

**BOARD OF CHIROPRACTIC EXAMINERS**  
Professional & Vocational Licensing Division  
Department of Commerce and Consumer Affairs  
State of Hawaii

**MINUTES OF MEETING**

The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by §92-7(b), Hawaii Revised Statutes (HRS).

Date: Thursday, September 5, 2013

Time: 9:00 a.m.

Place: King Kalakaua Conference Room  
King Kalakaua Building  
335 Merchant Street, 1<sup>st</sup> Floor  
Honolulu, Hawaii 96813

Present: Robert E. Klein, D.C., F.A.C.O., Chair  
James A. Pleiss, D.C., D.A.B.C.O., Vice-Chair  
Lina M. Kikuta, Member  
Lynn Bhanot, Executive Officer ("EO")  
James Peige, Deputy Attorney General ("DAG")  
Wilma Balon, Secretary

Excused: Kathleen T. Kang-Kaulupali, Pharm. D., Member  
Lawrence A. Redmond, D.C.

Call to Order: There being a quorum present, the meeting was called to order by Dr. Klein at 9:18 a.m.

Additions/  
Revisions: None.

Approval of  
Meeting Minutes: Minutes of the July 11, 2013 Board Meeting

It was moved by Dr. Pleiss, seconded by Ms. Kikuta, and unanimously carried to approve the minutes of the July 11, 2013 meeting as circulated.

Executive Officer's  
Report:

- A. Council on Chiropractic Education (CCE)
1. July 22, 2013 Public Comment Re: Draft Residency Program Standards.

Executive Officer Bhanot informed members of the opportunity to submit public comments to the Draft Residency Program Standards for review and action by the Council at its

January 2014 Annual Meeting. Ms. Bhanot reminded members that public comments intended for consideration by the Council at the Annual Meeting must be received by email no later than 4:30 pm (local time) on September 30, 2013.

2. August 9, 2013 Accreditation Actions.

The announcement was distributed to members informing them of the accreditation actions taken by the Council at its July 12 -13, 2013 Semi-Annual Meeting.

Licensing:

A. Ratifications of Issued License

1. GALA, Thaddeus
2. PRASARNSUK, Spencer S.
3. BRILLIANT, Joseph E.
4. MCCARTHY, Gina A.

It was moved by Dr. Pleiss, seconded by Ms. Kikuta, and unanimously carried to ratify the above staff approval of licensee(s).

New Business:

A. RICO Chiropractor Advisory Committee – Effective January 1, 2014

The Regulated Industries Complaints Office (“RICO”) provided to the Board for their review and approval, the RICO Chiropractor Advisory Committee list - Effective January 1, 2014;

Dr. Randy R. Collins  
Dr. Tracy C. Matsumoto  
Dr. Joseph G. Morelli  
Dr. James A. Stanley

The RICO Chiropractor Advisory Committee list also included “Addendum to RICO Chiropractor Advisory Committee List” which states that “The RICO Chiropractor Advisory Committee also includes any additional interim appointees that RICO deems necessary to aid in its investigations”.

After discussion, it was moved by Dr. Pleiss, seconded by Ms. Kikuta, and unanimously carried to approve the RICO Chiropractor Advisory Committee list and the Addendum language – Effective January 1, 2014.

B. Ethics Advisory 2013-03

Board members were provided a copy of the Ethics Advisory 2013-03, by the Hawaii State Ethics Commission. Executive Officer Bhanot informed members that the Commission issued this memorandum to inform applicable personnel "that the State Ethics Code requires a board member to resign as a member of the board when he decides to apply for a position that is hired, selected or approved by the board".

Correspondence:

A. August 2, 2013 letter received from the U.S. Department Of Transportation, Federal Motor Carrier Safety Administration, Elaine M. Papp Re: Scope of Practice.

The Board reviewed and discussed the letter received on August 2, 2013 by Ms. Papp.

The letter asks "Does the scope of practice for a Chiropractor permit him/her to conduct the testing and physical examination of body systems required on the enclosed Medical Examination Report, determine whether the driver is physically qualified to drive a CMV in interstate commerce, and complete the Medical Examiner's Certificate?"

After due consideration, it was moved by Dr. Pleiss, seconded by Ms. Kikuta and unanimously carried that the Board informally opined a licensed chiropractor is qualified to complete the Medical Examiner's Certificate as this falls within the chiropractic scope of practice, Hawaii Revised Statutes ("HRS") § 442-1 and Hawaii Administrative Rules (HAR) § 16-76-26.

In accordance with HAR section 16-201-90, the above interpretation is for informational and explanatory purposes only. It is not an official opinion or decision, and thus, is not to be viewed as binding on the Board.

B. August 21, 2013 email from Mari Naito Re: Basic Standard for Hygiene.

The Board reviewed and discussed the email dated August 21, 2013 from Mari Naito.

Discussion followed. It was moved by Dr. Pleiss, seconded by Ms. Kikuta and unanimously carried to inform Ms. Naito HAR Chapter 76 addresses the minimal

acceptable clinical competencies necessary to the practice of chiropractic. HAR §16-76-26(3)(A)(B) states:

§16-76-26 Minimal clinical competencies. The following addresses the minimal acceptable clinical competencies necessary to the practice of chiropractic. They identify the knowledge, skills, and attitudes required of the non-specialist, primary care doctor of chiropractic:

(3) Neuromusculoskeletal examination, the foundation of the chiropractic approach towards evaluating the patient's health problems that are often associated with the spine and extremities. The spine and its relationship to nervous system function are also viewed as important factors in the patient's general health. A neuromusculoskeletal examination involves the use of:

(A) Inspection, palpation, percussion, range of motion, and appropriate procedures in a correct, orderly, safe and hygienic manner; and

(B) Instruments and equipment in an appropriate, safe, and hygienic manner;

In accordance with Hawaii Administrative Rules section 16-201-90, the above interpretation is for informational and explanatory purposes only. It is not an official opinion or decision, and thus, is not to be viewed as binding on the Board.

Continuing  
Education ("CE"):

A. Ratification of CE Courses – New Applications and Re-registrations:

See attached list(s).

It was moved by Dr. Pleiss, seconded by Ms. Kikuta, and unanimously carried to ratify the approval of the following CE courses:

- Index No. HI 13-134
- Index No. HI 13-144
- Index No. HI 13-146 – HI 13-149
- Index No. HI 13-151 – HI 13-152
- Index No. HI 13-154
- Index No. HI 13-156 – HI 13-160
- Index No. HI 13-162

It was moved by Dr. Pleiss, seconded by Ms. Kikuta, and unanimously carried to approve the following CE courses with adjusted hours due to recalculation of hours, in that HAR §16-76-39, provides that continuing education shall be given for whole hours only, with a minimum of fifty minutes constituting one class hour:

- Index No. HI 13-104, 58 hours offered/21 hours maximum out of 61.50 hours/22.50 hours maximum requested
- Index No. HI 13-141, 44 hours offered/20 hours may be earned out of 46 hours requested/20 hours may be earned
- Index No. HI 13-142, 1 hour out of 1.50 hours requested
- Index No. HI 13-145, 11 hours out of 12 hours requested
- Index No. HI 13-150, 36 hours out of 36.50 hours requested
- Index No. HI 13-161, 32 hours available/20 hours maximum out of 32.50 hours/20.50 hours maximum requested
- Index No. HI 13-163, 19 hours out of 21 hours requested
- Index No. HI 13-164, 1 hour out of 1.50 hours requested
- Index No. HI 13-165, 10 hours out of 10.50 hours requested

It was moved by Dr. Pleiss, seconded by Ms. Kikuta, and unanimously carried to approve the following CE courses with adjusted hours in that the non-approved hours do not comply with the provisions of Chapter 76, subchapter 6, HAR:

- Index No. HI 13-143, 202 hours offered/28 hours may be earned out of 214 hours requested

B. Other CE Courses

1. Request from James Pleiss, D.C. for approval of "National Board of Chiropractic Examiner's Part IV Examination, May 17, 18 & 19, 2013", for 17.50 hours of continuing education.
2. Request from James Pleiss, D.C. for approval of "National Board of Chiropractic Examiner's Part IV Test Committee, June 7 & 8, 2013", for 13.75 hours of continuing education.

It was moved by Ms. Kikuta, seconded by Dr. Klein, and unanimously carried to defer Dr. Pleiss request for the approval of his CE courses.

3. Request from Nicholas Opie, D.C. for approval of "National Board of Chiropractic Examiner's Part IV Examination, May 17, 18 & 19, 2013", for 17.50 hours of continuing education.

4. Request from Nicholas Opie, D.C. for approval of "National Board of Chiropractic Examiner's Part IV Examination, May 18, 19 & 20, 2012", for 16.75 hours of continuing education.

It was moved by Dr. Pleiss, seconded by Ms. Kikuta, and unanimously carried to ratify the approval of the above referenced CE courses.

Next Meeting: Thursday, November 7, 2013  
9:00 a.m.  
King Kalakaua Conference Room  
335 Merchant Street, 1<sup>st</sup> Floor  
Honolulu, HI 96813

Adjournment: There being no further business to discuss, the meeting adjourned at 10:00 a.m.

Taken and recorded by:

/s/Wilma Balon

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Wilma Balon, Secretary

Reviewed and approved by:

/s/Lynn R. Bhanot

\_\_\_\_\_  
Lynn R. Bhanot, Executive Officer

LRB:wb  
10/13

- ( X ) Minutes approved as is.  
( ) Minutes approved with changes; see minutes of \_\_\_\_\_.

**CHIROPRACTIC CONTINUING EDUCATION  
2012-2013  
ALL COURSES EXPIRE ON DECEMBER 31, 2013 UNLESS OTHERWISE NOTED**

Index No.	Program Title	Dates - Locations	Sponsor	Hours	Approved
HI 13-104	2013 Texas Chiropractic College Convention & Homecoming	7/18-20/13, Galveston, TX	Texas Chiropractic College	58 hours offered/21 hours maximum	9/5/2013
HI 13-134	Spine Exam	8/2013-8/2014, Online course at ProfessionalCE.net	Professional Continuing Education	6	9/5/2013
HI 13-141	NUCCA Fall Conference	10/10-12/13, Newport Beach, CA	Life Chiropractic College West	44 hours offered/20 hours may be earned	9/5/2013
HI 13-142	New Insights to Herbal Medicine including Therapeutic Strategies to Cope with Stress	Webinar, 8/22/13 (3 pm - 4:30 pm) Pacific Time	Logan College of Chiropractic	1	9/5/2013
HI 13-143	FCA National Convention and Expo 2013	8/22-25/13, Orlando, FL	Texas College of Chiropractic	202 hours offered/28 hours may be earned	9/5/2013
HI 13-144	Healthy Aging	12/7-8/13, Seattle, WA	Northwestern Health Sciences University	12	9/5/2013
HI 13-145	The WOW Factor	10/26-27/13, Honolulu, HI	Northwestern Health Sciences University	11	9/5/2013
HI 13-146	Evidence Based Rehabilitation, Knowledge & Skill Building for the Chiropractic Expert	10/10-12/13, Lombard, IL	National University of Health Sciences	18	9/5/2013
HI 13-147	Cox Technic Seminar-Part II	11/15-17/13, Lombard, IL	National University of Health Sciences	18	9/5/2013
HI 13-148	Sacro Occipital Research Society, International Homecoming 2012	10/16-20/13, Omaha, NE	Palmer College of Chiropractic	116 hours offered/27 hours may be earned	9/5/2013
HI 13-149	Parker University Homecoming 2013	10/25-27/13, Parker Campus, Dallas, TX	Parker University	68 hours offered/20 hours possible	9/5/2013
HI 13-150	IFM - Applying Functional Medicine in Clinical Practice	9/16-20/13, Minneapolis, MN	National University of Health Sciences	36	9/5/2013
HI 13-151	Neurological Applications of Applied Kinesiology Session 2	12/13-15/13, Burlingame, CA	Logan College of Chiropractic	25	9/5/2013
HI 13-152	Neurological Applications of Applied Kinesiology Session 1	11/1-3/13, Burlingame, CA	Logan College of Chiropractic	25	9/5/2013
HI 13-154	Chiropractic Mastery	10/12-13/13, Denver, CO	Sherman College of Chiropractic	17	9/5/2013

**NOTE: For specific course content information and dates/locations of course offerings, contact sponsors directly.**

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Index No.	Program Title	Dates - Locations	Sponsor	Hours	Approved
HI 13-156	Chiropractic Treatment of Shoulders and Common Athletic Injuries	10/10/13, Maui, HI; 10/12/13, Honolulu, HI	Fetterman Events	12	9/5/2013
HI 13-157	Treating the Kinetic Chain: Upper Extremities to Lower Extremities and everything in between	12/12/2013, Honolulu, HI; 12/14/13, Maui, HI	Fetterman Events	12	9/5/2013
HI 13-158	CCCKC Homecoming/KCA Fall Convention 2013: Your Road Ahead	10/11-13/13, Overland Park, KS	Cleveland Chiropractic College	72 hours total/20 hours may be earned	9/5/2013
HI 13-159	Network Spinal Analysis - Basic Care Intensive	9/27-29/13, Toronto Canada; 10/4-6/13, Burlingame, CA; 11/1-3/13, Atlanta, GA	Sherman College of Chiropractic	18	9/5/2013
HI 13-160	Mayo Clinic Top 10 Health Threats for Men & Woman	11/2/13, Portland, OR	Logan College of Chiropractic	8	9/5/2013
HI 13-161	22nd ProSport Chiropractic Seminar	12/5-8/13, Las Vegas, NV	Logan College of Chiropractic	32 hours available/20 hours maximum	9/5/2013
HI 13-162	Active Release Technique - Complex Protocols	11/14-17/13, St. Louis, MO; 12/12-15/13, Las Vegas, NV	New York Chiropractic College	24	9/5/2013
HI 13-163	14th Annual Fall Symposium and Homecoming	10/11-13/13, Portland Oregon	University of Western States	19	9/5/2013
HI 13-164	Online: Boundaries with Patients: Confidentiality & Sexual Misconduct	Ongoing Online Activity	Parker University	1	9/5/2013
HI 13-165	ChiroPlan Hawaii CE #17	10/19/-20/13, Honolulu, HI	ChiroPlan Hawaii, Inc.	10	9/5/2013
↓	<b><u>2012-2013 RE-REGISTRATIONS</u></b> ↓				
HI 13-109R13	Four Days of Human Dissection	8/5-8/13, Honolulu, HI	Carrick Institute	21	9/5/2013

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