Ethics Disclosure Form**

**Receipt of Gift**

TO: \_\_\_\_\_, Designated Ethics Supervisor, \_\_\_\_\_  
*(Agency, Public Corporation, Board, Commission or Council)*

This disclosure reports receipt of a gift with value in excess of \$150.00 by me or my immediate family member, as required by AS 39.52.130(b) or (f).

- 1. Is the gift connected to my position as a state officer, employee or member of a state board or commission?  
 Yes    No
- 2. Can I take or withhold official action that may affect the person or entity that gave me the gift?  
 Yes    No

*(If you answer "No" to both questions, you do not need to report this gift. If the answer to either question is "Yes," or if you are not sure, you must complete this form and provide it to your designated ethics supervisor.)*

The gift is \_\_\_\_\_

Identify gift giver by full name, title, and organization or relationship, if any:

\_\_\_\_\_

Describe event or occasion when gift was received or other circumstance explaining the reason for the gift:

\_\_\_\_\_

My estimate of its value is \$ \_\_\_\_\_ The date of receipt was \_\_\_\_\_

The gift was received by a member of my family. Who? \_\_\_\_\_

*If you checked "Yes" to question 2 above, explain the official action you may take that affects the giver (attach additional page, if necessary):*

\_\_\_\_\_

I certify to the best of my knowledge that my statement is true, correct, and complete. In addition to any other penalty or punishment that may apply, the submission of a false statement is punishable under AS 11.56.200 - AS 11.56.240.

\_\_\_\_\_  
*(Signature)*

\_\_\_\_\_  
*(Date)*

\_\_\_\_\_  
*(Printed Name)*

\_\_\_\_\_  
*(Division)*

\_\_\_\_\_  
*(Position Title)*

\_\_\_\_\_  
*(Location)*

Ethics Supervisor Determination:    Approve    Disapproved

\_\_\_\_\_  
Designated Ethics Supervisor\*

\_\_\_\_\_  
*(Date)*

*\*Designated Ethics Supervisor: Provide a copy of the approval or disapproval to the employee. If action is necessary under AS 39.52.210 or AS 39.52.220, attach a determination stating the reasons and send a copy of the determination and disclosure to the attorney general with your quarterly report.*

# B. Goals & Objectives

# BOARD OF CHIROPRACTIC EXAMINERS

## Fiscal Year 2018 Annual Report

### Goals and Objectives

#### Part I

#### FY 2018's goals and objectives, and how they were met:

**Goal 1: Carry out assigned duties of the Board:**

The Board met 4 times in FY 2018 (3 times in Anchorage, once in Juneau). Other locations across the State were changed to Anchorage to comply with the State Travel Ban and minimize travel expense. The Board administered jurisprudence exams, personally interviewed license candidates, and conducted Board business. The staff and Board were able to review and approve applications in a generally timely manner, but distance between Alaska and chiropractic schools where most applicants are applying from always poses a logistics challenge. There was a significant uptick in investigations this year, which continue to be monitored by the Board as investigations progress.

**Goal 2: Provide information regarding Board activities to the profession and the public:**

The Board makes time available in every meeting for public input, and encourages its licensees and the public to attend scheduled meetings and provide comment. All meeting agendas and minutes were posted on the Board's website to make available to the public the topics discussed and actions taken by the Board.

**Goal 3: Continue affiliation with the Alaska Chiropractic Society (ACS) to work cooperatively in the best interest of the profession and the public:**

Regulation wording for SB69 defining practice for Certified Chiropractic Clinical Assistants, Interns and Preceptors was finalized and sent on for legal review and publication. ACS worked diligently with the support of the Board to pass SB 204 to restore chiropractic physicians to the list of physicians recognized to sign Handicapped Parking permits.

**Goal 4: Assess and evaluate regulations:**

The Board completed regulation work on SB69. Continuing education as well as new curriculum offered or available through the certified chiropractic schools will be evaluated for the safety and enhanced care public and an increasingly competent chiropractic work force.

**Goal 5: Assess and evaluate the review process available through the Utilization Review Committee:**

The formal name of this committee was changed from Peer Review Committee to the above. It is fully staffed and available should the need arise.

**Goal 6: Continue affiliation with the Federation of Chiropractic Licensing Boards (FCLB), the National Board of Chiropractic Examiners (NBCE), the Association of Chiropractic Board Administrators (ACBA), and the Council on Chiropractic Education (CCE) as well as the Council on Licensure, Enforcement and Regulation (CLEAR) and the Federation of Association of Regulatory Boards (FARB):** One staff member attended the ACBA meeting, and one Board member attended the combined FCLB/NBCE meetings last month in Dallas, TX. This Board has a strong budget. For the sake of training, continuity and efficiency, we need to have a Board member and our Examiner attending these meetings together.

**Goal 7: The Board will endeavor, through the legislative process, to add the Board of Chiropractic Examiners to relevant centralized and non-centralized statutes that enhance the profession and administrative efficiency:** Much effort was extended this year to restore authority to the Board that was deleted, specifically writing Disabled Parking permits (SB 204) and court absence excuses (administrative letter). The recognition of Chiropractic Physicians seems to be being eroded from a statutory stand point, when they are some of the best trained physicians to deal with a major sector of Alaskans health needs, specifically pain and injury.

**BOARD OF CHIROPRACTIC EXAMINERS  
Fiscal Year 2018 Annual Report**

**Goals and Objectives (continued)**

**Part I (continued)**

**FY 2018's goals and objectives, and how they were met:**



**BOARD OF CHIROPRACTIC EXAMINERS**  
**Fiscal Year 2018 Annual Report**

**Goals and Objectives**

**Part II**

**FY 2019's goals and objectives, and proposed methods to achieve them.**

**Describe any strengths, weaknesses, opportunities, threats and required resources:**

**Goal 1: Carry out assigned duties of the board:**

**Objective 1:** Conduct a minimum of three board meetings this year with the locations in different regions of the State to allow for public attendance and meeting transparency.

**Objective 2:** Continue timely processing of applications and licensing of chiropractic physicians.

**Objective 3:** Continue to monitor investigative reports, monitor disciplinary actions, and provide professional direction to Division Investigative staff regarding disciplinary actions, probation matters, criminal history record information, and chiropractic practice.

**Objective 4:** Utilize the National Board of Chiropractic Examiners (NBCE) Special Purposes Examination for Chiropractic (SPEC) and Ethics and Boundaries examination (E&B) in memorandum of agreements.

**Objective 5:** Continue to review and process requests for continuing education credit approval in a timely manner.

**Objective 6:** Continue to administer the jurisprudence examination as a part of licensure. Consider the possibility of utilizing NBCE services to administer the jurisprudence examination at certified testing centers to save applicants the travel fee to Alaska to take this examination.

**Goal 2: Provide information regarding board activities to the profession and the public.**

**Objective 1:** Inform licensees of any pending regulation changes in the customary manner.

**Objective 2:** Provide a public comment period during each meeting.

**Objective 3:** Address concerns presented by licensees and the public at each meeting.

**Objective 4:** Provide copies of agendas and/or minutes of the meetings to all who request them.

**Objective 5:** Continue to work with other licensing boards, at both the district and national level.

**Objective 6:** Continue to address the reporting requirements for domestic violence and sexual assault.

**Objective 7:** Support efforts to educate the public regarding the benefit of chiropractic care as a health care option, and the particular opportunities to efficiently recover from work injuries (workers comp), and deal with pain without opiate prescriptions.

**Objective 8:** Raise awareness regarding public health, emergency training, hazardous material, and OSHA requirements.

**Objective 9:** Ensure current information is available on the board website through regular updates by staff and regular monitoring by board members.

**Goal 3: Continue affiliation with the Alaska Chiropractic Society (ACS) to work cooperatively in the best interest of the profession and the public:**

**Objective 1:** Encourage regular Alaska Chiropractic Society participation at board meetings.

**Objective 2:** Support the Alaska Chiropractic Society in its efforts to provide information to the profession and the public.

**Objective 3:** Support the Alaska Chiropractic Society in its efforts in pursuing statutory changes relevant to the profession and public safety.

**Objective 4:** Support the Alaska Chiropractic Society in pursuing statutory changes or additions that expand the scope of chiropractic practice to provide better portal-of-entry service for the public, for those who wish to utilize their chiropractic physician efficiently as their primary care physician.

**Objective 5:** Support the Alaska Chiropractic Society in its efforts to pursue statutory change to allow for animal chiropractic in cooperation with the Veterinary Board.

**BOARD OF CHIROPRACTIC EXAMINERS  
Fiscal Year 2018 Annual Report**

**Goals and Objectives (continued)**

**Part II (continued)**

**FY 2019's goals and objectives, and proposed methods to achieve them.**

**Describe any strengths, weaknesses, opportunities, threats and required resources:**

**Goal 4: Access and evaluate regulations:**

**Objective 1:** Continue to assess and evaluate continuing education requirements for quality, relevance, and application to scientific chiropractic research and practice.

**Objective 2:** Continue to assess and evaluate radiological safety, professional ethics and boundaries, public health, and emergency training.

**Objective 3:** Proactively make recommendation through regulations and recommend changes to statute to anticipate changes in the health industry.

**Goal 5: Assess, evaluate and utilize the review process available through the Utilization Review Committee:**

**Objective 1:** The committee has been recently renamed and reorganized. Direct appropriate inquiries to the committee.

**Objective 2:** Keep the committee roster fully staffed with three chiropractic physicians and one public member at all times.

**Objective 3:** Maintain a short list of alternate committee members to fill vacancies or recusals as needed.

**Goal 6: Continue affiliation with the Federation of Chiropractic Licensing Boards, The National Board of Chiropractic Examiners, the Association of Chiropractic Board Administrators, and the Council of Chiropractic Education, as well as the Council on Licensure, Enforcement and Regulation and the Federation of Associations of Regulatory Boards.**

**Objective 1:** Provide attendance of a board member and the examiner to the district and annual meetings of the FCLB and NBCE, to provide input and obtain information at both national and state levels regarding the practice of chiropractic in Alaska.

**Objective 2:** Continue working with the FCLB on maintaining a listing of Alaskan chiropractors on the National Database (CIN-BAD).

**Objective 3:** Promote attendance of board members to the semi-annual NBCE Part IV Examinations and Part IV Examination Review Committee meetings of the NBCE to provide input and obtain information on the Exams required for chiropractic licensure in Alaska and other states. Reversal of the Governor's ban on gifts or gratuities would help, as this participation requires significant time for the volunteer members of the board to take away from their practices. All other participants from all other states are allowed to accept the honorarium offered by the NBCE to help defray the costs of participating.

**Objective 4:** Promote the attendance of the licensing examiner at the annual meetings of the ACBA and the FCLB to provide input and obtain information at both national and state levels, regarding matters impacting regulation and licensure of Alaskan chiropractic physicians.

**Goal 7: The board will endeavor, through the legislative process, to add the Board of Chiropractic Examiners to relevant centralized and non-centralized statutes that enhance the profession and its administrative efficiency:**

**Objective 1:** The board will pursue inclusion into AS 08.01.050(d) for the purpose of providing licensed chiropractors the resources needed to address abuse of alcohol, drugs, or other substances.

**Objective 2:** The board will pursue authority to utilize National Criminal History Record checks under AS 12.62.400, and will pursue similar authority under AS 08.20.

**Objective 3:** The board will pursue authority under AS 08.20 to create an Advanced Practitioner status for chiropractic physicians who pursue advanced training and certifications to utilize limited drugs, minor surgery, and other therapies and procedures commonly used by other Alaska health care professionals of physician status.

# C. Annual Report

# *Annual Report*

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# *Fiscal Year 2018*

## **BOARD OF CHIROPRACTIC EXAMINERS**



**Department of Commerce, Community  
and Economic Development**

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**Division of Corporations, Business  
and Professional Licensing**

This annual performance report is presented in accordance with  
Alaska statute AS 08.01.070(10).

Its purpose is to report the accomplishments, activities, and the  
past and present needs of the licensing program.

**BOARD OF CHIROPRACTIC EXAMINERS  
FY 2018 Annual Report**

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**BOARD OF CHIROPRACTIC EXAMINERS  
FY 2018 Annual Report**

**Identification of the Board**

<b>Board Member</b>	<b>Duty Station</b>	<b>Date Appointed</b>	<b>Term Expires</b>
<b>Brian E. Larson, D.C.</b> Board President	Soldotna, Alaska	Mar 01, 2017	Mar 01, 2021
<b>Jeffrey Reinhardt, D.C.</b> Board Vice-President	Sitka, Alaska	Mar 01, 2016	Mar 01, 2020
<b>Jonathan Vito, D.C.</b> Board Secretary	Anchorage, Alaska	Mar 01, 2017	Mar 01, 2021
<b>James Morris, D.C.</b>	Dutch Harbor, Alaska	Mar 01, 2018	Mar 01, 2022
<b>John Wayne Aderhold</b> Public Member	Homer, Alaska	Mar 01, 2016	Mar 01, 2020
<b>Walter Campbell</b> Previous Board President	Palmer, Alaska	Mar 01, 2010	Mar 01, 2018

**BOARD OF CHIROPRACTIC EXAMINERS  
FY 2018 Annual Report**

**Identification of the Board (continued) Not Applicable**

<b>Board Member</b>	<b>Duty Station</b>	<b>Date Appointed</b>	<b>Term Expires</b>
<b>Insert Name Here</b> Board Seat Title	City Location	Mar 01, 2018	Dec 01, 2020
<b>Insert Name Here</b> Board Seat Title	City Location	Mar 01, 2018	Dec 01, 2020
<b>Insert Name Here</b> Board Seat Title	City Location	Mar 01, 2018	Dec 01, 2020
<b>Insert Name Here</b> Board Seat Title	City Location	Mar 01, 2018	Dec 01, 2020
<b>Insert Name Here</b> Board Seat Title	City Location	Mar 01, 2018	Dec 01, 2020
<b>Insert Name Here</b> Board Seat Title	City Location	Mar 01, 2018	Dec 01, 2020
<b>Insert Name Here</b> Board Seat Title	City Location	Mar 01, 2018	Dec 01, 2020
<b>Insert Name Here</b> Board Seat Title	City Location	Mar 01, 2018	Dec 01, 2020

**BOARD OF CHIROPRACTIC EXAMINERS  
FY 2018 Annual Report**

**Identification of Staff**

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**Jasmin Bautista – Investigator**

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(907) 465-1049



## BOARD OF CHIROPRACTIC EXAMINERS FY 2018 Annual Report

### Narrative Statement

The Board of Chiropractic Examiners consists of five members appointed by the Governor of Alaska. This regulatory board acts as a governmental body under the authority of Alaska Statutes. This board serves dual roles in protecting the people of Alaska and promoting ethical and responsible practice among chiropractic physicians. The mission of this board is to foster higher professional standards relative to the practice of chiropractic in Alaska, consistent with the best interest of the health, welfare, and safety of the public. This board strives to protect the public without erecting unnecessary barriers to qualified practitioners. This board is responsible for establishing minimum educational and competency standards, as well as regulating chiropractic practice within this state. This board continues to propose changes to update regulations as needed. As a board, we are committed to providing efficient and effective regulatory oversight, trying to guide our profession into the future. This board welcomes the newly appointed board member, Dr. James Morris from Dutch Harbor, and are excited for his infusion of energy and enthusiasm. Dr. Morris replaces 8-year board veteran and former president, Dr. Walter Campbell, who has been a stalwart, wise and dedicated member of this board. We will miss Dr. Campbell, but have assured him there will be many more hours of service the board will ask of him. He continues his public service to this board as a member of the Utilization Review Committee.

During FY 2018 this board held four formal board meetings, January '18 in Juneau and the remaining three in Anchorage. In addition to regular board business, the State Chiropractic Jurisprudence written examination was offered, followed by oral interviews with all candidates. These face-to-face interactions with new licensees give new practitioners an anchor to the board for the times when questions of ethics and practice may arise, as well as providing consistency with the state statutes and regulations. Other board business included ratifying new licenses, updating regulation, including completion of verbiage for SB69, establishing Certified Chiropractic Assistants and sending it for legal review, working with the Investigative Unit, and staying abreast of emerging national trends and issues in our profession, so we may remain proactive in our regulatory authority. Between meetings, this board remains busy evaluating license applications, reviewing and approving continuing education courses, and addressing questions of the public and practitioners, regarding scope of practice and ethics questions. This board has been very active addressing scope of practice issues by formal written opinions dealing with dry needling, intra-oral and internal coccygeal manipulation of soft tissues and joints, and injectable nutrients. Those opinions are posted at the board website. Additional assignments, to write opinions on concussion and injectable substances, to be submitted for board review have been made. This board examined and licensed 22 new chiropractors during FY 2018.

This Board has a new licensing examiner as of Fall 2017, Mr. Thomas Bay. Thomas has done an outstanding job of filling former examiner Aiko Zaguirre's shoes, as big as they were. Aiko was an outstanding examiner and invaluable to this board. While we miss her, the work goes on without a hitch. Thomas has not missed a step, with assistance from Renee Hoffard, the Records and Licensing Supervisor. Thank you for coming on at full-speed and the energy you expend for our board. We look forward to holding on to you for a good long tenure.

This board continues to participate with the Federation of Chiropractic Licensing Boards (FCLB), the Association of Chiropractic Board Administrators (ACBA), and the National Board of Chiropractic Examiners (NBCE). Attendance at these national-level meetings allows board members and Division staff to be aware of issues concerning the practice of chiropractic, nationally, and to participate in programs involving licensing requirements, professional standards, public protection, regulation, and discipline. Participation in these administrative programs allows the board to share common concerns, problems, and solutions with other state licensing boards; and to participate in programs involving licensure, continuing education, and ethics. This board's budget is stable and profitable to the State—we do not operate in a deficit. In fact, we have been asked to consider reducing license fees to reduce the overall income to the board. This strong budget should be able to fund these meetings and the out-of-state-travel expense required for participation of our board and staff. Having board and staff members attend national level meetings together, to learn and apply principles is invaluable; we have been restricted to one individual per event only. This cannot be overstated: The effectiveness of this board, and staff too, is directly tied to its ability to act, meet, and communicate with national colleagues, to the modest extent this board was allowed to travel this last year.

## FY 2018 Narrative Statement (continued)

Throughout FY 2018 the board and staff have been repeatedly denied travel to various national-level organizational meetings that are a critical source of training and functional learning for the board. Additionally, this is a very “young” board, with no one having more than two years’ experience, and most members with just one year or less of experience. The state offers very little training other than “on the Job” experience, so it is critical, for the proper continuing function of this board, that its members are allowed to attend out-of-state national-level meetings and conferences.

This board has a Utilization Review Committee (formerly Peer Review Committee or PRC) to determine the sensibility, or appropriateness, of care provided, and fees charged, or costs, for services rendered by a licensee to a patient. This committee is advisory to the board and consists of four members; three chiropractic physicians and one public member. The board encourages anyone with complaints about chiropractic services to request a Utilization Review, providing there is no criminal component of the complaint. This is more cost-effective for the board and profession, compared to filing a complaint with the Division's Investigative Unit. This board plays a quasi-judicial role in disciplining licensees for infractions of state statutes and regulations, and in most cases we prefer policing our own profession. It is noteworthy, that historically, Alaska chiropractic physicians lead the nation in the fewest complaints per capita. Of cases reviewed this year, one case was resolved with a Letter of Instruction from the board, and required continuing education hours in ethics and billing & coding for the doctor. Other matters included the forfeiture of license for a doctor involved in a domestic issue resulting in the death of a child due to malnutrition, and another case was to refuse to license a doctor applying for new licensure in Alaska based on previous criminal history. Additionally, eight criminal cases were opened and are under investigation regarding the same practitioner at this time. The Division's Investigations Unit and the Attorney General's office are actively involved, and the strong budget of this board should allow the case to be fully investigated and prosecuted as necessary. While we hope this current uptick in discipline-related activity is strictly an anomaly, it is also a testament that the systems that are in place function, and the board is fulfilling its primary mandate of protecting the citizens of Alaska.

Health care is a rapidly changing field, and the rate of change accelerates as technology increases. Demand for quality health care is increasing, while the cost is seemingly spiraling out of control. Amidst this chaos, we have epidemic opioid use that, for many of the now-addicted, began in their health care provider’s office. 25% of opioid use begins with prescription treatment of low back pain. We have a burgeoning worker's compensation burden, that statistics show when the portal of care is the surgeon’s office 46% of patients receive surgery, but when care is initiated through the chiropractic office only 1.8% of injured workers progress on to surgery, providing dramatically lower overall cost and a much higher rate of return to work, rather than disability. Chiropractic is very effective at treating low back pain, neck pain and headache, and it is done without utilization of narcotics; chiropractic is cost effectively and needs to be brought to the forefront of Alaska's health care solutions. Chiropractic physicians are exquisitely well-trained to deal with pain and injury at the source. Their training is comparable to, or exceeding, the training of medical doctors in clinical diagnosis, use of imaging, orthopedics and neurology. The foundation of chiropractic is finding and treating the source of the disease, rather than treating the symptoms. This treat-the-source concept is what is at the core of the new-found “Functional Medicine” movement in Western Medicine. We welcome medicine to this “new” concept of health care, and only insist that chiropractic be included at the table, that as a profession we have already set. Many of the solutions our lawmakers are seeking are found in part or whole in what Chiropractic has to offer.

As a board, we will strive to protect the public, while remaining vigilant of newly emerging trends in the practice of chiropractic. We will be proactive in anticipating the need for regulation, and amending, or adding, new statutes to expand the scope of practice of chiropractic to meet the need of the people of Alaska. As all health-care professions need to expand to encompass the benefits of technology and the needs of Alaskans, so will chiropractic. As a young board, we look forward to the opportunities and challenges placed before us by our governor, and recommit our profession to serving Alaskans with energy, compassion, and integrity, while leading in providing solutions to health issues that currently plague Alaska.

Respectfully Submitted,

Brian E. Larson, D.C., DACBSP  
President, Alaska Board of Chiropractic Examiners

**BOARD OF CHIROPRACTIC EXAMINERS**  
**Fiscal Year 2018 Annual Report**

**Budget Recommendations for FY 2019**

The Budget Recommendations section anticipates the board’s fiscal priorities for the upcoming year. Please complete all parts of this section with details about anticipated meetings, conferences, memberships, supplies, equipment, to other board requests. Meeting expenses that are being funded through third-party reimbursement or direct booking must be identified separately from expenses paid through license fees (receipt-supported services or RSS). Be sure to explain any items listed as “other” so they may be tracked appropriately.

**#1 Rank**

(Rank board meetings in order of importance)

Board Meeting Date	Location	# Board	# Staff
September 28 <sup>th</sup> , 2018	Anchorage	5	1
<input checked="" type="checkbox"/> Airfare:			\$1500.00
<input checked="" type="checkbox"/> Hotel:			\$1000.00
<input checked="" type="checkbox"/> Ground: Taxi/Mileage			\$200.00
<input checked="" type="checkbox"/> Other: Meals/Per Diem			\$915.00
<b>Total Estimated Cost:</b>			<b>\$3615.00</b>

**#2 Rank**

(Rank board meetings in order of importance)

Board Meeting Date	Location	# Board	# Staff
December 14 <sup>th</sup> , 2018	Anchorage	5	1
<input checked="" type="checkbox"/> Airfare:			\$1500.00
<input checked="" type="checkbox"/> Hotel:			\$1000.00
<input checked="" type="checkbox"/> Ground: Taxi/Mileage			\$200.00
<input checked="" type="checkbox"/> Other: Meals/Per Diem			\$915.00
<b>Total Estimated Cost:</b>			<b>\$3615.00</b>

**#3 Rank**

(Rank board meetings in order of importance)

Board Meeting Date	Location	# Board	# Staff
February 15 <sup>th</sup> , 2019	Juneau	5	1
<input checked="" type="checkbox"/> Airfare:			\$1500.00
<input checked="" type="checkbox"/> Hotel:			\$1000.00
<input checked="" type="checkbox"/> Ground: Taxi/Mileage			\$200.00
<input checked="" type="checkbox"/> Other: Meals/Per Diem			\$915.00
<b>Total Estimated Cost:</b>			<b>\$3615.00</b>

**BOARD OF CHIROPRACTIC EXAMINERS  
Fiscal Year 2018 Annual Report**

**Budget Recommendations for FY 2019**

The Budget Recommendations section anticipates the board’s fiscal priorities for the upcoming year. Please complete all parts of this section with details about anticipated meetings, conferences, memberships, supplies, equipment, to other board requests. Meeting expenses that are being funded through third-party reimbursement or direct booking must be identified separately from expenses paid through license fees (receipt-supported services or RSS). Be sure to explain any items listed as “other” so they may be tracked appropriately.

**#4 Rank**

(Rank board meetings in order of importance)

Board Meeting Date	Location	# Board	# Staff
May 17 <sup>th</sup> , 2019	Anchorage	5	1
<input checked="" type="checkbox"/> Airfare:			\$1500.00
<input checked="" type="checkbox"/> Hotel:			\$1000.00
<input checked="" type="checkbox"/> Ground: Taxi/Mileage			\$200.00
<input checked="" type="checkbox"/> Other: Meals/Per Diem			\$915.00
<b>Total Estimated Cost:</b>			<b>\$3615.00</b>

**#5 Rank**

(Rank board meetings in order of importance)

Board Meeting Date	Location	# Board	# Staff
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input type="checkbox"/> Other:			\$0.00
<b>Total Estimated Cost:</b>			<b>\$0.00</b>

**#6 Rank**

(Rank board meetings in order of importance)

Board Meeting Date	Location	# Board	# Staff
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input type="checkbox"/> Other:			\$0.00
<b>Total Estimated Cost:</b>			<b>\$0.00</b>

**BOARD OF CHIROPRACTIC EXAMINERS  
Fiscal Year 2018 Annual Report**

**Budget Recommendations for FY 2019 (continued)**

**Travel Required to Perform Examinations**

Not applicable

Date	Location	# Board	# Staff
November 2018	TBD	3	0

**Description of meeting and its role in supporting the mission of the Board:**

Board members are asked to participate in the National Board of Chiropractic Examiners Part IV Examination as proctors, and also as part of the testing steering committee.

<input checked="" type="checkbox"/> Airfare:	\$2100.00
<input checked="" type="checkbox"/> Hotel:	\$2400.00
<input checked="" type="checkbox"/> Ground:	\$300.00
<input type="checkbox"/> Conference:	\$0.00
<input checked="" type="checkbox"/> Other:	\$600.00

Describe "Other" (break out all sections): Meals/Per Diem

**Total Estimated Cost: \$5400.00**

**Out-of-State Meetings and Additional In-State Travel**

Not applicable

Date	Location	# Board	# Staff
May 2019	TBA (Most likely Dallas, TX)	2	1

**Description of meeting and its role in supporting the mission of the Board:**

FCLB & NBCE District Meeting: A meeting with other state boards within the district to know more about the current issues and concerns of the public and chiropractors within the district.

Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input checked="" type="checkbox"/> Airfare:	\$2250.00	\$0.00	\$0.00	\$2250.00
<input checked="" type="checkbox"/> Hotel:	\$1950.00	\$0.00	\$0.00	\$1950.00
<input checked="" type="checkbox"/> Ground:	\$300.00	\$0.00	\$0.00	\$300.00
<input checked="" type="checkbox"/> Conference:	\$750.00	\$0.00	\$0.00	\$750.00
<input checked="" type="checkbox"/> Other	\$450.00	\$0.00	\$0.00	\$450.00
Describe "Other" (break out all sections):	Meals/Per Diem			

**Net Total: \$5700.00 \$0.00 \$0.00 \$5700.00**

### Out-of-State Meetings and Additional In-State Travel

Date	Location	# Board	# Staff	
September 20-23, 2018	Palm Springs, CA	2	1	
<b>Description of meeting and its role in supporting the mission of the Board:</b>				
FCLB & NBCE District Meeting: A meeting with other state boards within the district to know more about the current issues and concerns of the public and chiropractors within the district.				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input checked="" type="checkbox"/> Airfare:	\$2250.00	\$0.00	\$0.00	\$2250.00
<input checked="" type="checkbox"/> Hotel:	\$1350.00	\$0.00	\$0.00	\$1350.00
<input checked="" type="checkbox"/> Ground:	\$150.00	\$0.00	\$0.00	\$150.00
<input type="checkbox"/> Conference:	\$0.00	\$0.00	\$0.00	\$0.00
<input checked="" type="checkbox"/> Other	\$262.50	\$0.00	\$0.00	\$262.50
Describe "Other" (break out all sections):		Meals/Per Diem		
<b>Net Total:</b>	<b>\$4012.50</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$4012.50</b>

### Out-of-State Meetings and Additional In-State Travel

Date	Location	# Board	# Staff	
<b>Description of meeting and its role in supporting the mission of the Board:</b>				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input type="checkbox"/> Airfare:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Hotel:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Ground:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Conference:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Other	\$0.00	\$0.00	\$0.00	\$0.00
Describe "Other" (break out all sections):				
<b>Net Total:</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

<b>Out-of-State Meetings and Additional In-State Travel</b>					
<b>Date</b>	<b>Location</b>	<b># Board</b>	<b># Staff</b>		
<b>Description of meeting and its role in supporting the mission of the Board:</b>					
<b>Expenditure</b>	<b>License Fees (RSS)</b>	<b>Third-Party Reimbursement</b>	<b>Third-Party Direct Booked</b>	<b>Total</b>	
<input type="checkbox"/> Airfare:	\$0.00	\$0.00	\$0.00	\$0.00	
<input type="checkbox"/> Hotel:	\$0.00	\$0.00	\$0.00	\$0.00	
<input type="checkbox"/> Ground:	\$0.00	\$0.00	\$0.00	\$0.00	
<input type="checkbox"/> Conference:	\$0.00	\$0.00	\$0.00	\$0.00	
<input type="checkbox"/> Other	\$0.00	\$0.00	\$0.00	\$0.00	
Describe "Other" (break out all sections):					
<b>Net Total:</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	

<b>Out-of-State Meetings and Additional In-State Travel</b>					
<b>Date</b>	<b>Location</b>	<b># Board</b>	<b># Staff</b>		
<b>Description of meeting and its role in supporting the mission of the Board:</b>					
<b>Expenditure</b>	<b>License Fees (RSS)</b>	<b>Third-Party Reimbursement</b>	<b>Third-Party Direct Booked</b>	<b>Total</b>	
<input type="checkbox"/> Airfare:	\$0.00	\$0.00	\$0.00	\$0.00	
<input type="checkbox"/> Hotel:	\$0.00	\$0.00	\$0.00	\$0.00	
<input type="checkbox"/> Ground:	\$0.00	\$0.00	\$0.00	\$0.00	
<input type="checkbox"/> Conference:	\$0.00	\$0.00	\$0.00	\$0.00	
<input type="checkbox"/> Other	\$0.00	\$0.00	\$0.00	\$0.00	
Describe "Other" (break out all sections):					
<b>Net Total:</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	

<b>Out-of-State Meetings and Additional In-State Travel</b>					
<b>Date</b>	<b>Location</b>	<b># Board</b>	<b># Staff</b>		
<b>Description of meeting and its role in supporting the mission of the Board:</b>					
<b>Expenditure</b>	<b>License Fees (RSS)</b>	<b>Third-Party Reimbursement</b>	<b>Third-Party Direct Booked</b>	<b>Total</b>	
<input type="checkbox"/> Airfare:	\$0.00	\$0.00	\$0.00	\$0.00	
<input type="checkbox"/> Hotel:	\$0.00	\$0.00	\$0.00	\$0.00	
<input type="checkbox"/> Ground:	\$0.00	\$0.00	\$0.00	\$0.00	
<input type="checkbox"/> Conference:	\$0.00	\$0.00	\$0.00	\$0.00	
<input type="checkbox"/> Other	\$0.00	\$0.00	\$0.00	\$0.00	
Describe "Other" (break out all sections):					
<b>Net Total:</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	

<b>Out-of-State Meetings and Additional In-State Travel</b>					
<b>Date</b>	<b>Location</b>	<b># Board</b>	<b># Staff</b>		
<b>Description of meeting and its role in supporting the mission of the Board:</b>					
<b>Expenditure</b>	<b>License Fees (RSS)</b>	<b>Third-Party Reimbursement</b>	<b>Third-Party Direct Booked</b>	<b>Total</b>	
<input type="checkbox"/> Airfare:	\$0.00	\$0.00	\$0.00	\$0.00	
<input type="checkbox"/> Hotel:	\$0.00	\$0.00	\$0.00	\$0.00	
<input type="checkbox"/> Ground:	\$0.00	\$0.00	\$0.00	\$0.00	
<input type="checkbox"/> Conference:	\$0.00	\$0.00	\$0.00	\$0.00	
<input type="checkbox"/> Other	\$0.00	\$0.00	\$0.00	\$0.00	
Describe "Other" (break out all sections):					
<b>Net Total:</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	



**BOARD OF CHIROPRACTIC EXAMINERS**  
**Fiscal Year 2018 Annual Report**

**Budget Recommendations for FY 2019 (continued)**

**Non-Travel Budget Requests**

- Not Applicable                       Resources                       Examinations  
 Membership                       Training                       Other

Product or Service	Provider	Cost Per Event
Membership Dues	FCLB	\$1,070.00

**Description of item and its role in supporting the mission of the Board:**

This is the required membership fee with the FCLB. Membership with the FCLB helps sustain an open relationship with the other state boards. Cost unknown at this point. Last year's cost was \$1,070.00.

**Non-Travel Budget Requests**

- Not Applicable                       Resources                       Examinations  
 Membership                       Training                       Other

Product or Service	Provider	Cost Per Event
		\$0.00

**Description of item and its role in supporting the mission of the Board:**

**Non-Travel Budget Requests**

- Not Applicable                       Resources                       Examinations  
 Membership                       Training                       Other

Product or Service	Provider	Cost Per Event
		\$0.00

**Description of item and its role in supporting the mission of the Board:**

**BOARD OF CHIROPRACTIC EXAMINERS**  
**Fiscal Year 2018 Annual Report**

**Budget Recommendations for FY 2019 (continued)**

<b>Other Items with a Fiscal Impact</b>		<b>Cost Per Event:</b>	<b>\$0.00</b>
<input checked="" type="checkbox"/> <b>Not Applicable</b>		<b>Number of Events:</b>	<b>0</b>
<b>Product or Service</b>	<b>Provider</b>	<b>Total Cost</b>	
		\$0.00	
<b>Description of item and its role in supporting the mission of the Board:</b>			

<b>Other Items with a Fiscal Impact</b>		<b>Cost Per Event:</b>	<b>\$0.00</b>
<input checked="" type="checkbox"/> <b>Not Applicable</b>		<b>Number of Events:</b>	<b>0</b>
<b>Product or Service</b>	<b>Provider</b>	<b>Total Cost</b>	
		\$0.00	
<b>Description of item and its role in supporting the mission of the Board:</b>			

<b>Other Items with a Fiscal Impact</b>		<b>Cost Per Event:</b>	<b>\$0.00</b>
<input checked="" type="checkbox"/> <b>Not Applicable</b>		<b>Number of Events:</b>	<b>0</b>
<b>Product or Service</b>	<b>Provider</b>	<b>Total Cost</b>	
		\$0.00	
<b>Description of item and its role in supporting the mission of the Board:</b>			

**BOARD OF CHIROPRACTIC EXAMINERS**  
**Fiscal Year 2018 Annual Report**

**Budget Recommendations for FY 2019 (continued)**

<b>Other Items with a Fiscal Impact</b>		<b>Cost Per Event:</b>	<b>\$0.00</b>
<input checked="" type="checkbox"/> Not Applicable		<b>Number of Events:</b>	<b>0</b>
<b>Product or Service</b>	<b>Provider</b>	<b>Total Cost</b>	
		\$0.00	
<b>Description of item and its role in supporting the mission of the Board:</b>			

<b>Other Items with a Fiscal Impact</b>		<b>Cost Per Event:</b>	<b>\$0.00</b>
<input checked="" type="checkbox"/> Not Applicable		<b>Number of Events:</b>	<b>0</b>
<b>Product or Service</b>	<b>Provider</b>	<b>Total Cost</b>	
		\$0.00	
<b>Description of item and its role in supporting the mission of the Board:</b>			

<b>Summary of FY 2019 Fiscal Requests</b>	
Board Meetings and Teleconferences:	\$14,460.00
Travel for Exams:	\$5,400.00
Out-of-State and Additional In-State Travel:	\$9,712.50
Dues, Memberships, Resources, Training:	\$1,070.00
Total Potential Third-Party Offsets:	-\$0.00
Other:	\$0.00
<b>Total Requested:</b>	<b>\$30,642.50</b>

**BOARD OF CHIROPRACTIC EXAMINERS**  
**Fiscal Year 2018 Annual Report**

**Legislation Recommendations Proposed Legislation for FY 2019**

**No Recommendations**

The Board has no recommendations for proposed legislation at this time.

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**Recommendations**

The Board has the following recommendations for proposed legislation:

1. The board is pursuing authority under AS 08.20 to create an advanced practitioner status for chiropractic physicians who pursue advanced training and certifications to utilize limited drugs, minor surgery, and other therapies and procedures commonly used by other Alaska health care professionals of physician status.
2. The board is seeking to be added to AS 12.62.400, to be granted authority to request for National Criminal History Record checks.

**BOARD OF CHIROPRACTIC EXAMINERS  
Fiscal Year 2018 Annual Report**

**Regulation Recommendations Proposed Legislation for FY 2019**

**No Recommendations**

The Board has no recommendations for proposed regulations at this time.

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**Recommendations**

The Board has the following recommendations for proposed regulations:

1. The board is pursuing inclusion in AS 08.01.050(d), to provide licensed chiropractors the resources needed to address abuse of alcohol, drugs, or other substances.

# BOARD OF CHIROPRACTIC EXAMINERS

## Fiscal Year 2018 Annual Report

### Goals and Objectives

#### Part I

#### FY 2018's goals and objectives, and how they were met:

**Goal 1: Carry out assigned duties of the Board:**

The Board met 4 times in FY 2018 (3 times in Anchorage, once in Juneau). Other locations across the State were changed to Anchorage to comply with the State Travel Ban and minimize travel expense. The Board administered jurisprudence exams, personally interviewed license candidates, and conducted Board business. The staff and Board were able to review and approve applications in a generally timely manner, but distance between Alaska and chiropractic schools where most applicants are applying from always poses a logistics challenge. There was a significant uptick in investigations this year, which continue to be monitored by the Board as investigations progress.

**Goal 2: Provide information regarding Board activities to the profession and the public:**

The Board makes time available in every meeting for public input, and encourages its licensees and the public to attend scheduled meetings and provide comment. All meeting agendas and minutes were posted on the Board's website to make available to the public the topics discussed and actions taken by the Board.

**Goal 3: Continue affiliation with the Alaska Chiropractic Society (ACS) to work cooperatively in the best interest of the profession and the public:**

Regulation wording for SB69 defining practice for Certified Chiropractic Clinical Assistants, Interns and Preceptors was finalized and sent on for legal review and publication. ACS worked diligently with the support of the Board to pass SB 204 to restore chiropractic physicians to the list of physicians recognized to sign Handicapped Parking permits.

**Goal 4: Assess and evaluate regulations:**

The Board completed regulation work on SB69. Continuing education as well as new curriculum offered or available through the certified chiropractic schools will be evaluated for the safety and enhanced care public and an increasingly competent chiropractic work force.

**Goal 5: Assess and evaluate the review process available through the Utilization Review Committee:**

The formal name of this committee was changed from Peer Review Committee to the above. It is fully staffed and available should the need arise.

**Goal 6: Continue affiliation with the Federation of Chiropractic Licensing Boards (FCLB), the National Board of Chiropractic Examiners (NBCE), the Association of Chiropractic Board Administrators (ACBA), and the Council on Chiropractic Education (CCE) as well as the Council on Licensure, Enforcement and Regulation (CLEAR) and the Federation of Association of Regulatory Boards (FARB):** One staff member attended the ACBA meeting, and one Board member attended the combined FCLB/NBCE meetings last month in Dallas, TX. This Board has a strong budget. For the sake of training, continuity and efficiency, we need to have a Board member and our Examiner attending these meetings together.

**Goal 7: The Board will endeavor, through the legislative process, to add the Board of Chiropractic Examiners to relevant centralized and non-centralized statutes that enhance the profession and administrative efficiency:** Much effort was extended this year to restore authority to the Board that was deleted, specifically writing Disabled Parking permits (SB 204) and court absence excuses (administrative letter). The recognition of Chiropractic Physicians seems to be being eroded from a statutory stand point, when they are some of the best trained physicians to deal with a major sector of Alaskans health needs, specifically pain and injury.

**BOARD OF CHIROPRACTIC EXAMINERS  
Fiscal Year 2018 Annual Report**

**Goals and Objectives (continued)**

**Part I (continued)**

**FY 2018's goals and objectives, and how they were met:**

**BOARD OF CHIROPRACTIC EXAMINERS**  
**Fiscal Year 2018 Annual Report**

**Goals and Objectives**

**Part II**

**FY 2019's goals and objectives, and proposed methods to achieve them.**

**Describe any strengths, weaknesses, opportunities, threats and required resources:**

**Goal 1: Carry out assigned duties of the board:**

**Objective 1:** Conduct a minimum of three board meetings this year with the locations in different regions of the State to allow for public attendance and meeting transparency.

**Objective 2:** Continue timely processing of applications and licensing of chiropractic physicians.

**Objective 3:** Continue to monitor investigative reports, monitor disciplinary actions, and provide professional direction to Division Investigative staff regarding disciplinary actions, probation matters, criminal history record information, and chiropractic practice.

**Objective 4:** Utilize the National Board of Chiropractic Examiners (NBCE) Special Purposes Examination for Chiropractic (SPEC) and Ethics and Boundaries examination (E&B) in memorandum of agreements.

**Objective 5:** Continue to review and process requests for continuing education credit approval in a timely manner.

**Objective 6:** Continue to administer the jurisprudence examination as a part of licensure. Consider the possibility of utilizing NBCE services to administer the jurisprudence examination at certified testing centers to save applicants the travel fee to Alaska to take this examination.

**Goal 2: Provide information regarding board activities to the profession and the public.**

**Objective 1:** Inform licensees of any pending regulation changes in the customary manner.

**Objective 2:** Provide a public comment period during each meeting.

**Objective 3:** Address concerns presented by licensees and the public at each meeting.

**Objective 4:** Provide copies of agendas and/or minutes of the meetings to all who request them.

**Objective 5:** Continue to work with other licensing boards, at both the district and national level.

**Objective 6:** Continue to address the reporting requirements for domestic violence and sexual assault.

**Objective 7:** Support efforts to educate the public regarding the benefit of chiropractic care as a health care option, and the particular opportunities to efficiently recover from work injuries (workers comp), and deal with pain without opiate prescriptions.

**Objective 8:** Raise awareness regarding public health, emergency training, hazardous material, and OSHA requirements.

**Objective 9:** Ensure current information is available on the board website through regular updates by staff and regular monitoring by board members.

**Goal 3: Continue affiliation with the Alaska Chiropractic Society (ACS) to work cooperatively in the best interest of the profession and the public:**

**Objective 1:** Encourage regular Alaska Chiropractic Society participation at board meetings.

**Objective 2:** Support the Alaska Chiropractic Society in its efforts to provide information to the profession and the public.

**Objective 3:** Support the Alaska Chiropractic Society in its efforts in pursuing statutory changes relevant to the profession and public safety.

**Objective 4:** Support the Alaska Chiropractic Society in pursuing statutory changes or additions that expand the scope of chiropractic practice to provide better portal-of-entry service for the public, for those who wish to utilize their chiropractic physician efficiently as their primary care physician.

**Objective 5:** Support the Alaska Chiropractic Society in its efforts to pursue statutory change to allow for animal chiropractic in cooperation with the Veterinary Board.



**BOARD OF CHIROPRACTIC EXAMINERS  
Fiscal Year 2018 Annual Report**

**Goals and Objectives (continued)**

**Part II (continued)**

**FY 2019's goals and objectives, and proposed methods to achieve them.**

**Describe any strengths, weaknesses, opportunities, threats and required resources:**

**Goal 4: Access and evaluate regulations:**

**Objective 1:** Continue to assess and evaluate continuing education requirements for quality, relevance, and application to scientific chiropractic research and practice.

**Objective 2:** Continue to assess and evaluate radiological safety, professional ethics and boundaries, public health, and emergency training.

**Objective 3:** Proactively make recommendation through regulations and recommend changes to statute to anticipate changes in the health industry.

**Goal 5: Assess, evaluate and utilize the review process available through the Utilization Review Committee:**

**Objective 1:** The committee has been recently renamed and reorganized. Direct appropriate inquiries to the committee.

**Objective 2:** Keep the committee roster fully staffed with three chiropractic physicians and one public member at all times.

**Objective 3:** Maintain a short list of alternate committee members to fill vacancies or recusals as needed.

**Goal 6: Continue affiliation with the Federation of Chiropractic Licensing Boards, The National Board of Chiropractic Examiners, the Association of Chiropractic Board Administrators, and the Council of Chiropractic Education, as well as the Council on Licensure, Enforcement and Regulation and the Federation of Associations of Regulatory Boards.**

**Objective 1:** Provide attendance of a board member and the examiner to the district and annual meetings of the FCLB and NBCE, to provide input and obtain information at both national and state levels regarding the practice of chiropractic in Alaska.

**Objective 2:** Continue working with the FCLB on maintaining a listing of Alaskan chiropractors on the National Database (CIN-BAD).

**Objective 3:** Promote attendance of board members to the semi-annual NBCE Part IV Examinations and Part IV Examination Review Committee meetings of the NBCE to provide input and obtain information on the Exams required for chiropractic licensure in Alaska and other states. Reversal of the Governor's ban on gifts or gratuities would help, as this participation requires significant time for the volunteer members of the board to take away from their practices. All other participants from all other states are allowed to accept the honorarium offered by the NBCE to help defray the costs of participating.

**Objective 4:** Promote the attendance of the licensing examiner at the annual meetings of the ACBA and the FCLB to provide input and obtain information at both national and state levels, regarding matters impacting regulation and licensure of Alaskan chiropractic physicians.

**Goal 7: The board will endeavor, through the legislative process, to add the Board of Chiropractic Examiners to relevant centralized and non-centralized statutes that enhance the profession and its administrative efficiency:**

**Objective 1:** The board will pursue inclusion into AS 08.01.050(d) for the purpose of providing licensed chiropractors the resources needed to address abuse of alcohol, drugs, or other substances.

**Objective 2:** The board will pursue authority to utilize National Criminal History Record checks under AS 12.62.400, and will pursue similar authority under AS 08.20.

**Objective 3:** The board will pursue authority under AS 08.20 to create an Advanced Practitioner status for chiropractic physicians who pursue advanced training and certifications to utilize limited drugs, minor surgery, and other therapies and procedures commonly used by other Alaska health care professionals of physician status.

**BOARD OF CHIROPRACTIC EXAMINERS**  
**Fiscal Year 2018 Annual Report**

**Sunset Audit Recommendations**

**Date of Last Legislative Audit: July 24, 2013**  
**Board Sunset Date: June 30, 2022**

<b>Audit Recommendation:</b>	The Office of the Governor should make Board appointments in compliance with statutory requirements.
<b>Action Taken:</b>	As this recommendation was for the Office of the Governor, neither the Board nor Division have the authority to take any action. However, currently, every seat on the Board is filled through March 1, 2020.
<b>Next Steps:</b>	None
<b>Date Completed:</b>	March 1, 2016

<b>Audit Recommendation:</b>	The Division of Corporations, Business and Professional Licensing's Director should continue efforts to improve the investigative case management system's integrity and confidentiality.
<b>Action Taken:</b>	Negotiated the GLS contract in 2016 and will continue to use the system through 2020, under the current contract, with process improvements. The Division supervisors, staff and the investigations unit participate in annual training. Additionally, the Director updated the policy and procedures for handling affirmative responses to professional fitness questions in 2011, and with the assistance of the Chief Investigator, further clarified the business process in 2016.
<b>Next Steps:</b>	We are working with GLS to refine data fields to more accurately capture the information required.
<b>Date Completed:</b>	2016

## Sunset Audit Recommendations (continued)

<b>Audit Recommendation:</b>
<b>Action Taken:</b>
<b>Next Steps:</b>
<b>Date Completed:</b>

<b>Audit Recommendation:</b>
<b>Action Taken:</b>
<b>Next Steps:</b>
<b>Date Completed:</b>

<b>Audit Recommendation:</b>
<b>Action Taken:</b>
<b>Next Steps:</b>
<b>Date Completed:</b>

## Sunset Audit Recommendations (continued)

<b>Audit Recommendation:</b>
<b>Action Taken:</b>
<b>Next Steps:</b>
<b>Date Completed:</b>

<b>Audit Recommendation:</b>
<b>Action Taken:</b>
<b>Next Steps:</b>
<b>Date Completed:</b>

<b>Audit Recommendation:</b>
<b>Action Taken:</b>
<b>Next Steps:</b>
<b>Date Completed:</b>

# D. Ratify New Licenses

**STATE OF ALASKA  
BOARD OF CHIROPRACTIC EXAMINERS**

**State Chiropractic Examination  
Candidate List**

**April 26<sup>th</sup>, 2019  
Juneau, Alaska**

- Chair may entertain a motion to ratify the newly licensed chiropractors in Alaska

“Upon a motion duly made by \_\_\_\_\_, seconded by \_\_\_\_\_ and approved unanimously, it was:

RESOLVED to ratify new licenses.”

Licensee Name (From February 1 <sup>st</sup> , 2019 Examination)
Monica Allen
Tapiwa Chiwawa
Anton Keller
Michael Martin
Anthony Odney-Pacheco
Jordan Oslan
Karlee Simkowski
William Voges
Jake Walden
Brent Wise

# E. Position Statements

# FCLB/NBCE/CCE Updates



# FCLB's 93rd Annual Educational Congress

May 1-5, 2019



With thanks to our conference partner: NBCE

Updated 4/25/2019 Agenda subject to change

## **Wednesday · May 1** FCLB Office - Marseilles ~ NBCE Office - Marbella

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- 8:00 AM - 5:00 PM  
Portofino **FCLB BOARD OF DIRECTORS MEETING**
- 2:00 - 4:00 PM **FCLB COMMITTEE MEETINGS** - determined by chairs
- 2:00 - 4:00 PM **FCLB CONFERENCE CHECK-IN**
- 5:00 PM **DEADLINE TO SUBMIT FCLB RESOLUTIONS**
- Wednesday evening on your own.

## **Thursday · May 2**

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- 7:00 - 8:00 AM **FCLB CONFERENCE CHECK-IN**
- 7:15 AM **BREAKFAST**  
Foyer Full breakfast for registrants.
- 7:00 AM **NEW ATTENDEE ORIENTATION & BREAKFAST**  
Private Dining Room Is this your first meeting? Learn more about the missions and work you are taking part in.

## **EDUCATIONAL PROGRAM - SORRENTO / SAN MARINO / CAPRI**

- GUEST HOST: Robert Frieman, D.C., (MD)
- 8:15 AM **WELCOME & OPENING REMARKS**  
Maggie Colucci, D.C (NV) - FCLB President
- 8:30 AM **SYLVA ASHWORTH AWARD INTRODUCTION**  
Carl S. Cleveland, III, D.C. - President - Cleveland Chiropractic College

**9:00 AM 29th ANNUAL JOSEPH JANSE LECTURE**

Kristin Grace, D.C. (NZ)

ABOUT THE LECTURE SERIES...Speakers for the Janse Lecture series are chosen by a committee of the FCLB board based on their oratory skills, ability to envision future possibilities, and to encourage the audience of regulators to consider new points of view, new perspectives in their approaches to public protection.

The Janse Lecture is successful if the speaker presents a different viewpoint and rekindles passion.

**9:45 AM EDUCATIONAL SESSION - Justification of Chiropractic Care: Viewed Through a New Lens**

Daniel Murphy, D.C., (CA)

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**10:30 AM MIDMORNING BREAK**

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**10:45 AM CONCURRENT PRESENTATIONS**

**THE OPIOID EPIDEMIC**

Dr. George Khoury, (PA) and Dr. Kirk Shilts, (MA)

Discuss the rapid increase in the use of prescription drugs

**CONCURRENT SESSION**

Portofino **BOARD MEMBER TRAINING**

Brian Zachariah, M.D., (IL) and Ms. Beth Kidd, (OK)

What your board staff wants you to know

**11:30 AM EDUCATIONAL SESSION**

**ATTORNEY PANEL -**

Ajay Gohil, Esq., (DC) - Moderator

Mona Baskin, Esq., (AZ), Louis Ling, Esq. (NV),

Christopher Gerard, Esq., (WA) and Jeffery Tucker, D.C., (CA)

The panel will discuss CBD Products, as well as the Sports Medicine Licensure Clarity Act of 2018

**12:15 PM NATIONAL UPDATES -**

COCSA - CCE-US - ICA - ACA - FCC - ICRS

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**1:00 PM LUNCH ON YOUR OWN**

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## AFTERNOON SESSIONS - SORRENTO / SAN MARINO / CAPRI

GUEST HOST: Robert Frieman, D.C., (MD)

2:00 - 2:45 PM **COLLEGE PRESIDENT'S PANEL**  
Joseph Brimhall, D.C., President - University of Western States  
Carl Cleveland, III, D.C., President - Cleveland Chiropractic College  
John Scaringe, D.C., President - Southern California University of Health Sciences

2:45 - 3:30 PM **EVALUATIONS OF INTERNATIONAL TRANSCRIPTS**  
Mr. Wade Jewell, President - Aequo & Director of NIES  
Mr. Kyle Barrier, Manager - NASBA International Evaluations Services

2:00 PM **FCLB FINANCE COMMITTEE MEETING**  
Private Dining Room Carol Winkler, D.C. (ND) - FCLB Treasurer, Chair

2:30 - 3:30 PM **WORKSHOP: FCLB SERVICES**  
Marseilles Ms. Kelly Webb and Ms. Janelle Grier - FCLB Staff  
Discover the services your board may access through FCLB membership. Learn more about CIN-BAD, PACE, CCCA, PowerPolls, meetings, and more.

3:30 - 4:30 PM **MEMBERSHIP FORUM**  
Riviera Moderator: Robert Daschner, D.C. (MN)

- Review proposed bylaws and resolutions
- Meet President, Vice President and Treasurer candidates, District III & IV Director and Alternate Director, as well as Nominating Committee candidates
- Learn about committee and task force service

5:30 - 7:00 PM **RECEPTION**  
Terrazza Ballroom Come catch up with your regulatory friends for a light reception!

**The reception is generously sponsored by the NBCE**

## Friday · May 3 NATIONAL BOARD DAY

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7:30 - 8:00 AM **FCLB COMMITTEE MEETINGS** - determined by chairs of the standing Committees or Task Forces.  
Board Room Certified Chiropractic Clinical Assistant Committee

7:30 AM **CHIROPRACTIC BOARD ADMINISTRATORS COMMITTEE (CBAC) BREAKFAST & MEETING**  
Portofino

Ms. Beth Kidd (OK) - Chair &  
Ms. Patricia Oliver (LA) FCLB Board Liaison  
See separate Agenda  
\$60.00 Registration Fee

7:30 AM **BREAKFAST**  
Foyer Full breakfast for registrants

8:00 AM **FCLB CREDENTIALS COMMITTEE MEETING**  
Marseilles Staff support: Ms. Julie Finn (FCLB)

**EDUCATIONAL PROGRAM - NATIONAL BOARD DAY - SORRENTO / SAN MARINO /CAPRI**

8:30 AM **WELCOME and OPENING REMARKS**  
Sal LaRusso, D.C. (FL), NBCE President

8:40 AM **KEYNOTE ADDRESS:**  
**Ethical Issues from the Regulator's Perspective: Challenges & Tools**  
Dr. Marianne Jennings  
*Sponsored by NCMIC*

9:50 AM **BREAK**

10:00 AM **NBCE PLENARY SESSIONS:**  
**Dr. Norman Ouzts, NBCE Executive Vice President - Facilitator**

- Dr. Bruce Shotts, Director of Written Exams  
CBT update and changes to Written Exams
- Dr. Andy Gow, Director of Practical Testing  
Part IV updates including DIM
- Ms. Stacey Kjeldgaard, Executive Director EBAS  
The expansion of EBAS into medical fields
- Dr. Igor Himelfarb, Director of Psychometrics & Research  
Scientific validity of NBCE products

10:50 AM **MIDMORNING BREAK**

11:00 – 12:00 N **NBCE / IBCE International Report:**  
**Dr. Sal LaRusso, NBCE President - Facilitator**  
Dr. Adrian Wenban, Resident, Barcelona Chiropractic College  
Dr. Richard Brown, Secretary General, WFC  
Dr. Daniel Côté, Chair, International Affairs Committee

12:15 – 2:15 PM **NBCE LUNCHEON and ANNUAL BUSINESS MEETING**  
Pavilion

2:15 - 4:15 PM **CHIROPRACTIC BOARD LEGAL ADVISORS COMMITTEE MEETING**  
**(CBLAC)**  
Private Dining Room  
See separate Agenda  
Mr. Ajay Gohill, Esq., (DC) and  
Ms. Mona Baskin, Esq., (AZ) Co-Chairs

2:30 - 4:30 PM **NBCE AFTERNOON SESSION**  
Sorrento / San Marino Sharpen Your Skills, a two-hour presentation offering 2 CE credits

- Evidence-based Spine Care in Daily Practice  
Dr. Bart Green and Dr. Claire Johnson

Riviera • Ethical Issues from the Regulator's Perspective: Challenges & Tools  
Dr. Marianne Jennings

2:15 - 3:15 PM **FCLB COMMITTEE MEETINGS** - determined by chairs of the standing Committees or Task Forces

4:30 - 5:00 PM **FCLB RESOLUTIONS & BYLAWS COMMITTEE MEETING**  
Board Room Kevin Fogarty, D.C. (FL), Chair  
Open session review of proposed bylaws amendments and resolutions.

5:30 - 10:00 PM **NBCE Friday Event: An Evening with The Rat Pack**  
Terrazza Ballroom Buffet dinner - 6:00 PM  
Show - 7:00 - 9:30 PM

## **Saturday · May 4**

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7:15 AM **DISTRICT BREAKFASTS**  
Terrazza Ballroom **ELECTIONS**

Hosts: FCLB District Directors

- District Director & Alternate Director elections for Districts III & IV
- Updates from your district director
- Fall District Meeting information

## **EDUCATIONAL PROGRAM CONTINUED - SORRENTO / SAN MARINO / CAPRI**

GUEST HOST: Heather Dehn, D.C., (CA)

8:00 AM **INTRODUCTION - WELCOME BACK TO THE FCLB PROGRAM**  
Maggie Colucci, D.C. (NV), FCLB President

**2019 Friends of FCLB**  
The Foundation 4 Chiropractic Progress'  
Drug Free Pain Management Program

8:15 AM **ANNUAL AWARDS PRESENTATION**  
Maggie Colucci, D.C. (NV), FCLB President

9:15 AM **CONCURRENT PRESENTATIONS**

**DEREGULATION AND TOP CASES**

Dale Atkinson, Esq., Atkinson & Atkinson

Riviera **STEM CELL THERAPY**

Do these practices need greater regulatory scrutiny?

Jason Jaeger, D.C., (NV)

10:00 AM **PRESENTATION: Call to Action**

Farrel Grossman, D.C., (SC)

Now that you've learned the information, commit to use it. Transform education in action.

10:30 AM **MIDMORNING BREAK**

**ANNUAL MEETING OF THE DELEGATE ASSEMBLY - SORRENTO / SAN MARINO / CAPRI**

10:45 AM **DISTRIBUTION OF VOTING PADDLES** - Tellers Committee

11:00 AM **FCLB ANNUAL BUSINESS MEETING**

Maggie Colucci, D.C. (NV), FCLB President, Meeting Chair

- Seating of the Delegates
- Financial Report
- Resolutions & Bylaws
- Elections: President, Vice President, Treasurer and Nominating Committee
- Announcements
- New Business
- Installation of the New FCLB Board of Directors

12:45 PM **LUNCH ON YOUR OWN**

1:30 - 2:00 PM **POST-CONFERENCE BOARD OF DIRECTORS MEETING**

Riviera FCLB Board of Directors

**Sunday · May 5**

8:30 - 9:30 AM **WEEK IN REVIEW -**

Marseilles James Buchanan, D.C., (WY)

Plan for 2020 in Denver, Colorado · April 22 - 26, 2020  
Grand Hyatt Denver · Room rate: \$229/night + taxes - single/double

# Investigative Report



**INVESTIGATIVE REPORT**

DATE: April 17, 2019  
TO: Alaska Board of Chiropractic Examiners  
THRU: Sonia Lipker, Senior Investigator *SL*  
FROM: Jasmin Bautista, Investigator *JB*  
RE: Investigative Report for the April 26, 2019 Meeting

The following information was compiled as an investigative report to the Board for the period from January 26, 2019 through April 17, 2019. This report includes all investigations, complaints, and intake matters handled since the last report. The Division opened **(2) matters** and closed **two (2) matters**. Two **(2)** matter remains ongoing.

*\*Matters opened by the Paralegal in Juneau, regarding continuing education audits and license action resulting from those matters are not covered in this report.*

**OPEN CASES**

<u>CASE NUMBER</u>	<u>OPEN DATE</u>	<u>COMPLAINT/INVESTIGATION</u>	<u>PROFESSION</u>
2017-001044	10/04/2017	Sexual Misconduct	Chiropractor
2019-000180	02/19/2019	Criminal Action	Chiropractor

**OPEN: TOTAL = 2 (including intakes)**

**CLOSED CASES SINCE LAST MEETING:**

<u>CASE NUMBER</u>	<u>VIOLATION</u>	<u>CLOSURE DATE</u>	<u>CLOSURE</u>
2017-000642	Violation of Licensing Regulations	01/29/2019	License Action
2019-000114	License Application Problem	03/06/2019	Review Complete

**CLOSED: TOTAL = 2 (including intakes)**

**END OF REPORT**



# Old Business

- A. Scope of Practice
  - i. Injectable Nutrients
- B. SB69 Regulations  
Project Update
- C. Seat on Professional  
Panel for Drug Addiction

**From:** [Dinegar, Harriet C \(LAW\)](#)  
**To:** [Bay, Thomas L \(CED\)](#)  
**Subject:** RE: Chiropractic scope of practice determination regarding injectable nutrients  
**Date:** Friday, April 5, 2019 3:07:05 PM

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Thank you for the jingle, Tom. Yes, we/I did follow up on this question. Here is the answer:

Q: Is the use of injectable nutrients within the scope of chiropractic under AS 08.20?

A: No, if the injectable nutrients require a prescription.

We are mindful of the board's position statement dated January 20, 2017 which states that the science of nutrition is part of the core curriculum training of chiropractic physicians and the method of application is something chiropractors may study and learn to provide safely, but it is our understanding that at this time, nutrients that are formulated for use *by injection* require a prescription and if that is true, the use of this particular application is specifically excluded from your scope of practice by AS 08.20.900(3) and (6) and 12 AAC 16.990(b)(1). The cited statutory sections describe "chiropractic" and its "core methodology" as excluding the use of prescription drugs. The cited regulation defines prescription drug as any drug that must carry a certain label or may only be dispensed by prescription or is restricted to use by practitioners only. The board's position statement acknowledges this and asserts that the statutes and regulations should be modernized to allow certain prescription drugs to be used by chiropractors. We do not disagree; if the board determines that the scope of practice should include injection of nutrients and if injectable nutrients require a prescription, then the board should work toward amending AS 08.20.900.

Now, if nutrients formulated for injection *do not require a prescription*, our analysis will be different. If you think that is the case, please provide me with some factual documentation and we will be happy to look at the issue again.

---

**From:** Bay, Thomas L (CED) <thomas.bay@alaska.gov>  
**Sent:** Tuesday, April 02, 2019 10:45 AM  
**To:** Dinegar, Harriet C (LAW) <harriet.dinegar@alaska.gov>  
**Subject:** Chiropractic scope of practice determination regarding injectable nutrients

Hi Harriet,

I hope everything is going well. I am just reaching out to see if you were able to get that determination regarding injectable nutrients and it being allowed under a chiropractor's scope of practice. The next board meeting is coming up in about three weeks and, if possible, it would be nice to have something for the board at that time.

Thank you,

Thomas Bay

Occupational Licensing Examiner  
Division of Corporations, Business and Professional Licensing  
(907)465-2588



Office of Governor  
**MICHAEL J. DUNLEAVY**

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## Fact Sheet

**Board:** Controlled Substances Advisory Committee

**Board identification number:** 272

**Department:** LAW

**Authority:** AS 11.71.100

**Status:** Active

**Sunset date:**

**Requirements:** No Legislative Confirmation or Financial Disclosure required

**Prohibitions:** None

**Term:** 4 years

**Chair:** The Attorney General is the chairman of the committee.

**Description:** The committee consists of 9 members: the Attorney General or the Attorney General's designee; the Commissioner of Health and Social Services or the Commissioner's designee; the Commissioner of Public Safety or the Commissioner's designee; the President of the Board of Pharmacy or the designee of the President who shall also be a member of the Board of Pharmacy; a peace officer appointed by the Governor after consultation with the Alaska Association of Chiefs of Police; a physician appointed by the Governor; a psychiatrist appointed by the Governor; and two individuals

### OFFICE OF BOARDS AND COMMISSIONS

550 West 7th Avenue, Suite 1700  
Anchorage, AK 99501  
Phone: (907) 269-7450  
Fax: (907) 269-7461  
Email: [boards@alaska.gov](mailto:boards@alaska.gov)

### MORE INFORMATION

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[APPOINTMENT PROCESS](#)

appointed by the Governor.

**Function:** To evaluate the effectiveness of current programs, budget and appropriations, enforcement policies and procedures, treatment, counseling, and regulations regarding controlled substances and to further make recommendations to the Governor, Alaska Court System and Legislature based upon their findings.

**Special facts:** Five members of the committee constitute a quorum, except that a smaller number may adjourn a meeting in the absence of a quorum.

**Compensation:** Standard Travel and Per Diem

**Meetings:** To be held at the call of the chairman, and are required to meet at least twice a year.

**For further information and to reach individual members, contact:**

[Robert Henderson](#)

Attorney V

310 K Street, Suite 601

Anchorage, AK 99501

Phone: 907-269-6250

Fax:

[Board Roster](#)

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**Office of Governor Michael J. Dunleavy**

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# ACS Update

# Alaska Chiropractic Society Staff

Executive Director

Debbie Ryan

(907) 222-2123  
office  
(907) 317-4486  
cell  
(907) 770-3790  
fax

email Debbie



Executive Administrator

Sheri Ryan


(907) 903-1350  
office/cell  
(907) 770-3790  
fax

email Sheri





# Alaska Chiropractic Society Officers/Board Members 2014 - 2016

<p>Dr. Todd Curzie, President</p> <p>Phone: (907) 569-9355</p> <p>email President</p>	<p>Some of you know me and of course, some may not. I have practicing in Anchorage, Alaska for over 17 years. I have been a member of the ACS since that year. I am a huge advocate of chiropractors being a member of a unified group. I totally support the ACS and its mission to support Chiropractic and its progress.</p> <p>I have been treasurer of the ACS from 2006-2010. I have raised funds by directing a golf tournament for 5 years. I currently sit on the legislative committee for the ACS. I am a strong supporter of my alma mater. I hosted a radio show for a few years to benefit all chiropractors in the community.</p> <p>There is no doubt that I truly support the chiropractic community.</p> <p>There are many reasons that I wish to be president of the ACS, but my primary motivation is to keep Chiropractic moving forward without compromising our founding principles. I believe we need a president with a good foundation and understanding of our core principles in order to move forward. Yes, I am strong in the philosophy of chiropractic, but I'm not naive.</p> <p>We have a bright future ahead of us as chiropractors. We don't need to be afraid of the government or other health care providers. We need to be strong and unite as a group and move forward.</p> <p>Join me in my mission to provide CHIROPRACTIC services to our great state and let us be the example other states follow.</p>	
	<p>Kelly Ryan is a 2008 Palmer College of Chiropractic graduate who currently practices in Anchorage, Alaska. Some of his hobbies include public speaking, skiing, snowboarding, reading, playing music, cooking, and engaging the arts. He holds membership and actively participates in various organizations including the Alaska Chiropractic Society, Toastmasters International, the Loyal Order of the Moose, and he serves as a current board member for the International Gallery of Contemporary Art. He also served two terms as a board member for the Chugach Power Talkers Toastmasters group. As a chiropractor he focuses on evidence based procedures and strives to deliver the best care to his patients. His future goals within the profession include improving chiropractic efficacy through the promotion of best practices, promoting chiropractic to the public through various local and national organizations, and working intimately with local, state, and federal entities to preserve and expand chiropractic influence in modern healthcare.</p>	<p>Dr. Kelly Ryan, Vice President</p> <p>Phone: (907) 222-2100</p> <p>email Vice-President</p>
<p>Dr. John Pairemore, Treasurer</p> <p>Phone: (907) 677-6953</p> <p>email Treasurer</p>	<p>Dr. John Pairemore has lived in Alaska since 1982 and practices in Anchorage. He is a 2002 graduate of Palmer College of Chiropractic and received his CCSP in 2006. Dr. Pairemore is a Gonstead practitioner and is certified in the Gaston technique. He is married to his beautiful wife Sengthiene and they have three awesome kids.</p>	
		<p>Dr. Joel Adkins, Secretary</p> <p>Phone: (907) 333-3535</p> <p>email Secretary</p>

# Budget Report/Division Update

## A. FY19 3rd Quarter

Board of Chiropractic Examiners  
Schedule of Revenues and Expenditures

	FY 12		FY 13		FY 14		FY 15		FY16		FY17		FY18		FY19 1st - 3rd Qtr	
Licensing Revenue	\$	34,529	\$	144,686	\$	24,503	\$	146,375	\$	22,505	\$	216,640	\$	36,390	\$	203,665
Allowable Third Party Reimbursement		-		-		537		557		-		1,373		505		-
Total Revenue		<u>34,529</u>		<u>144,686</u>		<u>25,040</u>		<u>146,932</u>		<u>22,505</u>		<u>218,013</u>		<u>36,895</u>		<u>203,665</u>
Direct Expenditures																
Personal Services		58,635		33,003		49,928		54,744		61,341		34,295		58,977		44,460
Travel		18,169		11,866		17,350		15,990		14,510		11,005		15,220		6,413
Contractual		4,526		3,747		13,399		12,687		22,674		15,062		13,173		2,900
Supplies		255		233		325		80		32		81		123		108
Equipment		-		-		-		-		-		-		-		-
Total Direct Expenditures		<u>81,585</u>		<u>48,849</u>		<u>81,002</u>		<u>83,501</u>		<u>98,557</u>		<u>60,443</u>		<u>87,493</u>		<u>53,881</u>
Indirect Expenditures*		17,238		21,128		23,695		31,212		25,792		22,693		33,707		25,280
Total Expenses		<u>98,823</u>		<u>69,977</u>		<u>104,697</u>		<u>114,713</u>		<u>124,349</u>		<u>83,136</u>		<u>121,200</u>		<u>79,161</u>
Annual Surplus (Deficit)		<u>(64,294)</u>		<u>74,709</u>		<u>(79,657)</u>		<u>32,219</u>		<u>(101,844)</u>		<u>134,877</u>		<u>(84,305)</u>		<u>124,504</u>
Beginning Cumulative Surplus (Deficit)		69,930		5,636		80,345		688		32,907		(68,937)		65,940		(18,365)
Ending Cumulative Surplus (Deficit)	\$	<u>5,636</u>	\$	<u>80,345</u>	\$	<u>688</u>	\$	<u>32,907</u>	\$	<u>(68,937)</u>	\$	<u>65,940</u>	\$	<u>(18,365)</u>	\$	<u>106,139</u>

\*\* For the first three quarters, indirect costs are based on the prior fiscal year's total indirect amount on a percent of year completed basis.  
The 4th quarter board reports reflect the current year's actual indirect expenses allocated to the boards.

Appropriation	(All)
AL Sub Unit	(All)
PL Task Code	CHI1

Sum of Expenditures		Object Type Code				Grand Total
Object Code	Object Name	1000	2000	3000	4000	
1011	Regular Compensation	22,868.60				22,868.60
1023	Leave Taken	3,531.30				3,531.30
1028	Alaska Supplemental Benefit	1,621.41				1,621.41
1029	Public Employee's Retirement System Defined Benefits	875.34				875.34
1030	Public Employee's Retirement System Defined Contribution	1,169.07				1,169.07
1034	Public Employee's Retirement System Defined Cont Health Reim	983.65				983.65
1035	Public Employee's Retirement Sys Defined Cont Retiree Medical	209.00				209.00
1037	Public Employee's Retirement Sys Defined Benefit Unfnd Liab	2,528.21				2,528.21
1039	Unemployment Insurance	61.57				61.57
1040	Group Health Insurance	8,744.32				8,744.32
1041	Basic Life and Travel	13.19				13.19
1042	Worker's Compensation Insurance	247.95				247.95
1047	Leave Cash In Employer Charge	605.69				605.69
1048	Terminal Leave Employer Charge	344.87				344.87
1053	Medicare Tax	369.99				369.99
1069	SU Business Leave Bank Contributions	2.81				2.81
1077	ASEA Legal Trust	45.86				45.86
1079	ASEA Injury Leave Usage	3.55				3.55
1080	SU Legal Trst	7.86				7.86
1970	Personal Services Transfer	225.73				225.73
2000	In-State Employee Airfare			268.65		268.65
2001	In-State Employee Surface Transportation			38.35		38.35
2002	In-State Employee Lodging			387.00		387.00
2003	In-State Employee Meals and Incidentals			180.00		180.00
2005	In-State Non-Employee Airfare			1,362.79		1,362.79
2006	In-State Non-Employee Surface Transportation			7.30		7.30
2007	In-State Non-Employee Lodging			703.00		703.00
2008	In-State Non-Employee Meals and Incidentals			570.00		570.00
2009	In-State Non-Employee Taxable Per Diem			77.00		77.00
2010	In-State Non-Employee Non-Taxable Reimbursement			770.38		770.38
2020	Out-State Non-Employee Meals and Incidentals			224.00		224.00
2022	Out-State Non-Employee Non-Taxable Reimbursement			1,824.58		1,824.58
3000	Training/Conferences				295.00	295.00
3002	Memberships				1,124.00	1,124.00
3035	Long Distance				98.35	98.35
3036	Local/Equipment Charges				303.86	303.86
3044	Courier				10.55	10.55
3045	Postage				7.62	7.62
3046	Advertising				175.10	175.10
3057	Structure, Infrastructure and Land - Rentals/Leases				42.06	42.06
3069	Commission Sales				57.00	57.00
3088	Inter-Agency Legal				786.55	786.55
4002	Business Supplies					108.41
<b>Grand Total</b>		<b>44,459.97</b>		<b>6,413.05</b>	<b>2,900.09</b>	<b>108.41</b>
						<b>53,881.52</b>

# New Business

A. Postgraduate  
Preceptorships  
While Waiting for  
Board Exam Scores

# Public Comment/ Correspondence

## A. Dr. Walter Campbell's Letter to Board

**Public Comment:**

The board chair shall open public comment. The time allotted for comment will be divided between all individuals signed in to give comment. The group will be told how much time each person will have to speak; the licensing examiner will keep track of the time and notify the individual when they have 1 minute left.

This is not the time for the board to respond to the comments. The board can choose to respond to any comments at the end of the comment period; they can choose to send a letter with their responses to the individual; or they can choose to not respond.

**From:** [Dr Walter Campbell](#)  
**To:** [REDACTED]  
**Cc:** [Bay, Thomas L \(CED\)](#)  
**Subject:** Medicaid and Chiropractic  
**Date:** Sunday, February 3, 2019 8:18:26 PM

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Dear Dr Larson,

I'm writing you to ask the board to consider a letter to the governor, encouraging him to direct HHS to open up Medicaid to working age adults with musculoskeletal chronic, and acute injuries, and other injuries for which the treatment falls within the Chiropractic scope of practice within the state of Alaska.

It is my belief that the board is in a unique position to speak clinically on the benefit to the public- of opening Chiropractic to working age adults enrolled in Medicaid, and protecting the public is one of the board's stated missions.

The governor has, himself, stated as a priority decreasing the cost of health care and attacking the opioid crisis, which has become both a health and public safety issue. Chiropractic, not only offers a less expensive care pathway, for chronic pain and other injuries that can lead to chronic pain issues, but in most cases, a better outcome.

I think a letter from the board, encouraging chiropractic benefits for adult Medicaid patients, as well as perhaps the acceptance of DCs as physicians under Medicaid, with the ability to diagnose and refer for PT or massage, would carry significant weight, would make a great deal of sense, and would encourage the governor to move HHS in this direction. Given the board's role and background as the gatekeeper for clinical acumen with regards to Chiropractic, it's a natural extension that the board would want to weigh in on this issue, and I believe the governor would listen carefully to what the board had to say.

Thank you for your consideration in this matter, and for all that you do.

Dr Walter Campbell



# Administrative Business

# STATE OF ALASKA 2019

## State Holidays

Date	Holiday
01/01	New Year's Day
01/21	MLK Jr.'s Birthday
02/18	Presidents' Day
03/25	Seward's Day
05/27	Memorial Day
07/04	Independence Day
09/02	Labor Day
10/18	Alaska Day
11/11	Veterans' Day
11/28	Thanksgiving Day
12/25	Christmas Day

Biweekly employees please refer to appropriate collective bargaining unit agreement for more information regarding holidays.

 Holiday  
 Payday



State calendar maintained by the  
Division of Finance,  
Department of Administration  
<http://doa.alaska.gov/calendars.html>  
Revised 08/28/2018

# STATE CALENDAR

## JANUARY

S	M	T	W	R	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

## FEBRUARY

S	M	T	W	R	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28		

## MARCH

S	M	T	W	R	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

## APRIL

S	M	T	W	R	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

## MAY

S	M	T	W	R	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

## JUNE

S	M	T	W	R	F	S
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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

## JULY

S	M	T	W	R	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

## AUGUST

S	M	T	W	R	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

## SEPTEMBER

S	M	T	W	R	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

## OCTOBER

S	M	T	W	R	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

## NOVEMBER

S	M	T	W	R	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

## DECEMBER

S	M	T	W	R	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

